

AGENDA

Liveability, Governance and Finance Standing Committee Meeting Wednesday, 14 June 2023

I hereby give notice that a Meeting of the Liveability, Governance and Finance Standing Committee will be held on:

Date: Wednesday, 14 June 2023

Time: 9:00am

Location: Warren Truss Chamber

45 Glendon Street

Kingaroy

Mark Pitt PSM
Chief Executive Officer

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In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

- 1 OPENING
- 2 LEAVE OF ABSENCE / APOLOGIES
- 3 RECOGNITION OF TRADITIONAL OWNERS
- 4 DECLARATION OF INTEREST

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 MINUTES OF THE LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING HELD ON 10 MAY 2023

File Number: 14-06-2023

Author: Executive Assistant
Authoriser: Chief Executive Officer

OFFICER'S RECOMMENDATION

That the Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 10 May 2023 be received.

ATTACHMENTS

1. Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 10 May 2023

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MINUTES

Liveability, Governance and Finance Standing Committee Meeting Wednesday, 10 May 2023

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MINUTES OF SOUTH BURNETT REGIONAL COUNCIL LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING HELD AT THE WARREN TRUSS CHAMBER, 45 GLENDON STREET, KINGAROY ON WEDNESDAY, 10 MAY 2023 AT 9:00AM

PRESENT: Councillors:

Cr Brett Otto (Mayor), Cr Gavin Jones (Deputy Mayor), Cr Jane Erkens, Cr Danita Potter, Cr Kirstie Schumacher, Cr Kathy Duff, Cr Scott Henschen

Council Officers:

Aaron Meehan (Acting Chief Executive Officer), Peter O'May (General Manager Liveability), Susan Jarvis (General Manager Finance & Corporate), Darryl Brooks (Manager Environment & Planning), David Hursthouse (Coordinator Development Services), Leanne Petersen (Manager Facilities & Parks), Kimberley Donohue (Executive Assistant), Kerri Anderson (Manager Finance & Sustainability), Jennifer Pointon (Manager Community & Lifestyle),

1 OPENING

Cr Jane Erkens opened the meeting and welcomed all attendees.

2 LEAVE OF ABSENCE / APOLOGIES

Mark Pitt, Chief Executive Officer.

3 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Cr Duff acknowledged the traditional custodians of the land on which the meeting took place.

4 DECLARATION OF INTEREST

I, Cr Kirstie Schumacher inform this meeting that I have a declarable conflict of interest (as defined in section 150EN of the Local Government Act 2009) in agenda item **13.3 - Transmission Line Relocation - Meandu Mine**. The nature of my interest is as follows:

This declarable conflict of interest arises because I was a past employee of Tarong Power Station.

I wish to participate in the decision in relation to this matter. I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009, where I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter.

Attendance:

At 9:04am, Cr Kirstie Schumacher left the meeting.

DECLARATION OF INTEREST - STAY IN MEETING

COMMITTEE RESOLUTION 2023/209

Moved: Cr Gavin Jones Seconded: Cr Danita Potter

That Council resolve that Cr Kirstie Schumacher has a declarable conflict of interest in the matter and notwithstanding the conflict, Cr Kirstie Schumacher may participate in the matter, discuss and vote upon it.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

Attendance:

At 9:05am, Cr Kirstie Schumacher returned to the meeting. At 9:05am, Manager Community & Lifestyle Jennifer Pointon entered the meeting. At 9:17am, Manager Finance & Sustainability Kerri Anderson entered the meeting via teams.

5 DEPUTATIONS/PETITIONS

5.1 DEPUTATION - JON HOLDEN - PROPOSED ROLLOUT OF 5G MICROWAVE FREQUENCIES

Jon Holden gave a deputation to the chambers regarding the proposed rollout of 5G microwave frequencies.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 MINUTES OF THE LIVEABILITY, GOVERNANCE AND FINANCE STANDING COMMITTEE MEETING HELD ON 12 APRIL 2023

COMMITTEE RESOLUTION 2023/210

Moved: Cr Danita Potter Seconded: Cr Kathy Duff

That the Minutes of the Liveability, Governance and Finance Standing Committee Meeting held on 12 April 2023 be received.

<u>In Favour:</u> Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

MOTION

COMMITTEE RESOLUTION 2023/211

Moved: Cr Danita Potter Seconded: Cr Kirstie Schumacher

That item 13.4 be escalated and dealt with next on the agenda.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 9:44am, Manager Community & Lifestyle Jennifer Pointon left the meeting.

MOTION

COMMITTEE RESOLUTION 2023/212

Moved: Cr Danita Potter Seconded: Cr Kirstie Schumacher

That there be no further discussion and that item 13.4 goes to the vote.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott

Henschen

Against: Crs Brett Otto and Kathy Duff

CARRIED 5/2

13.4 TELECOMMUNICATION TOWERS

COMMITTEE RESOLUTION 2023/213

Moved: Cr Danita Potter Seconded: Cr Kirstie Schumacher

That the report be received for information.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott

Henschen

Against: Crs Brett Otto and Kathy Duff

CARRIED 5/2

13.4.1 QUESTION ON NOTICE - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) - TELECOMMUNICATIONS INFRASTRUCTURE

Question on notice from Mayor Brett Otto:

The Australian Local Government Association (ALGA) had passed a resolution a few years back to approach the Federal Government to give local Councils greater authority in relation to upgrades of existing telecommunications infrastructure. What was this resolution and what is the status?

Attendance:

At 9:59am, Manager Community & Lifestyle Jennifer Pointon returned to the meeting.

13.4.2 ADVOCACY DIGITAL PLAN

COMMITTEE RESOLUTION 2023/214

Moved: Cr Kirstie Schumacher Seconded: Cr Danita Potter

That the Committee recommends to Council that:

- Council meets with NBN and the relevant telcos and uses the information provided to develop
 a digital plan for the South Burnett that can be used as a advocacy document for the Mayor
 and Councillors to take to the ALGA Assembly and the Ministerial meetings scheduled in
 Canberra later this year.
- The purpose of this plan will be to identify and agree on the existing black spots and seek to leverage the next rounds of Federal funding for regional connectivity and upgrades with consideration to future opportunities to apply for disaster funding to acquire hybrid power cubes for use during disasters.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 10:01am, Manager Environment & Planning Darryl Brooks left the meeting.

At 10:01am, Coordinator Development Services David Hursthouse left the meeting.

At 10:05am, Cr Danita Potter left the meeting.

At 10:08am, Cr Danita Potter returned to the meeting.

7 NOTICES OF MOTION

7.1 NOTICE OF MOTION - REGIONAL ECONOMIC FUTURES FUND

COMMITTEE RESOLUTION 2023/216

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the Committee recommends to Council:

 Council endorses the attached South Burnett Just Transition briefing paper requesting \$15.95M (in the first instance) from the Regional Economic Futures Fund to enable Council to project manage and progress the following proposed scope of works with KBR:

| Activity | Cost estimate |
|---|-----------------|
| Demand and viability assessment of the Boondooma to Tarong Pipeline | \$0.6 million |
| West Barambah Project Detailed Business Case | \$6 million |
| Gordonbrook Dam Detailed Business Case | \$2.5 million |
| Blackbutt irrigation Detailed Business Case | \$2.5 million |
| Gordonbrook Dam targeted environmental assessments | \$0.5 million |
| Blackbutt irrigation targeted environmental assessments | \$0.5 million |
| Gordonbrook EIS terms of reference | \$0.25 million |
| Procurement, project management, oversight, contract management and governance. | \$1.0 million |
| Contingency (10%) | \$2.1 million |
| Total | \$15.95 million |
| FURTHER PROJECTS: Awaiting funding announcement | |
| The Barlil Weir project has been submitted by SunWater to the National Water Infrastructure Development Fund – if the project is not funded, the following funds will also be sort to continue the Barlil Weir project: | |
| Barlil Weir Detailed Business Case | \$6 million |
| Barlil Weir targeted environmental assessments | \$0.5 million |
| Barlil Weir EIS terms of reference | \$0.25 million |
| TOTAL | \$6.75 million |

- That arrangements be made to meet in person and present a copy of this briefing paper to the Premier of Queensland, Annastacia Palaszczuk MP, Deputy Premier Hon Dr Steven Miles MP, Minister for State Development, Infrastructure, Local Government and Planning and Mick de Brenni MP, Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement.
- That a briefing be arranged with the LGAQ, Department of State Development and Mayor Baker to discuss the proposal put forward.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

ADJOURN MORNING TEA

COMMITTEE RESOLUTION 2023/217

Moved: Cr Scott Henschen Seconded: Cr Kirstie Schumacher

That the meeting adjourn for morning tea.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

RESUME MEETING

COMMITTEE RESOLUTION 2023/218

Moved: Cr Scott Henschen Seconded: Cr Gavin Jones

That the meeting resume at 10:42am.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

7.2 NOTICE OF MOTION - MURGON WATER TOWER MURAL

COMMITTEE RECOMMENDATION

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

That the Committee recommends to Council:

That Council engage with the Murgon community, the Murgon Business and Development Association and Stanwell Corporation as to options for the design, painting and funding of a mural on the council water tower on the Bunya Highway at the western town entry.

AMENDMENT

Moved: Cr Gavin Jones Seconded: Cr Brett Otto

That the Committee recommends to Council:

That Council approach the Murgon Business and Development Association as to them engaging with the Murgon Community as to options for the design, painting and funding of a mural on the council water tower on the Bunya Highway at the western town entry.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

THE AMENDMENT BECAME THE RESOLUTION

COMMITTEE RESOLUTION 2023/219

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

That the Committee recommends to Council:

That Council approach the Murgon Business and Development Association as to them engaging with the Murgon Community as to options for the design, painting and funding of a mural on the council water tower on the Bunya Highway at the western town entry.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

7.3 NOTICE OF MOTION - GARDEN BED - CORNER OF MACKENZIE & BRAMSTON STREETS, WONDAI

COMMITTEE RESOLUTION 2023/220

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

The Committee recommends to Council:

That Council investigate the options to trim or remove the current shrubs and plants within the garden bed at the intersection of MacKenzie and Bramston Streets, Wondai and plant appropriate low plants and flowers.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

7.3.1 QUESTION ON NOTICE - REPLACEMENT PROGRAM FOR PLANTS IN GARDEN BEDS

Question on notice from Cr Schumacher:

Is there a replacement program for plants in garden beds when they reach a certain age? What budget do we allocate to replace plantings and is it enough?

Attendance:

At 11:43am, Manager Community & Lifestyle Jennifer Pointon left the meeting.

7.4 NOTICE OF MOTION - PLANTER BOXES IN WONDAI

COMMITTEE RESOLUTION 2023/221

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the Committee recommends to Council that:

- Council relocates the planter box if still in useable condition from the front of the closed plumbing works in Wondai to the front of the chemist shop at 64 MacKenzie St, Wondai;
- Council plants flowers/herbs in the planter boxes to add colour to the CBD area;
- Council approaches the business owners in Wondai that have planter boxes outside their shops and ask if they would agree to water and maintain the plants.

<u>In Favour:</u> Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Cr Kirstie Schumacher

CARRIED 6/1

7.5 NOTICE OF MOTION - PREPARATIONS FOR NANANGO'S 175TH CELEBRATIONS

COMMITTEE RESOLUTION 2023/222

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the Committee recommends to Council that:

- Council pressure clean the CBD Nanango footpaths, clean around the bins and do an extra special job with the parks and gardens in preparation and prior to the main event of the 10th of June 2023.
- Council provide a marquee to sell merchandise.
- Council provide a full bin service for the day in consultation with the committee
- Council put some planter boxes with bright flowers in the streets to add some colour to enhance the streets for the celebration as requested over a number of years.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

MOTION

COMMITTEE RESOLUTION 2023/223

Moved: Cr Scott Henschen Seconded: Cr Kathy Duff

That item 7.6 be moved to the confidential section of the meeting under section 254J.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 12:03pm, Manager Facilities & Parks Leanne Petersen left the meeting.

At 12:07pm, Manager Community & Lifestyle Jennifer Pointon returned to the meeting.

At 12:09pm, Executive Assistant Wendy Kruger entered the meeting.

At 12:09pm, Executive Assistant Wendy Kruger left the meeting.

- 8 PORTFOLIO CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATION & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION AND ADVOCACY, 2032 OLYMPICS & PARALYMPICS
- 8.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS & PARALYMPICS PORTFOLIO REPORT

COMMITTEE RESOLUTION 2023/224

Moved: Cr Brett Otto Seconded: Cr Gavin Jones

That Mayor Otto's Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council be received.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 12:15pm, Cr Danita Potter left the meeting.

At 12:18pm, Cr Danita Potter returned to the meeting.

At 12:18pm, Cr Gavin Jones left the meeting.

At 12:20pm, Cr Gavin Jones returned to the meeting.

8.2 ATTENDANCE - LGAQ BIENNIAL BUSH COUNCIL'S CONFERENCE 2023

COMMITTEE RESOLUTION 2023/225

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That Cr Schumacher attend the LGAQ biennial Bush Councils Convention 2023 and accept the invitation to be a guest speaker as part of a panel.

In Favour: Crs Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher and Scott

Henschen

Against: Crs Brett Otto and Kathy Duff

CARRIED 5/2

AMENDMENT

Moved: Cr Brett Otto Seconded: Cr Kathy Duff

That Cr Schumacher attend the LGAQ biennial Bush Councils Convention 2023 and accept the invitation to be a guest speaker as part of a panel and that Mayor Otto is removed from the attendees list.

In Favour: Crs Brett Otto, Danita Potter and Kathy Duff

Against: Crs Gavin Jones, Jane Erkens, Kirstie Schumacher and Scott Henschen

LOST 3/4

ADJOURN LUNCH

COMMITTEE RESOLUTION 2023/226

Moved: Cr Scott Henschen Seconded: Cr Brett Otto

That the meeting adjourn for lunch.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

RESUME MEETING

COMMITTEE RESOLUTION 2023/227

Moved: Cr Jane Erkens Seconded: Cr Danita Potter

That the meeting resume at 1:41pm.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

Manager Finance & Sustainability Kerri Anderson was in attendance (via teams) at the resumption of the meeting.

9 CORPORATE GOVERNANCE & STRATEGY

9.1 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL TECHNOLOGY PUBLIC ACCESS POLICY - STRATEGIC019

COMMITTEE RESOLUTION 2023/228

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That the Committee recommends to Council:

That the South Burnett Regional Council Technology Public Access Policy – Strategic019 be adopted as presented.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

9.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL REVENUE POLICY 2023/2024 - STATUTORY005

COMMITTEE RESOLUTION 2023/229

Moved: Cr Danita Potter Seconded: Cr Kathy Duff

That the Committee recommends to Council:

That the South Burnett Regional Council Revenue Policy 2023/2024 – Statutory005 be adopted as presented.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

10 PORTFOLIO - COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES

10.1 COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES PORTFOLIO REPORT

COMMITTEE RESOLUTION 2023/230

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That Cr Potter's Community Development, Arts & Heritage and Library Services Portfolio Report to Council be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

10.2 COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE

COMMITTEE RESOLUTION 2023/231

Moved: Cr Danita Potter Seconded: Cr Kathy Duff

That the Community and Lifestyle Operational Update be received.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

11 COMMUNITY DEVELOPMENT (HEALTH, YOUTH, SENIOR CITIZENS)

Attendance:

At 1:58pm, Manager Environment & Planning Darryl Brooks entered the meeting

At 1:58pm, Coordinator Development Services David Hursthouse entered the meeting

11.1 LICENCE TO OCCUPY - SOUTH BURNETT FUN FLYERS ASSOCIATION INC.

COMMITTEE RESOLUTION 2023/232

Moved: Cr Jane Erkens Seconded: Cr Kathy Duff

That the Committee recommend to Council that:

- That South Burnett Regional Council resolves that the exception in Local Government Regulation 2012 section 236 (1)(b)(ii) applies to Council for the disposal by way of grant of a Deed of Licence to Occupy to the valuable non-current asset which is the land comprising of Lot 354 on CP FY2456, to the South Burnett Fun Flyers Association Inc. for a twelve (12) month trail term.
- South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Deed of Licence to Occupy between Council and South Burnett Fun Flyers Association Inc. on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

12 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES

Attendance:

At 1:59pm, General Manager Peter O'May left the meeting At 2:00pm, General Manager Peter O'May returned to the meeting

12.1 TOURISM & VIC'S, SPORT & RECREATION AND COMMERCIAL ENTERPRISES PORTFOLIO REPORT

COMMITTEE RESOLUTION 2023/233

Moved: Cr Jane Erkens Seconded: Cr Kathy Duff

That Cr Erken's Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report. to Council be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

12.1.1 QUESTION ON NOTICE - FESTIVAL OF THE DAMS SPONSORSHIP

Questions on notice from Mayor Brett Otto:

- 1. To whom is the funding provided and who are the office holders/directors of that organisation?
- 2. Is there an acquittal/audit process in relation to the expenditure of the funding?
- 3. Are opportunities provided equitably and fairly to all commercial operators to hold stalls at Boondooma Dam at the day of the Festival.

12.2 TOURISM MONTHLY UPDATE

COMMITTEE RESOLUTION 2023/234

Moved: Cr Jane Erkens Seconded: Cr Kathy Duff

That the Committee receive the report for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

13 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING

13.1 REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES AND COMMUNITY & SOCIAL HOUSING PORTFOLIO REPORT

COMMITTEE RESOLUTION 2023/235

Moved: Cr Kirstie Schumacher Seconded: Cr Scott Henschen

That Cr Schumacher's Regional Development, Development Services and Community & Social Housing Portfolio Report to Council be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

13.2 PLANNING AND LAND MANAGEMENT OPERATIONAL UPDATE

COMMITTEE RESOLUTION 2023/236

Moved: Cr Kirstie Schumacher Seconded: Cr Danita Potter

That the Planning and Land Management Operational update be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

13.3 TRANSMISSION LINE RELOCATION - MEANDU MINE

COMMITTEE RESOLUTION 2023/237

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That the report be received for information.

<u>In Favour:</u> Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

14 DEVELOPMENT SERVICES - (PLANNING, BUILDING, PLUMBING)

14.1 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

COMMITTEE RESOLUTION 2023/238

Moved: Cr Scott Henschen Seconded: Cr Danita Potter

That the List of correspondence pending completion of assessment report as of 31 April 2023 be received.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

14.2 DELEGATED AUTHORITY REPORTS (1 APRIL 2023 TO 31 APRIL 2023)

COMMITTEE RESOLUTION 2023/239

Moved: Cr Kirstie Schumacher Seconded: Cr Scott Henschen

That the Delegated Authority report be received.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

15 QUESTIONS ON NOTICE

Attendance:

At 2:30pm, General Manager Peter O'May left the meeting.

At 2:31pm, General Manager Peter O'May returned to the meeting.

15.1 QUESTION ON NOTICE - REQUEST FOR INFORMATION

COMMITTEE RESOLUTION 2023/240

Moved: Cr Kirstie Schumacher

Seconded: Cr Kathy Duff

That the response to the question regarding request for information raised by Councillor Schumacher be received and noted.

<u>In Favour:</u> Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 7/0

15.2 LEGAL ADVICE

COMMITTEE RESOLUTION 2023/241

Moved: Cr Kirstie Schumacher Seconded: Cr Danita Potter

That the response to the question regarding legal advice raised by Councillor Schumacher be received and noted.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

15.2.1 QUESTION ON NOTICE - OVERSPEND ON LEGAL ADVICE

Question on notice from Cr Kirstie Schumacher:

Why have we exceeded the budget on legal advice and requesting a more detailed report.

Attendance:

At 2:34pm, Manager Facilities & Parks Leanne Petersen entered the meeting.

15.3 CLOSE OUT OF REQUESTS

COMMITTEE RESOLUTION 2023/242

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the response to the question regarding Close out of Requests raised by Councillor Kathy Duff be received and noted.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

16 CONFIDENTIAL SECTION

COMMITTEE RESOLUTION 2023/243

Moved: Cr Danita Potter Seconded: Cr Scott Henschen

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the *Local Government Regulation 2012*:

16.1 Variation of lease A & B of Lot 1 on M55124

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.2 Animal Management

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.3 Briefing Report for MCU22/0022 - Material Change of Use for the Use Short-term Accommodation 84m2 GFA (within a Secondary Dwelling) at 17 Fork Hill Drive, Moffatdale (and described as Lot 22 on SP221464). Applicant: Lusso Retreats Pty Ltd C/- ONF Surveyors

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on

balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

7.6 Notion of Motion – Dump Point for Wondai Showgrounds

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

Attendance:

At 2:54pm, Manager Finance & Sustainability Kerri Anderson entered the meeting.

At 2:55pm, Manager Community & Lifestyle Jennifer Pointon left the meeting.

At 3:04pm, Manager Environment & Planning Darryl Brooks left the meeting.

At 3:04pm, Coordinator Development Services David Hursthouse left the meeting.

At 3:50pm, Cr Kirstie Schumacher left the meeting.

COMMITTEE RESOLUTION 2023/244

Moved: Cr Scott Henschen Seconded: Cr Kathy Duff

That Council moves out of Closed Council into Open Council.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

16.1 VARIATION OF LEASE A & B OF LOT 1 ON M55124

COMMITTEE RESOLUTION 2023/245

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the Committee recommend to Council that:

- That South Burnett Regional Council resolves that the exception in Local Government Regulation 2012 section 236 (1)(c)(iii) applies to Council for a varied lease be offered to the Commonwealth Bank of Australia for the lease of the shop space, part A and B of Lot 1 on CP M55124, 62-64 Lamb Street.
- 2. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Lease between Council and Commonwealth Bank of Australia on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

16.2 ANIMAL MANAGEMENT

COMMITTEE RESOLUTION 2023/246

Moved: Cr Kathy Duff

Seconded: Cr Scott Henschen

That the report be received for information.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

16.3 BRIEFING REPORT FOR MCU22/0022 - MATERIAL CHANGE OF USE FOR THE USE SHORT-TERM ACCOMMODATION 84M2 GFA (WITHIN A SECONDARY DWELLING) AT 17 FORK HILL DRIVE, MOFFATDALE (AND DESCRIBED AS LOT 22 ON SP221464). APPLICANT: LUSSO RETREATS PTY LTD C/- ONF SURVEYORS

COMMITTEE RESOLUTION 2023/247

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the information report be noted for Council's information and a further report be brought back to the June Liveability, Governance & Finance Standing Committee Meeting.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

7.6 NOTICE OF MOTION - DUMP POINT FOR WONDAI SHOWGROUNDS

COMMITTEE RESOLUTION 2023/248

Moved: Cr Kathy Duff Seconded: Cr Scott Henschen

That the Committee recommends to Council that:

- Council supports an application by the Wondai Showground Management Committee to install a Dump Point for the Showgrounds subject to Councils Water and Wastewater approvals; and
- That the Wondai Showground Management Committee be responsible for the installation and ongoing operational and maintenance costs associated with the dump point.

.In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Nil

CARRIED 6/0

17 CLOSURE OF MEETING

The Meeting closed at 4:01pm.

The minutes of this meeting were confirmed at the Liveability, Governance and Finance Standing Committee Meeting held on 14 June 2023.

| •• | ••• | •••• | •••• | ••• | • • • | •• | ••• | | •• | •• | | | | ••• | | ••• | |
|----|---------|----------|------|-----|-----------|----|-----|----|----|----|----|----|---|-----|---|-----|---|
| | | | | | (| ì | 1/ | ٩I | R | ₹F | PE | ΞF | R | S | C | 1(| ١ |

6 NOTICES OF MOTION

6.1 GIFTING OF MOWER TO BOONDOOMA MUSEUM & HERITAGE ASSOCIATION INC.

File Number: 14-06-2023

I, Councillor Brett Otto, give notice that at the next Liveability, Governance and Finance Standing Committee Meeting of Council to be held on 14 June 2023, I intend to move the following motion:

Procedural Motion

That the Gifting of Mower to Boondooma Museum & Heritage Association Inc Notice of Motion from Mayor Brett Otto be lifted from the table.

MOTION

The Committee recommends to Council that:

 Council gifts the following item of plant and equipment to the Gifting of Mower to Boondooma Museum & Heritage Association Inc. as part of the plant and replacement fleet replacement program in 2023/2024:

Mower 4512 – 2018 Grass Hopper 430D Zero Turn

- 72" Deck
- 29.1 Hp
- Based in Parks Murgon/Wondai
- 2. Council completes the required maintenance on the mower to ensure it is in workable and safe condition prior to transfer.

RATIONALE

The association maintains the large grounds of the Boondooma Homestead with volunteer labour.

The current mower is old and becoming beyond repair.

Council is planning to dispose of this item of equipment in 2023/2024.

The gifting of such to the homestead committee would allow them to continue keeping the grounds in good order.

CORPORATE PLAN

EC6 Appropriately **support and encourage volunteers**, advisory groups and community organisations to value add to Council's services and infrastructure.

REPORT:

This notice of motion was presented at the Liveability, Governance and Finance Standing Committee Meeting on Wednesday 12 April 2023.

6.1 GIFTING OF MOWER TO BOONDOOMA MUSEUM & HERITAGE ASSOCIATION INC.

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COMMITTEE RECOMMENDATION

Moved: Cr Brett Otto Seconded: Cr Scott Henschen

The Committee recommends to Council that:

 Council gifts the following item of plant and equipment to the Gifting of Mower to Boondooma Museum & Heritage Association Inc. as part of the plant and replacement fleet replacement program in 2023/2024:

Mower 4512 – 2018 Grass Hopper 430D Zero Turn

- 72" Deck
- 29.1 Hp
- Based in Parks Murgon/Wondai
- 2. Council completes the required maintenance on the mower to ensure it is in workable and safe condition prior to transfer.

COMMITTEE RESOLUTION 2023/166

Moved: Cr Gavin Jones Seconded: Cr Danita Potter

That item 6.1 lay on the table until the June Liveability, Governance and Finance Standing Committee Meeting.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott

Henschen

Against: Cr Kirstie Schumacher

CARRIED 6/1

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil

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- 7 PORTFOLIO CORPORATE GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATION & MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION AND ADVOCACY, 2032 OLYMPICS & PARALYMPICS
- 7.1 CORPORATE, GOVERNANCE & STRATEGY, PEOPLE & CULTURE, COMMUNICATIONS/MEDIA, FINANCE & SUSTAINABILITY, ICT & BUSINESS SYSTEMS, COMMUNITY REPRESENTATION & ADVOCACY AND 2032 OLYMPICS & PARALYMPICS PORTFOLIO REPORT

File Number: 14-06-2023

Author: Mayor

Authoriser: Chief Executive Officer

PRECIS

Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio

SUMMARY

Mayor Otto presented his Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Mayor Otto's Corporate, Governance & Strategy, People & Culture, Communications/Media, Finance & Sustainability, ICT & Business Systems, Community Representation & Advocacy and 2032 Olympics & Paralympics Portfolio Report to Council be received.

Corporate, Governance & Strategy:

With the end of the financial year approaching, the branch has focussed on completion and closing out of projects and end of year balancing.

Smart Services Queensland have sought to renew the service contract delivered through the Blackbutt Office. Smart Services Queensland are very complimentary of the service provided at the Blackbutt office. The 2023/2024 Host Contract has been signed for the continuation of Services Australia services in Blackbutt.

During May there were 145 QGAP and 35 Services Australia transactions completed, and 19 customers were issued with new number plates at the Blackbutt office.

The Corporate and Governance sections continue to support the organisation and external agencies in complaint management, right to information and legal matters.

Internal auditors will be on site prior to the end of June 2023 to progress the Development Assessment and Approvals, including Infrastructure Charges Management and Collections Process fieldwork.

Communications/Media:

In May 2023, the Media and Communications team progressed the following:

- Media Releases x 22
- Media enquiries (via the Media email) x 12
- Social Media:
 - o Facebook: x 125

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Instagram: x 58
LinkedIn: x 3
Twitter: x 4

Printed advertising x 3

Graphic design x 70

A list of all media release/enquiries and statistics for May 2023 is available as an attachment to this report.

Finance & Sustainability:

At the end of May 2023, Council held \$54.60 million in cash and cash equivalents with \$47.82 million invested with the Queensland Treasury Corporation (QTC).

Water meter readings have been occurring with Kingaroy, Murgon and Proston still to complete.

External Auditors have been on site conducting their interim preliminary testing.

BACKGROUND

Nil

ATTACHMENTS

1. Monthly Media Report - May 2023 🗓 🖫

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Media Releases – May 2023: 22

- 364. Media Release 04-05-2023 Requesting Community support to reduce Vandalism in the South Burnett
- 363. Public Notice 04-05-2023- SBRCQ 2223 121 Sale of Rhodes Grass Hay 4x4ft Round Bales and 8x4x3 Square Bales
- 365. Public Notice 04-05-2023- Notification of Works Glendon Street Share Zone Kingaroy - Solar Installation and Footpath Works
- 4. 366. Public Notice 10-05-2023- SBRCQ 22 23 119 Cleaning of the Blackbutt Customer Service Library Building and Emptying of Street bins
- 5. 367. Public Notice 10-05-2023- Notification of Road Works
- 6. 368. Public Notice 10-05-2023- Community Engagement Maintenance of vegetation at Ros Gregor Walking Track
- 7. 369. Public Notice 10-05-2023- Notice of Works Line Marking Alford Street East Kingaroy
- 8. 370. Public Notice 11-05-2023- Community Engagement Maintenance of Vegetation at Ros Gregor Walking Track
- 9. 371. Public Notice 12-05-2023 SSBRCQ 22 23-120 Traffic Guidance Scheme Review
- 10. 372. Media Release 12-05-2023 Mayor Otto calls for the Biosecurity Levy to be removed
- 11. 373. Public Notice 17-05-2023- Update Notification of Works Glendon Street Shared Zone Kingarov Footpath Works
- 12. 374. Public Notice 22-05-2023- Temporary Closure of the Disability toilet at Les Muller Park Blackbutt
- 13. 375. Public Notice 22-05-2023- The Wolfe Brothers to headline the Day at the Dam Music Festival
- 14. 378. Media Release 23-05-2023 South Burnett Regional Council funds 3 Projects with Queensland Government Regional Arts Funding
- 379. Public Notice 25-05-2023- Notification of Scheduled Maintenance and Works -Wooroolin Public Amenities
- 380. Public Notice 26-05-2023- Notice of Works Campbells Road and Silverleaf Road Silverleaf
- 17. 381. Public Notice 29-05-2023 Memorial Park Kingaroy Desilting of Drain
- 18. 382. Public Notice 30-05-2023- Notification of Road Closure Goodger Gully Road Goodger
- 19. 383. Public Notice 30-05-2023- Council's Sewerage System
- 20. 384. Public Notice 30-05-2023- Successful Grant application for repairs to the Blackbutt State Emergency Service Facility
- 21. 385. Public Notice 30-05-2023 Road Closure due to Main Break along Nanango Brooklands Road
- 22. 386. Public Notice 31-05-2023 Prescribed Burn Notification

| Media Releases 22-23 | | | | | | | | | | | |
|----------------------|-----|-----|-----|-----|-----|-----|--|--|--|--|--|
| 2022 | Jul | Aug | Sep | Oct | Nov | Dec | | | | | |
| | 47 | 42 | 34 | 33 | 33 | 31 | | | | | |
| 2023 | Jan | Feb | Mar | Apr | May | Jun | | | | | |
| | 28 | 43 | 34 | 38 | 22 | | | | | | |

1

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Media enquiries (received to the 'Media' email, excludes phone and other emails): 12

- 03-05-2023 Burnett Today 23/24 Kerb and Channelling Budget Axed 03-05-2023 Burnett Today More Local Roads and Community Infrastructure 2. Program funding
- 03-05-2023 News Corp Kingaroy residents experiencing brown tap water 3.
- 04-05-2023 South Burnett Online 56 Mile Peg
- 5. 05-05-2023 - South Burnett Online - 'How would you feel?': Residents angry over powerlines
- 08-05-2023 News Corp Vandalism in the South Burnett
- 15-05-2023 News Corp Mayor Otto calls for the Biosecurity Levy to be removed 7.
- 23-05-2023 South Burnett Online Vandalism at Blackbutt 8.
- 24-05-2023 Burnett Today Aerial spraying in East Nanango Forest
- 10. 26-05-2023 News Corp South Burnett tap water comments
- 26-05-23 News Corp South Burnett roadkill collection statistics 11.
- 12. 30-05-23 News Corp Increase of homeless or feral cats at Kingaroy tip

| Media Enquiries 22-23 | | | | | | | | | | | |
|-----------------------|-----|-----|-----|-----|-----|-----|--|--|--|--|--|
| 2022 | Jul | Aug | Sep | Oct | Nov | Dec | | | | | |
| | 23 | 8 | 8 | 9 | 6 | 11 | | | | | |
| 2023 | Jan | Feb | Mar | Apr | May | Jun | | | | | |
| | 9 | 13 | 12 | 14 | 12 | | | | | | |

Social media: South Burnett Regional Council

Facebook

@southburnettregion: 125 posts (+13.6%)

Most engaged post:

22-05-23 - The Wolfe Brothers to headline the Day at the Dam Music Festival - 35,400

reached, 370 reactions, 144 comments, 78 shares

Followers: 10,105 (+90 from April 2023) Page reach: 71,647 (+186.5% from April 2023) Paid Reach: 1,619 (+100% from April 2023)

Instagram: 58 posts (+11.5%)

Most engaged post:

11-05-2023 - Denim Day - Staff and Councillors photo - 375 reached, 13 likes, 0 share, 1

comment

Followers: 1,175 (+11 from April 2023) Page reach: 1,059 (-4.4% from April 2023)

LinkedIn: 2 posts

Most engaged post: 15-05-23 - We want you - 726 Impressions, 2 Reactions, 29 Clicks, 0

Comments

Website clicks: 64 (+16.4% from April 2023) Page visits: 134 (-9.5% from April 2023) Followers: 2347 (+30 from April 2023)

2

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Twitter: 4 posts (-75% from April 2023)

Top Tweet:

12-05-2023 - South Burnett Link Up Business Breakfast - 70 impressions, 2 profile click, 0

retweet, 10 Likes

Tweet impressions: 306 (-42.5% from April 2023)

Profile visits: 137 (-85.4% from April 2023) **Followers:** 488 (+2 followers from April 2023)

| Socia | Social media posts – all platforms | | | | | | | | |
|-------|------------------------------------|------------|------------|------------|------------|---------------|--|--|--|
| 2022 | Jul | Aug | Sep | Oct | Nov | Dec | | | |
| | Facebook: | Facebook: | Facebook: | Facebook: | Facebook: | Facebook: | | | |
| | 77 | 106 | 65 | 114 | 102 | 73 | | | |
| | Instagram: | Instagram: | Instagram: | Instagram: | Instagram: | Instagram: 44 | | | |
| | 59 | 79 | 49 | 91 | 77 | _ | | | |
| 2023 | Jan | Feb | Mar | Apr | May | Jun | | | |
| | Facebook: | Facebook | Facebook: | Facebook: | Facebook: | Facebook: | | | |
| | 95 | 109 | 135 | 109 | 125 | | | | |
| | Instagram: | Instagram: | Instagram: | Instagram: | Instagram: | Instagram: | | | |
| | 52 | 69 | 64 | 52 | 58 | - | | | |
| | LinkedIn: | LinkedIn: | LinkedIn: | LinkedIn: | LinkedIn: | LinkedIn: | | | |
| | - | - | 0 | 2 | 2 | | | | |
| | Twitter: | Twitter: | Twitter: | Twitter: | Twitter: | Twitter: | | | |
| | - | - | 5 | 9 | 4 | | | | |
| | | | | | | | | | |

Printed advertising

- Council progressed two full page ads (Page 4) in the South Burnett Today published on 4 May and 18 May.
- · Council progressed one Murgon Moments ad in May for South Burnett Libraries

Radio advertising

· Radio advertising was progressed for the month of May.

Graphic design - May 2023

- Website Banners x 2
- Social media graphics Public Notices and Canva Designs x 65
- Signs 1 x Public notice sign amenities closure
- Certificates for 10 and 20 year services
- · Festival of the Dams Certificates

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8 CORPORATE GOVERNANCE & STRATEGY

8.1 DRAFT ANNUAL OPERATIONAL PLAN 2023/2024

File Number: 14-Jun-2023

Author: Coordinator Corporate
Authoriser: Chief Executive Officer

PRECIS

Draft Annual Operational Plan 2023/2024

SUMMARY

Draft Annual Operational Plan 2023/2024

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the Draft Regional Council Operational Plan 2023/2024 be approved be adopted as presented.

BACKGROUND

The Draft Annual Operational Plan has been developed in conjunction with departments based on outcomes identified from discussions at Council's Budget Committee meetings.

The activities identified in the Draft Annual Operational Plan are in line with Council's proposed 2023/2024 budget. The Draft Annual Operational Plan will be presented to the Special Budget Meeting on 21 June 2023 for consideration and adoption.

The Annual Operational Plan for a local government must be consistent with its annual budget.

ATTACHMENTS

1. Draft Operational Plan 2023/2024 J

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Version Control

| date | comment | version |
|----------|-----------------|---------|
| May 2023 | Draft - initial | D1 |

Adoption by Council

Draft Plan adopted at the Special Budget Meeting of Council on 21 June 2023.

Copies of the Annual Operational Plan

Copies of Council's Annual Operational Plan, Corporate Plan and the Annual Reports are available free of charge electronically on Council's website at www.southburnett.qld.gov.au or can be viewed at any Council Library or Customer Service Centre.

Contact Us

All written communications to be addressed to:
The Chief Executive Officer'
PO Box 336 Kingaroy Q 4610
P 1300 789 279
E info@sbrc.qld.gov.au
W www.southburnett.qld.gov.au
F www.southburnettregion
T @SouthBurnettRC
ABN 89 972 463 351

Acknowledgement

We acknowledge and respect the Wakka Wakka and Wulli Wulli people, the traditional owners of this land that we live, work and play and respect their cultures, their ancestors and their elders past, present and future generations.

Introduction

The South Burnett Regional Council ('Council') 2022-23 Annual Operational Plan is required to be developed in accordance with the *Local Government Regulation* 2012 and focuses on the actions that Council staff are expected to take throughout the 12-month period in order to implement the longer-term goals detailed in the South Burnett Regional Council Corporate Plan 2021-26.

In accordance with the provisions of Section 175 of the Local Government Regulation 2012, an Annual Operational Plan must:

- (a) be consistent with the annual budget; and
- (b) state how the local government will -
- (i) progress the implementation of the 5-year corporate plan during the period of the annual operational plan; and
- (ii) manage operational risks; and
- (c) include an annual performance plan for each commercial business unit of the local government.

In accordance with Section 174(3) of the Local Government Regulation 2012, Council will assess its progress towards implementing its Annual Operational Plan on a quarterly basis. The long-term strategies within Council's Corporate Plan 2021-26 are allocated to Departments to progress. Therefore, the Annual Operational Plan has displayed the operational Initiatives and operational services according to Departmental responsibility, to provide clarity and accountability, as well as provide operational focus for the Departments within Council.

All day-to-day core business activities and services are not necessarily listed in the Annual Operational Plan; instead the Annual Operational Plan focuses on initiatives and services that will be required in the current financial year to achieve Council's long term corporate objectives.

The Corporate Plan 2021-26 provides a blueprint for the future of our communities and establishes priorities and outlines strategies which best reflect the needs of our community for today and into the future. Council's Chief Executive Officer is responsible for preparing quarterly reports to the Council on the progress of the implementation of the Annual Operational Plan. These reports ensure that Council's elected members and staff are accountable for the progress made in meeting Council's annual operational plan goals. This plan is reliant linked to South Burnett Regional Council's 2022-23 budget and Council's available human resources.

Executive Services Annual Operational Plan 2023/24

Mission: To effectively plan, manage and deliver Council services and regulatory responsibilities to

and on behalf of the organisation

Officer Responsible: Chief Executive Officer

Responsibilities: Executive Services, Strategic Planning, Media / Communications, Human Resource Management,

Workplace Health and Safety, Advocacy, Economic / Regional Development and oversight of

organisational operational matters

| | Core Activities | | | | |
|--------|---|---------------------|-----------------------|--------|--------|
| Ref | Activity | Branch | Corp Plan | Budget | Target |
| OPE/01 | Strengthen, maintain, and actively contribute to Local Government organisations/associations advocating Council's strategic and operational position on key issues | Office of the CEO | OR12; GR16 | BU1001 | |
| OPE/02 | Develop, coordinate, and publish Council's Annual Report on organisational activities and compliance with legislation | Office of the CEO | OR2 | BU1001 | |
| OPE/03 | Proactive strategic delivery of media and communications utilising activities | Office of the CEO | OR10 | BU1001 | |
| OPE/04 | Implementation of Council's adopted policies | Office of the CEO | OR10; GR1 | BU1001 | |
| OPE/05 | Providing administrative support service to the Elected Members to meet Council's strategic outcomes | Office of the CEO | OR12 | BU1001 | |
| OPE/06 | Ongoing implementation of Council's People and Culture Workforce Plan (including Workplace Health and Safety) to guide the engagement, development, management, and performance of Council's human resources utilising activities such as annual employee engagement survey | People & Culture | OR11; OR9; GR15 | BU1003 | |
| OPE/07 | Continued improvement, implementation, and review of Council's Workplace Health Safety ('WHS') System in conjunction with the People and Culture Workforce Plan | People & Culture | OR16 | BU1003 | |
| OPE/08 | Continued support for Annual Australia Day Awards and community events | Office of the CEO | EC15 | BU1001 | |

| | Projects/New Activities | | | | | | |
|--------|--|-------------------|---------------|----------------------|-----------------|------------------|--------|
| Ref | Activity | Branch | Corp Plan | Start | Finish | Budget | Target |
| OPE/09 | Advocate for specialist and community health services to maintain current services at a minimum | Office of the CEO | IN13 | 1 July 2022 | ongoing | BU1001 | |
| | | _ | | | | | |
| OPE/10 | Develop an investment ready road map aligning Council priorities to State and Federal government's objectives | Office of the CEO | GR2 | 1 October 2022 | 30 June 2024 | BU1001 | |
| | | | | | | | |
| OPE/11 | Continued advocacy at State and Australian Government for funding for water projects identified in the 25 year economic roadmap. | Office of the CEO | GR12; GR13 | 1 July 2022 | 30 June 2024 | BU1001 | |
| | | | | | | | |
| OPE/12 | Engage key stakeholders conducting advocacy activities to build regional economic diversification in energy transformation, encouraging responsible investment in renewable energy and engagement in energy policy and advocacy for transition of economies impacted by State and Australian Government policies | Office of the CEO | OR5 | 1 July 2022 | ongoing | BU1001 BU1004 | |
| | | | | | | | |
| OPE/13 | Engagement with the State Government Jobs and Energy Plan with particular the Regional Economic Futures Fund | Office of the CEO | EN5; GR14 | 1 July 2022 | 30 June 2024 | BU1001 | |
| | | • | | | • | | • |
| OPE/14 | Consult with South Burnett Communities for their specific town and village community plans / key priority lists for adoption | Office of the CEO | EC9 | 1 July 2022 | 30 June 2024 | BU1001 | |
| | | | | | | | |

| OPE/15 | Continue to develop and engage an employee value proposition linking to Council's People and Culture Workforce Plan for positive recruitment and retention outcomes | People & Culture | OR11 | June 2021 | Ongoing | BU1003 | |
|--------|---|------------------------|-------------|----------------|-----------------|--------|--|
| | | | | | | | |
| OPE/16 | Advocacy for 2032 Olympic and Paralympic Games Legacy infrastructure opportunities and regional benefits. | Office of the CEO | GR6; GR8 | 1 July 2023 | 30 June 2024 | BU1001 | |
| | | | | | | | |
| OPE/17 | Continue development of the Organisational Service Level Catalogue | Office of the CEO | OR11 | 1 July 2022 | 30 June 2024 | BU1001 | |
| | | | | | | | |
| OPE/18 | Consult with the community regarding dog registration and animal management (including cats) methodology | Office of the CEO | OR10 | 1 July 2023 | 30 June 2024 | BU1001 | |
| | | • | • | | • | | |
| OPE/19 | Engage key stakeholders and advocacy activities to develop and implement energy efficient initiatives to reduce Council's energy / carbon footprint | Office of the CEO | EN2 | 1 July 2022 | 30 June 2024 | BU1018 | |
| | | | | | | | |
| OPE/20 | Engage suitably qualified organisation to deliver Fraud & Corruption prevention training for elected members and senior staff | People & Culture | OR2 | 1 July 2023 | 30 June 2024 | BU1003 | |
| | | | | | | | |

Finance & Corporate Annual Operational Plan 2023/24

Mission: To provide excellent financial, corporate services and Information technology services/advice

to enable our organisation to achieve its goals

Officer Responsible: General Manager Finance & Corporate

Responsibilities: Department Management, Corporate Services, Insurance, Governance, Customer Service,

Property & Rating, Procurement & Stores, Financial Planning & Sustainability, Asset

Management, Plant & Fleet Management, ICT & Business Systems

| | Core Activities | | | | |
|---------|---|--|-----------|--------|--------|
| Ref | Activity | Branch | Corp Plan | Budget | Target |
| OPFC/01 | Maintain Council's call centre and customer service delivery across the customer service centres of Blackbutt, Nanango, Kingaroy, Wondai / Murgon | Corporate, Governance & Strategy | EC5 | BU1159 | |
| OPFC/02 | Manage the periodical review and progress update of Council's 2023/24 Annual Operational Plan | Corporate, Governance & Strategy | OR1 | BU1159 | |
| OPFC/03 | Manage the development of Council's 2024/25 Annual Operational Plan aligned to Council's budget development process | Corporate, Governance & Strategy | OR1 | BU1159 | |
| OPFC/04 | Manage the provision of delegations, sub-delegations and Local Government Worker / Authorised Persons governance processes | Corporate, Governance & Strategy | OR2 | BU1159 | |
| OPFC/05 | Process Right to Information / Information Privacy applications in accordance with legislative requirements and provide awareness training to the organisation | Corporate, Governance & Strategy | OR2 | BU1159 | |
| OPFC/06 | Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets | Corporate, Governance & Strategy | OR2 | BU1159 | |
| OPFC/07 | Capture and correctly manage Council's corporate documents using recordkeeping good practice and promoting such to the organisation | Corporate, Governance & Strategy | OR2 | BU1159 | |
| OPFC/08 | Manage and maintain the legal proceedings/legal advice and Corporate registers and maintaining the budget for engagement of legal services | Corporate, Governance & Strategy | OR2 | BU1159 | |

| OPFC/09 | Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy | Corporate, Governance & Strategy | OR2 | BU1159 |
|---------|--|--|------|--------|
| OPFC/10 | With the support of Council's departments, implement Council's Customer Service Charter | Corporate, Governance & Strategy | OR8 | BU1159 |
| OPFC/11 | Manage Council's Insurance policies and claims | Corporate, Governance & Strategy | OR13 | BU1159 |
| OPFC/12 | Deliver sound corporate risk management and internal audit functions aligning to Council policy | Corporate, Governance & Strategy | OR15 | BU1159 |
| OPFC/13 | Provide information in monthly meeting reports surrounding the financial sustainability ratios which are mandated under the <i>Local Government Regulation 2012</i> in the financial management (sustainability) guidelines | Finance & Sustainability | OR5 | BU1011 |
| OPFC/14 | Encouragement and development of the local Market Place by establishing a healthy register of what the local Market Place can provide to Council by way of goods or services committing a target to local spend | Finance & Sustainability | GR11 | BU1012 |
| OPFC/15 | Development of annual budget. Compliance with budget limits. Regular quarterly budget revisions. Monthly reporting of budget variations to Council in monthly financial report | Finance & Sustainability | OR5 | BU1011 |
| OPFC/16 | Maintain and monitor 10-year long term financial plans reporting to Council through monthly financial reports | Finance & Sustainability | OR5 | BU1011 |
| OPFC/17 | Debt Recovery - Continue to follow up on outstanding debt to not place an unfair burden onto rate payers who meet their obligations in full | Finance & Sustainability | OR5 | BU1011 |
| OPFC/18 | Develop and map strategies to bring Council budget into surplus within long term forecast | Finance & Sustainability | OR5 | BU1011 |

| OPFC/19 | Zero-based budgeting | Finance & Sustainability | OR7 | BU1011 | |
|---------|--|-----------------------------|-----------|--------|--|
| OPFC/20 | Deliver an unqualified Audit | Finance & Sustainability | OR5 | BU1011 | |
| OPFC/21 | Strategically upgrade and improve Council information technology systems and hardware | ICT & Fleet | OR3 | BU1017 | |
| OPFC/22 | Data Security Review including, Cyber Security. Ensure the provision of appropriate security systems (including cyber security) protect Council's data and information | ICT & Fleet | OR15 | BU1017 | |
| OPFC/23 | Develop and manage Business Systems and Projects (Project T2 and sub-projects) | ICT & Fleet | OR3; OR15 | BU1160 | |
| OPFC/24 | Utilisation and operation of Council's Workshops | ICT & Fleet | OR13 | BU1016 | |
| OPFC/25 | Effectively manage and maintain Council's Plant and Fleet (Operational & Capital) including fully expended capital budget | ICT & Fleet | OR13 | BU1016 | |

| | Projects/New Activities | | | | | | |
|---------|---|--|--------------|----------------|-----------------|--------|--------|
| Ref | Activity | Branch | Corp Plan | Start | Finish | Budget | Target |
| OPFC/26 | Delivery of the policy framework to support the Facility booking project in collaboration with internal stakeholders | Corporate, Governance & Strategy | OR2 | 1 July 2023 | 30 June 2024 | BU1159 | |
| | | | | | | | |
| OPFC/27 | Comprehensive review of Customer Service resourcing and customer service delivery including review of all functionalities, afterhours service and telephony options | Corporate, Governance & Strategy | OR9 | 1 July 2023 | 30 June 2024 | BU1159 | |
| | | | | | | | |
| OPFC/28 | Maintain current governance framework and processes of Internal Audit Committee and function | Corporate, Governance & Strategy | OR15 | 1 July 2023 | 30 June 2024 | BU1159 | |
| | | | | | | | |
| OPFC/29 | Provide governance support to identified strategic projects within Council | Corporate, Governance & Strategy | OR2 | 1 July 2023 | 30 June 2024 | BU1159 | |
| | | _ | | | | | |
| OPFC/30 | Investigate developing a register of third party access external to Technology One (transactional portals) | Corporate, Governance & Strategy | OR13 | 1 July 2023 | 30 June 2024 | BU1159 | |
| | | | | | | | |
| OPFC/31 | Perform a review of dividends to determine best practice for calculation of budgeted dividends | Finance & Sustainability | OR5 | 1 July 2023 | 30 June 2024 | BU1011 | |
| | | | | | | | |

| OPFC/32 | Review of rates processes with a view to increased automation and staff training with TechOne to enable superior reporting | Finance & Sustainability | OR13 | 1 July 2022 | 30 June 2024 | BU1011 | |
|---------|--|-----------------------------|-------------|----------------|-----------------|------------------|--|
| | | | | | | | |
| OPFC/33 | Investigate options for water meter reading mapping and ease of access to existing water meters | Finance & Sustainability | OR13 | 1 July 2023 | 30 June 2024 | BU1011 | |
| | | | | | | | |
| OPFC/34 | Implementation of Phase I of Centralised Procurement including investigation into transition to CiAnywhere's Procure to Pay | Finance & Sustainability | OR13 | 1 July 2022 | Ongoing | BU1012 | |
| | | | | | | | |
| OPFC/35 | Continue with the staged implementation of the Council endorsed rating strategy | Finance & Sustainability | OR14 | 1 July 2022 | Ongoing | BU1011 | |
| | | | | | | | |
| OPFC/36 | Collaboration with Business Systems to transition financials including accounts payable and accounts receivable across to CiAnywhere | Finance & Sustainability | OR13 | 1 July 2023 | 1 July 2024 | BU1011 | |
| | | | | | | | |
| OPFC/37 | Annual Financial Statements developed and delivered in both accordance and compliance with relevant Accounting Standards and Legislation | Finance & Sustainability | OR5 | 1 July 2023 | 1 July 2024 | BU1011 | |
| | | | | | | | |
| OPFC/38 | Organisational review of Council depots and workshops for efficiency gains | Finance & Corporate | OR5 OR13 | 1 July 2023 | 30 June 2024 | BU1020 BU1016 | |
| | | ICT & Fleet | | | | | |
| | | | | | | | |
| OPFC/39 | Collaboration with Finance to transition financials including accounts payable and accounts receivable across to CiAnywhere | ICT & Fleet | OR13 | 1 July 2022 | Ongoing | BU1160 | |

| OPFC/40 | Delivery of compliant user profile delegation matrix within Technology One | ICT & Fleet | OR13 | 1 July 2023 | Ongoing | BU1160 | |
|---------|--|-------------|------|----------------|-----------------|--------|--|
| | | _ | | | | _ | |
| OPFC/41 | Delivery of Facility Booking System project in collaboration with internal stakeholders | ICT & Fleet | OR13 | 1 July 2023 | 30 June 2024 | BU1160 | |
| | | | | | | | |
| OPFC/42 | Investigate the options for Customer Online Access (ie self-service portal) | ICT & Fleet | OR13 | 1 July 2023 | 30 June 2024 | BU1160 | |
| | | | | | • | • | |
| OPFC/43 | Realise business improvements through the use of Council's Microsoft Office 365 Systems Software | ICT & Fleet | OR13 | 1 July 2022 | Ongoing | BU1017 | |
| | | | | | | | |
| OPFC/44 | Reporting on strategic upgrades and improved Council information technology systems and hardware | ICT & Fleet | OR13 | 1 July 2023 | Ongoing | BU1017 | |
| | | • | | • | • | • | |

Infrastructure Annual Operational Plan 2023/24

Mission: The provision of quality services and infrastructure that is planned, provided and managed

on sound asset management principles and adopted levels of service.

Officer Responsible: General Manager Infrastructure

Responsibilities: Department Management, Infrastructure Planning, Roads & Drainage, Water & Wastewater,

Disaster Management

| | Core Activities | | | | |
|--------|---|--|---------------|----------------------------|--------|
| Ref | Activity | Branch | Corp Plan | Budget | Target |
| OPI/01 | Continuation of Implementation of a Maintenance Management Plan for Transport Assets (Continued improvement of prioritised maintenance programme incorporating timely defect inspection and management of defect backlog). | Infrastructure Works | EC2; OR3 | BU1110 | |
| OPI/02 | Provide funding and facilitate the ongoing development of the local SES groups within the region | Infrastructure | EC6 | BU1048 | |
| OPI/03 | Lead and Administer the Local Disaster Management Group for the South Burnett | Infrastructure | EC15 | BU1048 | |
| OPI/04 | Review current Asset Management Plan and strategy for transport assets (Review of current asset management plan and methodologies including options for rationalisation | Infrastructure Works / Infrastructure Planning | IN1; IN2; OR3 | BU1107 | |
| OPI/05 | Review current Asset Management Plan and strategy for Water and Wastewater assets (Asset management plan developed in accordance with Council and community service levels) | Water & Wastewater / Infrastructure Planning | IN7; OR3 | BU1115 BU1127 BU1107 | |
| OPI/06 | Operate water and wastewater infrastructure in accordance with approved operations manuals and public health requirements and statutory timeframes for reporting achieved (| Water & Wastewater | IN7 | BU1115 BU1127 | |
| OPI/07 | Review and comply with customer service standards for water and wastewater infrastructure (Completed review is advertised for customer feedback and posted on web site as required by the regulator) | Water & Wastewater | IN7 | BU1115 BU1127 | |
| OPI/08 | Update/prioritise 10 year works programme for the replacement, upgrade and construction of new and existing water and wastewater assets with allocation of funding to develop, plan & design (10 year works program completed in accordance with asset management strategy) | Water & Wastewater | GR3 | BU1115 BU1127 | |

| | Projects/New Activities | | | | | | |
|--------|---|---|--------------|----------------|-----------------|--------------------|--------|
| Ref | Activity | Branch | Corp Plan | Start | Finish | Budget | Target |
| OPI/09 | Develop and implement service standards for Central Business District ('CBD') cleaning and maintenance regime | Infrastructure Works & Parks | EC2 | 1 July 2022 | 30 June 2024 | BU1110 PARKS | |
| | | | | | l | | |
| OPI/10 | That South Burnett Regional Council develop as part of its operational plan a dust sealing policy. | Infrastructure Works | IN5 | 1 July 2022 | 30 June 2024 | BU1110 BU1107 | |
| | | | | 1 | 1 | | |
| OPI/11 | Continued development of digital transformation and capacity - advocate for fibre expansion - Mobile telecommunication black spots - EV superhighway and charging stations | Infrastructure Planning | GR10 | 1 July 2021 | 30 June 2024 | BU1107 ECON DEV | |
| | | | | | | | |
| OPI/12 | Council works with DTMR to develop and present options about heavy vehicle routes around Kingaroy and the CBD for discussion with stakeholders | Infrastructure Planning | EC3 | 1 July 2022 | 30 June 2025 | BU1107 | |
| | | • | | | | | |
| OPI/13 | Progress the 25 year Economic Roadmap in relation to urban water security and Gordonbrook water safety – dam wall spillway | Infrastructure – Water & Wastewater | GR13 | 1 July 2023 | Ongoing | BU1118 | |

Liveability

Annual Operational Plan 2023/24

Mission: To enhance the liveability of the South Burnett region via the provision of community

services & facilities; sustainable environmental practices; appropriate planning & regulatory

controls and initiatives that enhance community wellbeing and lifestyle

Officer Responsible: General Manager Liveability

Responsibilities: Department Management, Environment & Waste, Natural Resource Management,

Planning & Land Management, Community Development, Libraries, Property & Facilities,

Parks & Gardens

| Core Activities | | | | | | |
|-----------------|--|--------------------------|--------------|--|--------|--|
| Ref | Activity | Branch | Corp Plan | Budget | Target | |
| OPL/01 | Support community development and wellbeing through delivery of Council's Community Grants programme | Community & Lifestyle | EC16 | BU1136 | | |
| OPL/02 | Enable free and equitable access to library facilities, services and programs for all members of the community to support the learning, recreation and social needs of the community | Community & Lifestyle | EC5 | BU1069-1076 | | |
| OPL/03 | Promotion and operation of Council owned heritage, arts, visitor information centres and tourism assets including Council's tourist facilities at Boondooma and Bjelke-Petersen Dams | Community & Lifestyle | GR5; GR7 | BU1004 BU1008 BU1009 BU1057 BU1058 | | |
| OPL/04 | Provide well planned and maintained open space, parks and rail trails network to meet the recreation and social needs of the community | Community & Lifestyle | EC1; EC5 | BU1101 BU1102 BU1137 | | |
| OPL/05 | Maintain and improve Council's cemeteries to meet community standards | Community & Lifestyle | IN14 | BU1104 | | |
| OPL/06 | Maintain and improve Council's Saleyards to meet community standards | Community & Lifestyle | IN11 | BU1007 | | |
| OPL/07 | Actively manage Council's aerodromes to meet service standards and compliance | Community & Lifestyle | IN15 | BU1005 | | |

| OPL/08 | Administration of legislative functions including but not limited to food safety, public health licencing, environmental authority registrations, customer request management, regulation of council's local laws and mosquito management | Environment & Planning | EN8; EN10; EC14 | BU1077 BU1138 BU1146 BU1147 BU1163 | |
|--------|---|---------------------------|-----------------------|--|--|
| OPL/09 | Effectively manage Development Applications and permits including planning, building and plumbing approvals | Environment & Planning | GR8 | BU1055 | |
| OPL/10 | Manage biosecurity and pest (weed & animal) management programmes including supporting biosecurity and natural resource management initiatives and strategies | Environment & Planning | EN4, EN7, EN9 | BU1100 BU1169 | |
| OPL/11 | Provision of acceptable, cost effective and environmentally responsible waste management services including collection services and waste disposal facilities | Environment & Planning | EN3 | BU1078 - BU1099 BU1164 BU1165 | |
| OPL/12 | Management of Council's buildings and facilities including operational maintenance programmes, commercial and community leases and cost-effective asset management programs to meet agreed service levels | Facilities & Parks | EC5, IN10 | BU1018 | |
| OPL/13 | Maintain Council's swimming pools across the region | Facilities & Parks | EC5 | BU1025 - BU1030 | |
| OPL/14 | Participate in Regional Wide Waste collaboration | Environment & Planning | EN3 | BU1078 - BU1099 BU1164 BU1165 | |
| OPL/15 | Explore partnership opportunities to support local volunteer groups | Community & Lifestyle | EC5; EC6 | BU1136 | |

Projects/New Activities

| Ref | Activity | Branch | Corp Plan | Start | Finish | Budget | Target |
|--------|---|--------------------------|--------------|----------------|------------------------|--------|--------|
| OPL/16 | Implement a 'Level of Service Plan' for parks and Playground Safety Audit | Facilities & Parks | EC1 | 1 July 2022 | 30 June 2024 | BU1137 | |
| | | | | | | | |
| OPL/17 | Implement quarterly Botanical Advisory Committee meetings to progress Botanical report | Facilities & Parks | EC1 | 1 July 2022 | 30 June 2024 | BU1137 | |
| | | _ | _ | | | | |
| OPL/18 | Investigate a Safer Communities Program for Council for protecting community assets and open spaces through the operation and installation of security cameras. | Facilities & Parks | EC2 | 1 July 2022 | 30 June 2024 | BU1018 | |
| | | | | _ | | | |
| OPL/19 | Engage key stakeholders to facilitate identified affordable housing projects | Facilities & Parks | IN9 | 1 July 2022 | 30 June 2024 | BU1018 | |
| | | | _ | | | | |
| OPL/20 | Develop a Local Housing Action Plan | Community & Lifestyle | GR5 | 1 July 2023 | 31 March 2024 | BU1136 | |
| | | | | | | | |
| OPL/21 | Finalise a South Burnett Regional Arts, Culture and Heritage Strategic Plan | Community & Lifestyle | EC4 | 1 July 2022 | 30 December 2023 | BU1136 | |
| | | | | | | | |
| OPL/22 | Development of a Reconciliation Action Plan to sustainably and strategically take meaningful action to advance reconciliation | Community & Lifestyle | EC10 | 1 July 2022 | 30 June 2024 | BU1047 | |
| | | | • | | | | |

| OPL/23 | Engagement with local senior groups to develop strategies to facilitate a region for aging in place and meaningful community contribution seeking external funding | Community & Lifestyle | EC13 | 1 July 2022 | 30 June 2024 | BU1136 BU1070 |
|--------|--|--------------------------|-------------------|----------------|-----------------|--------------------------|
| | | | | | | |
| OPL/24 | Investigate partnerships between Council and service providers facilitating assistance for homeless persons | Community & Lifestyle | EC14 | 1 July 2022 | 30 June 2024 | BU1136 |
| | | | | | | |
| OPL/25 | Prepare Kingaroy Aerodrome Masterplan and undertake preliminary planning to develop a commercialisation strategy | Community & Lifestyle | IN15 | 1 July 2022 | 30 June 2024 | Subject to Funding |
| | | | | | | |
| OPL/26 | Establish, support, and develop an Advisory Committee to pursue a Regional University Hub in Kingaroy with purpose to establish a business case and shovel ready project for construction. | Community & Lifestyle | GR9 | 1 July 2022 | 30 June 2024 | Subject to Funding |
| | | | | | | |
| OPL/27 | Advocate for and facilitate wellbeing events across the region supporting our youth through Council's Youth Council | Community & Lifestyle | EC8 | 1 July 2022 | 30 June 2024 | BU1136 |
| | | | | | | |
| OPL/28 | Advocate for and pursue opportunities for disaster recovery and resilience initiatives and projects that support local and regional resilience outcomes | Community & Lifestyle | EC7, EC9, EC15 | 1 July 2023 | 30 June 2024 | BU1136 |
| | , | | | | | |
| OPL/29 | Advocate for and pursue opportunities for mental health and suicide prevention initiatives and projects that support community well-being. | Community & Lifestyle | EC9, EC11 | 1 July 2022 | 30 June 2024 | BU1136 |
| | | | | | | |

| OPL/30 | Create a pipeline of 'shovel ready' projects that support asset management principles and liveability outcomes for the community. | Community & Lifestyle | GR3 | 1 July 2022 | 30 June 2024 | BU1018 | |
|--------|--|---------------------------|--------|----------------|-----------------|--------|--|
| | | | | | | | |
| OPL/31 | Investigate the feasibility of introducing a Food Organic Green Organic (FOGO) waste collection service. | Environment & Planning | EN3 | 1 July 2023 | 30 June 2024 | BU1165 | |
| | | | | | | | |
| OPL/32 | Adopt and implement the South Burnett Local Government Area Biosecurity Plan to drive increased stakeholder coordination and commitment to proactively manage invasive pest species. | Environment & Planning | EN4 | 1 July 2023 | 30 June 2024 | BU1100 | |
| | | | | | | | |
| OPL/33 | Finalise a Major Amendment of Council's planning scheme | Environment & Planning | GR8 | 1 July 2022 | 30 June 2024 | BU1055 | |
| | | | | | | | |
| OPL/34 | Review and update Council's Local Government Infrastructure Plan ('LGIP') trunk infrastructure forward works schedules | Environment & Planning | GR8 | 1 July 2022 | 30 June 2024 | BU1055 | |
| | | | | | • | | |
| OPL/35 | Community education and awareness on illegal dumping and littering; including investigation and enforcement | Environment & Planning | EN3 | 1 July 2022 | 30 June 2024 | BU1165 | |
| | | | | | | | |
| OPL/36 | Investigate on-line lodgement and tracking of development applications (including building and plumbing applications) | Environment & Planning | OPL/09 | 1 July 2023 | 30 June 2024 | BU1055 | |
| | | | | | | | |

| OPL/37 | Partnership with industry led tourism and economic development organisations | Community & Lifestyle | GR6 | 1 July 2022 | Ongoing | BU1004 | |
|--------|--|---------------------------|----------|----------------|------------------------|------------------|--|
| | | | | | | | |
| OPL/38 | Implement the new waste collection contract to ensure a smooth transition from 1 July 2024. | Environment & Planning | EN3 | 1 July 2023 | 30 June 2024 | BU1165 | |
| | | | | | | | |
| OPL/39 | Investigate utilisation of Wooroolin Tennis Courts including options for disposal to fund development of a future Wooroolin Skate Park | Facilities & Parks | EC1 | 1 July 2022 | 30 June 2024 | BU1137 | |
| | | | | | | | |
| OPL/40 | Investigate options for future operation and/or commercialisation of Council's Tourist Dam Facilities. | Community & Lifestyle | GR7 | 1 July 2022 | 30 December 2024 | BU1008 BU1009 | |
| | | | | | | | |
| OPL/41 | Deliver and complete acquittal of the Federal Government Blacksummer Bushfire Grant – Community Connection – Local Built | Community & Lifestyle | EC16/EC6 | 1 July 2023 | 30 April 2024 | BU1136 | |
| | , | • | | | | | |
| OPL/42 | Develop a digital solution for customer enquiries and deliver an audit of Council's cemetery records. | Community & Lifestyle | IN14 | 1 July 2024 | 30 June 2024 | BU1104 | |
| | | | | | | | |
| OPL/43 | Review Council's Local Laws to ensure relevance to the region and understanding by Council and the community | Environment & Planning | EN10 | 1 July 2023 | 30 June 2024 | BU1146 | |
| | | | | | | | |

| OPL/44 | Review service delivery operations within Council's animal management functions and investigate initiatives to promote responsible pet ownership | Environment & Planning | EN10 | 1 July 2023 | 30 June 2024 | BU1146 | |
|--------|---|----------------------------|---------------|----------------------|------------------------|--------|--|
| | | | | | | | |
| OPL/45 | Investigate options for future operation and/or commercialisation of Council's Coolabunia saleyard facilities, including a full review of operational and capital expenditure | Community & Lifestyle | IN1, IN12 | 1 July 2023 | 30 December 2024 | BU1007 | |
| | | | | | | | |
| OPL/46 | Council advocacy for mental health and suicide prevention programme working with community stakeholders and government | Community & Lifestyle | IN13; EC11 | 1 July 2022 | 30 June 20243 | BU1001 | |
| | | | | | | | |
| OPL/47 | Development, adoption and commence implementation of the SBRC Regional Development Action Plan | Community and Lifestyle | GR1 | 1 October 2022 | 30 June 2024 | BU1001 | |
| | | | | | | | |
| OPL/48 | Engage with the community in relation to a Tourism Strategy and delivery and funding of tourism services | Community & Lifestyle | GR6 | 1 July 2023 | 30 June 2024 | BU1001 | |
| | | | | | | | |

8.2 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL INTERNAL AUDIT POLICY - STATUTORY019

File Number: 14-06-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Internal Audit Policy – Statutory019.

SUMMARY

South Burnett Regional Council ('Council') has developed this policy to meet the requirements of the *Crime and Corruption Act 2001*, *Section 105* of the *Local Government Act 2009 and Section 207* of the *Local Government Regulation 2012*, regarding the establishment of an efficient and effective internal audit function.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Internal Audit Policy – Statutory019 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

| Corporate Plan 2021 - 2026 | OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making | | | |
|----------------------------|--|--|--|--|
| Operational Plan 2022/2023 | Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets | | | |
| | Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy | | | |

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Internal Audit Policy – Statutory019 was reviewed by Manager Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Internal Audit Policy – Statutory019 was then presented at the Executive Leadership Team Meeting held on 9 May 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Internal Audit Policy – Statutory019 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 31 May 2023.

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For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Crime and Corruption Act 2001 (Qld)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

| In the decision-making process, Council is | to consider the 23 human rights: |
|---|--|
| 1. Recognition and equality before the law; | 13. Cultural rights—Generally; |
| 2. Right to life; | Cultural rights—Aboriginal peoples and Torres Strait Islander peoples; |
| 3. Protection from torture and cruel, inhuman or degrading treatment; | 15. Right to liberty and security of person; |
| 4. Freedom from forced work; | 16. Humane treatment when deprived of liberty; |
| 5. Freedom of movement; | 17. Fair hearing; |
| 6. Freedom of thought, conscience, religion and belief; | 18. Rights in criminal proceedings; |
| 7. Freedom of expression; | 19. Children in the criminal process; |
| 8. Peaceful assembly and freedom of association; | 20. Right not to be tried or punished more than once; |
| 9. Taking part in public life; | 21. Retrospective criminal laws; |
| 10. Property rights; | 22. Right to education; |
| 11. Privacy and reputation; | 23. Right to health services. |
| 12. Protection of families and children; | |

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

Council will carry out an internal audit activity for each financial year that will involve the preparation, implementation and monitoring of an internal audit plan.

ATTACHMENTS

1. South Burnett Regional Council Internal Audit Policy - Statutory019 🗓 🖺

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POLICY CATEGORY - NUMBER: Statutory019
POLICY OWNER: Corporate, Governance & Strategy

ECM ID: 2717829 **ADOPTED:**

Internal Audit Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. A hard copy of this electronic document is considered uncontrolled when printed.

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') has developed this policy to meet the requirements of the *Crime and Corruption Act 2001*, Section 105 of the *Local Government Act 2009 and Section 207* of the *Local Government Regulation 2012*, regarding the establishment of an efficient and effective internal audit function.

SCOPE

This policy applies to all Council representatives and includes entities over which Council has direct ownership, management and/or financial control.

3. GENERAL INFORMATION

Council recognises the relevance of strengthening governance and control systems through the establishment of an independent, efficient and effective internal audit function that will provide adequate, appropriate, objective assurance and consulting services designed to add value and improve Council's operations.

In compliance with Section 105 of the Local Government Act 2009 and Section 207 of the Local Government Regulation 2012, Council will carry out an internal audit activity for each financial year that will involve the preparation, implementation and monitoring of an internal audit plan.

An effective internal audit function will:

- assess and evaluate the adequacy and effectiveness of Council's processes, procedures and internal control environment to assist with the management of corporate risks;
- appraise the relevance, reliability and integrity of management practices, business systems, financial and operating records/reports;
- assist the Chief Executive Officer ('CEO') in managing the effective discharge of their his/her
 responsibilities, by providing the CEO with impartial analyses, appraisals, recommendations
 and information concerning the activities reviewed;
- review compliance with Council policies and procedures, legislative requirements;
- embed a culture of continuous improvement practices across Council; and
- deliver advisory services related to improvement of operational effectiveness, efficiency and economy.

Policy Name: Internal Audit Policy ECM ID: 2717829 Page 1 of 3 Next Review Date:

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3.1. Independence and objectivity

The internal audit function has to be independent, demonstrating objectivity in the conduct of internal audit work. Internal audit engagements will shall be performed with an unbiased and impartial manner. attitude.

The CEO will shall resolve any dispute related to the scope of internal audit activities.

3.1.1. Authority and access

The internal audit function will shall have direct and unrestricted access to Council and management. It is authorised to review all areas of Council and to have full, free and unrestricted access to Council's operations, data and records, assets and personnel within the scope of internal audit work as authorised by the CEO.

3.1.2. Organisational independence

The internal audit function will shall be free from interference or influence in determining the scope of internal audit work, the frequency and timing of examinations and the communication of internal audit results as responsible to the Corporate Risk and Audit Advisory Committee ('Committee').

3.1.3. Internal Audit approach

A corporate risk based internal audit approach shall will be implemented each financial year. The internal audit plan will state the way in which the corporate risks have been evaluated, the most significant corporate risks identified from the evaluation and the control measures that Council has adopted.

3.1.4. Reporting responsibility

The internal audit function will be managed by the Manager Corporate, Governance & Strategy reporting to the CEO and the Committee through the General Manager Finance & Corporate.

An internal audit quarterly progress report will be prepared and presented to the CEO and the Committee. This report will include:

- new internal audits including the observations and recommendations of the internal audit and management's response to the audit recommendations;
- corporate risk mitigation progress status through the Corporate Risk Registers and Treatment Plans; and
- · internal audit recommendations progress status.

4. **DEFINITIONS**

Assurance Services means to involve the impartial evaluation of evidence to provide an independent opinion on governance, corporate risk management and control processes of Council.

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.

Governance means the combination of processes and structures implemented by Council to inform, direct, manage and monitor the activities of the organisation toward the achievement of its objectives.

Independence means the freedom from conditions that threaten the ability of the internal audit activity to carry out internal audit responsibilities in an unbiased manner.

Internal Audit means the assessment and evaluation of the control measures that Council has adopted, or is to adopt, to manage the corporate risks to which Council is exposed to.

Policy Name: Internal Audit Policy ECM ID: 2717829

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5. LEGISLATIVE REFERENCE

Crime and Corruption Act 2001 (Qld)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Corporate Risk and Audit Advisory Committee Policy - Statutory022

South Burnett Regional Council Corporate Risk and Internal Audit Framework – Staturory064 South Burnett Regional Council Corporate Risk Management Policy – Statutory020

South Burnett Regional Council Fraud & Corruption Prevention Management Policy - Statutory021

South Burnett Regional Council Internal Audit Procedure - Procedure 105

7. NEXT REVIEW

As prescribed by legislation or May 2025

8. VERSION CONTROL

| Version | Revision Description | Adopted Date | ECM Reference |
|---------|---|----------------------|---------------|
| 1 | New Policy | 17 March 2010 | 873053 |
| 2 | Update to meet Local Government Act 2009 and Local Government Regulation 2010 | 27 April 2011 | 1906828 |
| 3 | Update to meet Local Government Finance Standard 2005 | 17 April 2013 | 1155309 |
| 4 | Update due to Local Government Act 2009 and Local Government Regulation 2012 amendments | 20 July 2016 | 1624970 |
| 5 | Administrative Review | 16 September 2020 | 2717829 |
| 6 | Administrative change replacing Manager Social & Corporate Performance with Manager Corporate Services as per Council Resolution 2021/296 | 24 March 2021 | 2717829 |
| 7 | Administrative amendment – organisational structure review – resolution 2022/432 | 27 April 2022 | 2717829 |
| 8 | Review of policy | | |

Mark Pitt PSM

CHIEF EXECUTIVE OFFICER

Date:

Policy Name: Internal Audit Policy ECM ID: 2717829

Adoption Date:

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8.3 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL FRAUD AND CORRUPTION PREVENTION MANAGEMENT POLICY - STATUTORY021

File Number: 14-06-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory021.

SUMMARY

South Burnett Regional Council ('Council') is committed to operating in the best interest of the community, in the prevention of fraud and corruption and promotes a strong culture of governance to detect, investigate and take action where required.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory021 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

| Corporate Plan 2021 - 2026 | OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making |
|----------------------------|--|
| Operational Plan 2022/2023 | Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets |
| | Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy |

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Fraud and Corruption Prevention Management Policy – Statutory021 was reviewed by Acting Manager Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory021 was then presented at the Executive Leadership Team Meeting held on 30 May 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Fraud and Corruption Prevention Management Policy – Statutory021 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 6 June 2023.

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For the purposes of this report, fundamental changes to the current policy are identified within the draft policy as text highlighted in yellow.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Crime and Corruption Act 2001 (Qld)

Financial Accountability Act 2009 (Qld)

Financial and Performance Management Standard 2019 (Qld)

Integrity Act 2009 (Qld)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Public Interest Disclosure Act 2010 (Qld)

Public Sector Ethics Act 1994 (Qld)

Right to Information Act 2009 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

| of others and public policy issues of signiful In the decision-making process, Council is | |
|---|--|
| 1. Recognition and equality before the law; | 13. Cultural rights—Generally; |
| 2. Right to life; | Cultural rights—Aboriginal peoples and Torres Strait Islander peoples; |
| 3. Protection from torture and cruel, inhuman or degrading treatment; | 15. Right to liberty and security of person; |
| 4. Freedom from forced work; | 16. Humane treatment when deprived of liberty; |
| 5. Freedom of movement; | 17. Fair hearing; |
| 6. Freedom of thought, conscience, religion and belief; | 18. Rights in criminal proceedings; |
| 7. Freedom of expression; | 19. Children in the criminal process; |
| 8. Peaceful assembly and freedom of association; | 20. Right not to be tried or punished more than once; |
| 9. Taking part in public life; | 21. Retrospective criminal laws; |
| 10. Property rights; | 22. Right to education; |
| 11. Privacy and reputation; | 23. Right to health services. |
| 12. Protection of families and children; | |

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

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REPORT

Council is committed to:

- a zero-tolerance approach to fraud and corruption;
- transparent and accountable processes consistent with sound business processes and organisational standards;
- sound governance principles and encouraging an ethical culture at Council;
- ensuring that Council representatives are aware of obligations and responsibilities regarding ethical conduct and the reporting of instances or suspected instances of fraudulent or corrupt activity;
- investigations of alleged fraud and corruption adhering to the principles of procedural fairness and natural justice; and
- review and continuous improvement of Council's Corporate Risk and Internal Audit Framework.

ATTACHMENTS

1. South Burnett Regional Council Fraud and Corruption Prevention Management Policy - Statutory021 J

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POLICY CATEGORY - NUMBER: Statutory021
POLICY OWNER: Corporate, Governance & Strategy

ECM ID: 2717832 **ADOPTED:**

Fraud and Corruption Prevention Management Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. **A hard copy of this electronic document is considered uncontrolled when printed.**

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') is committed to operating acting in the best interest of the community, in the prevention of fraud and corruption and promotes a strong culture of governance to detect, investigate and take action where required. while upholding the principles of honesty, integrity and transparency.

Council operates as an organisation in which ethical conduct is expected, encouraged and supported with no tolerance for corrupt conduct, fraudulent activities or maladministration. Corporate risk management principles and matching fraud and corruption prevention measures are applied across all areas of Council operations to protect the assets and resources of Council.

2. SCOPE

This policy applies to all Council representatives and includes entities over which Council has direct ownership, management and/or financial control.

3. GENERAL INFORMATION

Council is committed to:

- a zero-tolerance approach to fraud and corruption;
- transparent and accountable processes consistent with sound business processes and organisational standards;
- sound governance principles and encouraging an ethical culture at Council;
- ensuring that Council representatives employees and Councillors being are aware of obligations and responsibilities regarding ethical conduct and the reporting of instances or suspected instances of fraudulent or corrupt activity;
- investigations of alleged fraud and corruption adhering to the principles of procedural fairness and natural justice; and
- review and continuous improvement of Council's Corporate Risk and Internal Audit Framework.

The principles of this policy are to ensure:

- clear and integrated suite of relevant policies;
- continuing and effective fraud and corruption risk assessment;

Policy Name: Fraud and Corruption Prevention Management Policy ECM ID: 2717832 Adoption Date:

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- robust internal controls with clear accountability and responsibility;
- · effective internal reporting systems and procedures;
- an effective system of external notification and reporting;
- · well-defined public interest disclosure mechanisms;
- · competent investigation processes and standards;
- a clear Code of Conduct and disciplinary standards;
- Council representative awareness and training programs; and
- · effective stakeholder and community awareness.

4. DEFINITIONS

The following definitions are drawn in part from AS 8001-2008 Fraud and Corruption Control, Crime and Corruption Act 2001 and Public Interest Disclosure Act 2010:

Corrupt conduct means, pursuant to Section 15 of the Crime and Corruption Act 2001:

- (1) Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—
 - (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—
 - (i) a unit of public administration; or
 - (ii) a person holding an appointment; and
 - (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—
 - (i) is not honest or is not impartial; or
 - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or
 - involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and
 - (c) would, if proved, be-
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
- (2) Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—
 - (a) impairs, or could impair, public confidence in public administration; and
 - (b) involves, or could involve, any of the following-
 - (i) collusive tendering;
 - (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)
 - protecting health or safety of persons;
 - protecting the environment;
 - protecting or managing the use of the State's natural, cultural, mining or energy resources;
 - (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
 - (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
 - (v) fraudulently obtaining or retaining an appointment; and

Policy Name: Fraud and Corruption Prevention Management Policy ECM ID: 2717832 Adoption Date:

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- (c) would, if proved, be-
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Fraud means, as defined in AS8001-2008 Fraud and Corruption Control, as dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to Council and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position. Fraud can also be seen as a major subset of corruption and is a deliberate, intentional and premeditated dishonest act or omission acted out with the purpose of deceiving to gain advantage from a position of trust and authority. It includes acts such as theft, making false statements/representation, evasion, manipulation of information, criminal deception and misuse of Council resources, property or time.

Maladministration means, as defined in the *Public Interest Disclosure Act 2010* as an administrative action that:

- a) was taken contrary to law or;
- b) was unreasonable, unjust, oppressive, or improperly discriminatory or;
- was in accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive or improperly discriminatory in the particular circumstances; or
- d) was taken -
 - (i) for an improper purpose; or
 - (ii) on irrelevant grounds; or
 - (iii) having regard to irrelevant considerations; or
- e) was an action for which reasons should have been given, but were not given; or
- f) was based wholly or partly on a mistake of law or fact; or
- g) was wrong.

5. LEGISLATIVE REFERENCE

Crime & Corruption Act 2001 (Qld)

Financial Accountability Act 2009 (Qld)

Financial and Performance Management Standard 2019 (Qld)

Integrity Act 2009 (Qld)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Public Interest Disclosure Act 2010 (Qld)

Public Sector Ethics Act 1994 (Qld)

Right to Information Act 2009 (Qld)

6. RELATED DOCUMENTS

AS 8001-2008 Fraud and Corruption Control

South Burnett Regional Council Corporate Risk and Audit Advisory Committee Policy – Statutory022

South Burnett Regional Council Corporate Risk and Internal Audit Framework - Statutory064

South Burnett Regional Council Corporate Risk Management Policy - Statutory040

South Burnett Regional Council Fraud & Corruption Prevention Management Procedure - Procedure107

South Burnett Regional Council Internal Audit Policy – Statutory019

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7. NEXT REVIEW

As prescribed by legislation or June 2025

8. VERSION CONTROL

| Version | Revision Description | Adopted Date | ECM Reference |
|---------|---|----------------------|---------------|
| 1 | New Policy | 18 May 2016 | 1944680 |
| 2 | Administrative Review | 16 September 2020 | 2717832 |
| 3 | Administrative change replacing Social & Corporate Performance Branch with Corporate Services Branch as per Council Resolution 2021/296 | 24 March 2021 | 2717832 |
| 4 | Administrative amendment - organisational structure review – resolution 2022/432 | 27 April 2022 | 2717832 |

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:

Policy Name: Fraud and Corruption Prevention Management Policy ECM ID: 2717832 Adoption Date:

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8.4 ADOPTION OF THE SOUTH BURNETT REGIONAL COUNCIL ENVIRONMENTAL SUSTAINABILITY POLICY - STATUTORY074

File Number: 14-06-23

Author: General Manager Finance and Corporate

Authoriser: Chief Executive Officer

PRECIS

Adoption of the South Burnett Regional Council Environmental Sustainability Policy – Statutory074.

SUMMARY

South Burnett Regional Council ('Council') recognises that it has a leadership role in demonstrating that economic growth, improvement to human health, and quality of life for current and future generations can be achieved while improving the size, health and resilience of natural systems. Council will achieve this by:

- complying with the requirements of relevant legislation, policy and standards to continually improve its environmental performance;
- providing community leadership by adopting practical sustainability practices that support environmental improvement as well as the financial sustainability of Council and wellbeing of Council representatives;
- ensuring that economic development, environmental sustainability, and social development contribute to a thriving business community and community wellbeing; and
- acknowledging and supporting property owners in rural areas who hold the expertise in sustainable land management.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

That the South Burnett Regional Council Environmental Sustainability Policy – Statutory074 be adopted as presented.

FINANCIAL AND RESOURCE IMPLICATIONS

No direct financial and resource implications arise from this report which have not already been considered in the development of Council's annual budget.

LINK TO CORPORATE/OPERATIONAL PLAN

| Corporate Plan 2021 - 2026 | OR2 Achieve community recognition as an ethical Council that values and practices community consultation, accountable governance and open and transparent decision-making | | | |
|----------------------------|--|--|--|--|
| Operational Plan 2022/2023 | Deliver the Council Policy Governance Framework aligned to strategic planning and relevant legislation incorporating Council's policies, procedures, forms and factsheets | | | |
| | Promote a high standard of corporate responsibility, transparency and accountability in decision making at all levels of the organisation in the best interest of Council and the community aligning to legislation and Council policy | | | |

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COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Draft South Burnett Regional Council Environmental Sustainability Policy – Statutory074 has been developed and reviewed by the Chief Executive Officer, with assistance from Mead Perry Group and Corporate, Governance & Strategy.

The Draft South Burnett Regional Council Environmental Sustainability Policy – Statutory074 was then presented at the Senior Leadership Team Meeting held on 6 June 2023 for endorsement to the Liveability, Governance and Finance Standing Committee.

The Draft South Burnett Regional Council Environmental Sustainability Policy – Statutory074 was then discussed and reviewed by the relevant General Manager/Manager and Portfolio Councillor at a Portfolio Councillor Meeting held on 6 June 2023.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Code of Conduct for Councillors in Queensland

Environmental Protection Act 1994 (Qld)

Environmental Protection and Biodiversity Conservation Act 1999 (Cth)

Local Government Act 2009 (Qld)

Local Government Regulation (Qld)

Pest Management Act 2001 (Qld)

Waste Reduction and Recycling Act 2011 (Qld)

Human Rights Act 2019 (Qld)

Section 4(b) of the Human Rights Act 2019 requires public entities to act and make decisions in a way compatible with human rights. The Act requires public entities to only limit human rights in certain circumstances and after careful consideration. The human rights protected under the Act are not absolute. This means that the rights must be balanced against the rights of others and public policy issues of significance.

| In the decision-making process, Council is | |
|---|--|
| Recognition and equality before the law; | 13. Cultural rights—Generally; |
| 2. Right to life; | Cultural rights—Aboriginal peoples and Torres Strait Islander peoples; |
| 3. Protection from torture and cruel, inhuman or degrading treatment; | 15. Right to liberty and security of person; |
| 4. Freedom from forced work; | 16. Humane treatment when deprived of liberty; |
| 5. Freedom of movement; | 17. Fair hearing; |
| 6. Freedom of thought, conscience, religion and belief; | 18. Rights in criminal proceedings; |
| 7. Freedom of expression; | 19. Children in the criminal process; |
| 8. Peaceful assembly and freedom of association; | 20. Right not to be tried or punished more than once; |
| 9. Taking part in public life; | 21. Retrospective criminal laws; |
| 10. Property rights; | 22. Right to education; |
| 11. Privacy and reputation; | 23. Right to health services. |
| 12. Protection of families and children; | |

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

No direct local law or delegation implications arise from this report.

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ASSET MANAGEMENT IMPLICATIONS

No direct asset management implications arise from this report.

REPORT

Council will advocate to the community to adopt the principles and practices of environmental sustainability by demonstrating the economic, environmental and social benefits of practical application of common-sense environmental improvement initiatives.

ATTACHMENTS

1. South Burnett Regional Council Environmental Sustainability Policy - Statutory074 🗓 🖫

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POLICY CATEGORY - NUMBER: Statutory074
POLICY OWNER: Executive Services

ECM ID: 3041526 **ADOPTED:**

Environmental Sustainability Policy

NOTE: Council regularly reviews and updates its policies. The latest controlled version can be obtained from the Policy Register on Council's intranet or by contacting Council's Corporate, Governance & Strategy Branch. A hard copy of this electronic document is considered uncontrolled when printed.

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1. POLICY STATEMENT

South Burnett Regional Council ('Council') recognises that it has a leadership role in demonstrating that economic growth, improvement to human health, and quality of life for current and future generations can be achieved while improving the size, health and resilience of natural systems. Council will achieve this by:

- complying with the requirements of relevant legislation, policy and standards to continually improve its environmental performance;
- providing community leadership by adopting practical sustainability practices that support environmental improvement as well as the financial sustainability of Council and wellbeing of Council representatives;
- ensuring that economic development, environmental sustainability, and social development contribute to a thriving business community and community wellbeing; and
- acknowledging and supporting property owners in rural areas who hold the expertise in sustainable land management.

2. SCOPE

This policy applies to all Council representatives and includes entities over which Council has direct ownership, management and/or financial control,

3. GENERAL INFORMATION

Council will advocate to the community to adopt the principles and practices of environmental sustainability by demonstrating the economic, environmental and social benefits of practical application of common-sense environmental improvement initiatives.

3.1. South Burnett Context

The South Burnett region consists of a diverse economy largely based on the sustainable utilisation of natural resources including farming, mining, non-renewable and renewable power generation, timber harvesting, cropping and ecotourism.

3.2. Areas of Action

Council will focus on the following categories for the implementation of this policy:

- renewable energy production and purchasing;
- · establishing a social license for action;

Policy Name: Environmental Sustainability Policy ECM ID: 3041526 Adoption Date: Page 1 of 3 Next Review Date:

- develop an understanding of Councils current greenhouse gas emissions as a baseline for future action;
- the continued adoption of hybrid vehicles into the Council fleet;
- consider battery operated small plant as a replacement for petrol operated equipment;
- the utilisation of the procurement framework to drive local reuse and recycling;
- · expansion of wastewater reuse;
- ongoing focus on the reduction of waste to landfill;
- repurposing and reuse infrastructure;
- · the treatment of invasive species;
- increasing tree canopy cover on public land;
- protecting and enhancing waterways and natural areas;
- the improvement of ecological value of the urban forest by utilising species endemic to the South Burnett region; and
- make its best endeavours to achieve State and Commonwealth environmental targets.

4. DEFINITIONS

Council representative means all Councillors and Council employees including permanent, casual and temporary employees, contractors, volunteers, apprentices, trainees and work experience students.

Environmental sustainability means the preservation of natural resources to support economic growth, community health and wellbeing, now and in the future.

5. LEGISLATIVE REFERENCE

Code of Conduct for Councillors in Queensland

Environmental Protection Act 1994 (Qld)

Environmental Protection and Biodiversity Conservation Act 1999 (Cth)

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Pest Management Act 2001 (Qld)

Waste Reduction and Recycling Act 2011 (Qld)

6. RELATED DOCUMENTS

South Burnett Regional Council Administration Waste Reduction Policy - Strategic025

South Burnett Regional Council Procurement Policy - Statutory007

South Burnett Regional Council Employee Code of Conduct – Statutory011

South Burnett Regional Council Financial Sustainability Policy – Statutory070

7. NEXT REVIEW

As prescribed by legislation or June 2025

Policy Name: Environmental Sustainability Policy ECM ID: 3041526 Adoption Date:

Page 2 of 3 Next Review Date:

8. VERSION CONTROL

| Version | Revision Description | Adopted Date | ECM Reference |
|---------|-----------------------|--------------|---------------|
| 1 | Development of policy | | |

Mark Pitt PSM
CHIEF EXECUTIVE OFFICER

Date:



Policy Name: Environmental Sustainability Policy ECM ID: 3041526 Adoption Date: Page 3 of 3 Next Review Date:

8.5 COUNCIL NOMINATE THE 2024 SPECIAL HOLIDAY

File Number: 13-07-2022

Author: Coordinator Executive Services

Authoriser: Chief Executive Officer

PRECIS

Requesting Council nominate the South Burnett region 2024 Special Holiday prior to Friday 3 July 2023.

SUMMARY

Historically, Council has requested the Monday of the Brisbane Exhibition to be gazetted as the show holiday for the South Burnett region. As no information to the contrary has been received, it is suggested that Council once again request the Exhibition Monday, Monday 12 August 2024 as the Show Holiday for the South Burnett region.

OFFICER'S RECOMMENDATION

That the Committee recommends to Council:

South Burnett Regional Council progress the Monday of the 2024 Royal National Exhibition, Brisbane – Monday 12 August 2024, as the 2024 Show Holiday for the South Burnett region and further, complete the 2024 Special Holiday request form and delegate to the Chief Executive Officer to submit via email prior to Friday 3 July 2023.

FINANCIAL AND RESOURCE IMPLICATIONS

N/A

LINK TO CORPORATE/OPERATIONAL PLAN

EC16 - Partner with community to develop and promote events.

OR12 - Advocate strongly to key stakeholders, including state and federal governments, on regional priorities, including funding opportunities.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

N/A

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Local Government Act 2009

Holidays Act 1983

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Council's actions are consistent with previous resolutions.

ASSET MANAGEMENT IMPLICATIONS

N/A

REPORT

Council has been invited to nominate special and show holidays for 2024 in line with the requirements of the *Holidays Act 1983*. Holidays appointed in respect of an annual agricultural, horticultural or industrial show are public holidays and those appointed for an event which has significance to a particular district are bank holidays. Upon Ministerial approval these nominated

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days will be published in the Queensland Government Gazette. Nomination/s for show or special holidays are to be made by completing the 2024 Special Holiday request form and submitting via email no later than Friday, 3 July 2024.

ATTACHMENTS

Nil

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9 PORTFOLIO - COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES

9.1 COMMUNITY DEVELOPMENT, ARTS & HERITAGE AND LIBRARY SERVICES PORTFOLIO REPORT

File Number: 14-06-2023 Author: Councillor

Authoriser: Chief Executive Officer

PRECIS

Community Development, Arts & Heritage and Library Services Portfolio Report

SUMMARY

Cr Potter presented her Community Development, Arts & Heritage and Library Services Portfolio Report to Council.

OFFICER'S RECOMMENDATION

That Cr Potter's Community Development, Arts & Heritage and Library Services Portfolio Report to Council be received for information.

Black Summer Bush Fire

South Burnett Façade Improvement Program

Information sessions for the South Burnett Façade were facilitated by the Community Development team in Proston, Wooroolin, Kingaroy and Murgon. With the round closing on Friday 9th June,19 applications have been successfully submitted, with 35 unsubmitted to date.

2023 South Burnett Regional Youth Council

The South Burnett Regional Youth Council are once again facilitating the PIG JAM Battle of the Bands and Music Festival, with the group meeting with the Bacon Fest Committee to share their ideas for this year's event. An art competition will be added this year and the pieces will be displayed in the windows of shops in the main street.

Mud Women Gathering Events

The Community Development team coordinated for Mud Women Gathering events over two weekends, in Kingaroy, Nanango, Proston and Wondai. These events were facilitated by local artist 'Willow' and focus on mental health, wellbeing and mindfulness. These amazing events attracted 115 participants from all over the South Burnett.

2023 Pathway to Health Scholarships

It is widely acknowledged that strategic workforce planning and development will be a key enabler towards building the foundations necessary to effectively deliver health services that meet the needs of our region.

The South Burnett Regional Council have signed a Memorandum of Understanding with Rural Medical Education Australia to deliver a Cert III in Health Services Assistance through their Kingaroy Clinical Training Centre, onsite at the Kingaroy Hospital.

The intent of the Pathway to Health Scholarships is to develop a capable and sustainable health workforce, through upskilling community members that already reside in the areas of need. Anyone living in the South Burnett region will be invited to apply for one of these scholarships.

Art Culture and Heritage

Work continues the Art Culture and Heritage Strategic Plan with the engagement of a industry consultant to support staff to compile the Advisory Committee's information ready for wider community consultation.

RADF

RADF round 2 grant has seen 3 successful applicants received funding.

- 1. Noosa Film Academy \$3000
- 2. Kingaroy State High School P& C \$3000
- 3. Robyn Dower \$2080

Council has successfully received \$15, 000 in funding from Arts QLD to deliver RADF and Officers have reviewed and updated RADF guidelines to reflect quick response grant to support local artists.

Winter Wellness program

Council is partnering with Bridges Health and Community Care to bring Flipside Circus to South Burnett. Workshops will be held in Blackbutt, Kingaroy and Murgon during the first week of the School Holidays

Council has also partnered with South Burnett Rail Trail Users Association and South Burnett Mountain Bike Association to offer three community rail trail rides across the South Burnett over Winter.

Opera QLD

Opera Qld performed at town hall 6 June all reports were that it was a wonderful event and a great opportunity for the community to attend opera in the South Burnett region, a 120 people attended the night.

Library Services:

Under 8's Day

Planning and prepping for the upcoming Under 8's day is well underway with Jess, Shelley and Lisa expecting an awesome crowd after the success of the event in 2022. Without giving too much away, the library stall will have a very interactive obstacle course to be completed by those adventurous enough to go on a bear hunt. As always, library staff will enjoy the chance to promote all the free resources and upcoming events we have on offer. See you at Memorial Park on Thursday 29 June from 9am.

Val and Graeme Wicks Book Launch

Tingoora icons, Val and Graeme Wicks who are well known in the South Burnett for their various roles are thrilled to be having a book launch at the Kingaroy Library. Join us on Friday the 9th of June at 10am as they share their life experiences captured in their autobiography, 'Properly long way'. Two incredibly diverse individuals from opposite sides of the globe meet in the middle of nowhere in the great Kimberley area of northwest Australia and find their way through all the ups and downs of the remote outback.

National Simultaneous Storytime 2023

We had so much fun at National Simultaneous Storytime on Wednesday and would like to thank everyone who came along to one of our sessions across the region. With 88 children and caregivers attending NSS library events, The Speedy Sloth by Rebecca Young and Heath McKenzie was a winner indeed!

Orana Lutheran Care Partnership

South Burnett Libraries have been extended an invitation to host upcoming tech and social sessions at the Orana Aged Care Facility. These sessions will focus on connectedness for the residents in being kept in the loop of what is happening in libraries and the local area. Library staff always love

to share the fun of free and interactive resources that can be used for entertainment, learning and social connection, as well as assisting with resources such as Borrowbox and Family History databases. These sessions will resume in July and will complement the partnership with the Seniors of the South Burnett program.

Reconfiguration of non-fiction and study area at the Kingaroy Library.

Due to an increasing demand for quiet study spaces and areas for community groups to meet, we have recently completed an intensive weeding and deselection of our non-fiction collection in our services' largest library branch. This process in line with Queensland State Library standards and guidelines for our collection size has not only made the collection more manageable and relevant but has opened the space for better use by community members. Feedback has been very positive with many customers browsing the area and finding their required resources, while having plenty of space to sit and catch up with friends or take some time out for study.

BaconFest

Out and About at BaconFest

Join the South Burnett Libraries team at BaconFest by visiting our activity station as a part of the Little Piggies section on Saturday 19 and Sunday 20 August 2023. Staff will be available to chat about the extensive range of free resources available at our six library branches as well as providing some fun activities for families over the two days. Pop in and say hi and join us in some story time fun on what is sure to be a great weekend.



Mud Women Event, Wondai



BACKGROUND

Nil

ATTACHMENTS

Nil

9.2 COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE

File Number: 14-06-2023

Author: Manager Community & Lifestyle

Authoriser: Chief Executive Officer

PRECIS

Liveability - Community and Lifestyle Operational Update

SUMMARY

Liveability - Community and Lifestyle Operational Update

OFFICER'S RECOMMENDATION

That the Community and Lifestyle Operational Update be received.

BACKGROUND

Nil

ATTACHMENTS

- 1. Tourism Report 🗓 🖫
- 2. Community Development Operational Report May 2023 4 Table 2023
- 3. Leasing 🗓 🖫
- 4. Commercial Enterprise J
- 5. Library May 2023 🗓 🖫

Executive and Finance & Corporate Standing Committee Meeting Agenda

17 February 2021

Monthly Statistics:

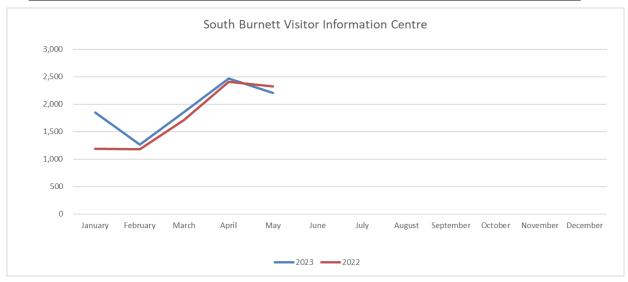
| Visitor Info | Visitor Information Centres – Monthly Statistics 2021-2022 | | | | | | | | |
|----------------------|--|---|---|---|--|---|--|--|--|
| 2022 | Jul | Aug | Sep | Oct | Nov | Dec | | | |
| Sales | K - \$6229 M - \$587 N - \$1061 W - \$4153 | K - \$8182 M - \$518 N - \$1126 W - \$4394 | K - \$6624 M - \$482 N - \$1082 W - \$5701 | K - \$5140 M - \$ N - \$1039 W - \$2791 | K - \$4238 M - \$259 N - \$717 W - \$2578 | K - \$8321 M - \$289 N - \$1312 W - \$2160 | | | |
| Visitor Numbers | K – 1596 M – 349 N – 604 W – 884 | K – 1455 M – 372 N – 636 W – 775 | K – 1220 M – 333 N – 735 W – 970 | K - 812 M - 220 N - 417 W - 680 | K – 708 M – 203 N – 247 W – 462 | K – 483 M – 160 N – 410 W – 434 | | | |
| Coach Tours | K – 1 M – 0 N – 0 W – 1 | K – 0 M – 0 N – 2 W –0 | K – 0 M – 0 N – 0 W – 0 | K – 1 M – 0 N – 0 W – 1 | K-4 M-0 N-2 W-2 | K - 0 M - 0 N - 0 W - 1 | | | |
| Volunteer Numbers | K – 91 M – 49 N – 60 W – 46 | K – 86 M – 41 N – 63 W –56 | K – 76 M – 37 N – 57 W – 45 | K – 91 M – 41 N – 53 W – 51 | K – 78 M – 26 N – 37 W – 34 | K – 126 M – 30 N – 41 W – 35 | | | |
| Volunteer Hours | K – 537 M – 217 N – 325 W – 234 | K – 537 M – 250 N – 316 W –283 | K – 475 M – 172 N – 289 W – 227 | K – 544 M – 200 N – 267 W – 258 | K – 493 M – 107 N – 185 W – 164 | K – 739 M – 120 N – 225 W – 166 | | | |
| Days Open | K – 28 M – 27 N – 30 W – 30 | K – 27 M – 28 N – 30 W – 31 | K – 25 M – 24 N – 28 W – 29 | K – 30 M – 25 N – 28 W – 31 | K – 30 M – 24 N – 26 W – 30 | K – 25 M – 21 N – 26 W – 28 | | | |
| 2023 | Jan | Feb | Mar | Apr | May | Jun | | | |
| Sales | K - \$4166 M - \$225 N - \$805 W - \$2351 | K - \$2826 M - \$5 N - \$897 W - \$1980 | K - \$4684 M - \$277 N - \$2091 W - \$2324 | K - \$4757 M - \$0 N - \$1431 W - \$2251 | K - \$5109 M - \$133 N - \$703 W - \$2309 | K - \$ M - \$ N - \$ W - \$ | | | |
| Visitor Numbers | K – 692 M – 139 N – 332 W – 359 | K – 511 M – 0 N – 244 W – 281 | K – 743 M – 147 N – 384 W – 422 | K – 1103 M – 0 N – 507 W – 610 | K – 911 M – 198 N – 372 W – 714 | K – M – N – W – | | | |
| Coach Tours | K – 0 M – 0 N – 0 W – 0 | K – 1 M – 0 N – 0 W – 0 | K – 0 M – 0 N – 0 W – 0 | K – 0 M – 0 N – 0 W – 0 | K – 1 M – 0 N – 0 W – 0 | K – M – 0 N – W – | | | |
| Volunteer Numbers | K – 115 M – 27 N – 34 W – 30 | K – 110 M – 39 N – 45 W – 33 | K – 157 M – 30 N – 28 W – 44 | K – 131 M – 27 N – 32 W – 47 | K – 141 M – 27 N – 29 W – 43 | K – M – N – W – | | | |
| Volunteer Hours | K – 671 M – 107 N – 195 W – 151 | K – 676 M – 156 N – 229 W – 169 | K – 884 M – 121 N – 171 W – 253 | K – 735 M – 97 N – 167 W – 267 | K – 855 M – 98 N – 165 W – 244 | K – M – N – W – | | | |
| Days | K – 24 | K – 28 | K – 31 M – 18 | K – 28 M – 18 | K – 28 M – 20 | K – M – | | | |

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17 February 2021

Executive and Finance & Corporate Standing Committee Meeting Agenda

| | January | February | March | Aprij | May | June | Ming | August | September | October | November | December | ⁷ 0ta ₁ |
|------|---------|----------|-------|-------|-------|------|------|--------|-----------|---------|----------|----------|-------------------------------|
| 2023 | 1,846 | 1,269 | 1,859 | 2,467 | 2,201 | | | | | | | | 9,642 |
| 2022 | 1,186 | 1,180 | 1,716 | 2,405 | 2,324 | | | | | | | | 8,811 |



South Burnett VIC Network

Visitor numbers have increased this month with three (3) new volunteers, two (2) at Wondai VIC and one (1) at Kingaroy Heritage Museum.

Volunteers at the Kingaroy Visitor Information Centre have focused their attention on local suppliers and have picked three (3) to showcase this month – Stonelands Skin, Richard's Country Kitchen and Simply Cards by Leanne.



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Executive and Finance & Corporate Standing Committee Meeting Agenda

17 February 2021

Volunteer Expo – Murgon

Staff attended the Volunteer Expo that was held in the Murgon Town Hall on Thursday the 18th May. Although there were not a lot of potential volunteers there were a number of different organisations all looking for volunteers. We did hand out a number of Applications to volunteer to the other stands.



2nd Famil - Mary Valley Rattler, Gympie

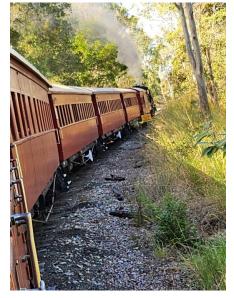
As per our accreditation, we are required to do one (1) Famil outside the South Burnett. Staff arranged for this Famil to the Mary Valley Rattler at Gympie. All of the Volunteers from the VIC's, Kingaroy and Wondai Museums and Roy Emerson Museum were invited. We had a total of 39 Volunteers and Staff attend the day.

It was a long day for all involved but more so for Blackbutt as they were picked up first (6.20am) and dropped off last (5.30pm).

Lunch was provided after the steam train ride.

Everyone that attended had a wonderful day.





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Community Development

2022/2024 Black Summer Bushfire Recovery Grants Program

Department of Industry, Science, Energy and Resources Department of the Prime Minister and Cabinet

| Project Name | Description | Status |
|----------------------|--|---|
| Community Connection | Social Recovery and Resilience Investment Stream | The Community Development Team have delivered four Mud Women Gatherings in Kingaroy, Nanango, Proston and Wondai. These events were very well attended with 28 participants at each. |
| | Economic Recovery and Investment Stream | South Burnett Façade Improvement Program. A third and final round is now open and will close on Friday 9th June 2023. Grant Information sessions were be held in Proston, Wooroolin, Kingaroy and Murgon To date we have 19 submitted applications and 35 unsubmitted. Regional Development Advisory Workshop was held on Thursday 4th May. Dr Tom Keenan was commissioned to independently facilitate this workshop. This workshop focused on the identified enabler - South Burnett region has appropriate infrastructure to support industry, investment, and liability. |
| | | South Burnett Business Linkup Breakfast was held on Friday 12 th May 2023. 149 people registered for this event. The keynote speaker was newly appointed Commissioner for Small Business Ms Dominique Lamb. The special guest speaker was Mr Mark Bouris founder of 'Wizard Home Loans' and current Executive Chairman of Yellow Brick Road. |

| | | - | Excellent feedback was received through an evaluation survey sent to all participants after the event. - 100% of attendees found the information shared at this breakfast helpful - 100% of attendees would like to see more business focused events held in the South Burnett. |
|--|--|-----|---|
| | Operational Plan Pro | jec | ts |
| Project Name | Description | | Status |
| OPL/20 Arts, Culture and Heritage Committee | Committee to develop an Arts, Culture & Heritage Strategic Plan | | The Arts, Culture and Heritage Committee meeting was held 11 May 2023. Members reviewed the RADF policy and guidelines The committee received a RADF Funding update from Julie Tanner, Director of Partnerships and Investments for Arts Queensland. |
| OPL/22Ringsfield House Advisory Committee | Committee to develop a Ringsfield House Strategic Plan and provide recommendations to Council. | | All expressions of interest for positions on the Ringsfield House Advisory Committee have been received. A report from the workshop held in March shows that the Committee agree that Ringsfield House should remain accessible for community members, and utilised as a venue for workshops, art and music festivals, weddings and receptions and other events. |
| OPL/24 Reconciliation Action Plan (RAP) | Develop a Reconciliation Action Plan (RAP) for the South Burnett Regional Council | • | The invitation to join a Reconciliation Action Plan working group will be issued to all staff later in the year. |
| OPL/29 South Burnett Regional Youth Council | Advocate for and facilitate wellbeing events across the region. | - | The Youth Council are once again planning their involvement with the 2023 Bacon Fest committee to facilitate the PIG JAM Battle of the Bands event for young people aged 12 – 24 years. An art competition will also be added this year. |

LEASING

| Item | Description | Actions |
|----------------------------|----------------------------|---|
| | | |
| Wooroolin | Request to licence Lot 1 | Provided advice that the Recreation |
| Sportsgrounds – | on SP188895 | Reserve for Lot 1 on SP188895 is in trust |
| Tingoora & District | | to the Wooroolin Community |
| Carriage Club Inc. | | Committee. |
| Les Muller Hut – | Enquiry on public Wi-Fi | Provided advice for free public Wi-Fi and |
| Blooming Beautiful | access to Les Muller Hut | mobile data options for the association |
| Blackbutt Festival Inc. | | to investigate. |
| Nanango & District | Request for renewal of | Report to the June Liveability, |
| Netball Association Inc. – | lease agreement. | Governance and Finance Standing |
| Lease A on Lot 212 on | | Committee. |
| Crown Plan FY2647 | | |
| Nanango Rugby League | Request for letter of | Letter of support and landowners |
| Football Club – 6 Wills | support for their | consent provided. |
| Street, Nanango | application to the | · |
| | Gambling Community | |
| | Benefit Fund | |
| Nanango Rugby League | Lease with option to | Sent letter of notice to exercise lease |
| Football Club – 6 Wills | exercise before 30 June | option. |
| Street, Nanango | 2023. | ' |
| The Creche & | Request for letter of | Letter of support and landowners |
| Kindergarten Association | support and landowner | consent provided. |
| Ltd – 42 Macalister | consent for funding | |
| Street, Murgon | application. | |
| Area 21 Kingaroy | Request for coordinates of | Lat/Long Coordinates provided as well |
| Aerodrome | Licence Area 21. | as surveyed lease plan to licensee. |
| Old Nanango Landfill – | Request to Licence – Lot | Licence to Occupy issued for signing 30 |
| South Burnett Fun Flyers | 354 on FY2456. | May 2023. |
| Association Inc. | | |
| Proston Showground | Investigate and realign | Survey required for realignment of |
| Reserve | boundaries to support | boundary. |
| | future growth and | , |
| | development of the site in | |
| | conjunction with Proston | |
| | community groups. | |
| Proston Show Society | Request to lease caravan | On hold whilst boundary realignment is |
| | park. | being undertaken. |
| Farmland – Kingaroy | Farmland offered for | Tender response outcomes and leases |
| Aerodrome | Lease. | issued for signing. |
| | | |
| Wondai Aerodrome – | Request to lease one (1) | Negotiations ongoing. |
| Site 13 or 15 | vacant site | |
| Kingaroy Soaring Club – | Request to lease new area | Report provided to June Liveability, |
| Kingaroy Aerodrome | for new | Governance and Finance Standing |
| Kinguroy Acrouronic | accommodation/amenities | Committee. |
| | accommodation/amenities | Committee. |

| Lease with BIEDO - Part | Request to lease | Lease executed and issue of keys to |
|---------------------------|---------------------------|--------------------------------------|
| of Lot 1 on Crown Plan | additional office space | BIEDO. |
| M55124 - 80 Gore | | |
| Street, Murgon | | |
| Roy Emerson Museum & | Request for renewal and | Report provided to June Liveability, |
| Nukku Nook - Blackbutt | extension to licence area | Governance and Finance Standing |
| & District Tourism & | for a new buildings. | Committee. |
| Heritage Association Inc. | | |
| Blackbutt Hall - | Request for renewal | Report provided to June Liveability, |
| Blackbutt & District | licence to occupy. | Governance and Finance Standing |
| Tourism & Heritage | | Committee. |
| Association Inc. | | |

LIVEABILITY - COMMUNITY AND LIFESTYLE OPERATIONAL UPDATE

Jennifer PointonManager Community & Lifestyle

Cemetery Update

| | Mor | nthly | Year to Date Cumulative | | |
|--------------------|-------------------------------|------------------------------|-------------------------------|-----------------------|--|
| Stats Item | 2022/23 | 2021/22 | 2022/23 | 2021/22 | |
| | 01/05/23 – 31/05/23 | 01/05/22- 31/05/22 | 01/07/22 – 31/05/23 | 01/07/21- 31/05/22 | |
| Cemeteries | Burial/Ashes/ Exhumations | Burial/Ashes/ Exhumations | Total | Total | |
| Blackbutt | 0 | 1 | 8 | 7 | |
| Booie | 0 | 1 | 0 | 4 | |
| Kumbia | 0 | 0 | 4 | 2 | |
| Memerambi | 0 | 0 | 2 | 2 | |
| Mondure/Wheatlands | 0 | 0 | 0 | 0 | |
| Murgon | 2 | 2 | 20 | 24 | |
| Nanango | 3 | 5 | 31 | 29 | |
| Proston | 2 | 0 | 9 | 3 | |
| Taabinga | 10 | 9 | 68 | 52 | |
| Tingoora | 1 | 0 | 3 | 0 | |
| Wondai | 3 | 5 | 29 | 29 | |
| Total | 21 | 23 | 174 | 152 | |

Dams Update

| | Monthly 2022/23 | | Year to Date Cumulative | | | |
|----------------------------------|-------------------|--------|-------------------------|--------|-------------------|--------|
| Stats Item | | | 2022/23 | | 2021/22 | |
| | 01/05/23-31/05/23 | | 01/07/22-31/05/23 | | 01/07/21-31/05/22 | |
| Dams Accommodation Numbers | Boondooma Dam | BP Dam | Boondooma Dam | BP Dam | Boondooma Dam | BP Dam |
| Cabins | 104 | 184 | 1575 | 2638 | 1449 | 2679 |
| Bunkhouse | 30 | N/A | 572 | N/A | 346 | N/A |
| Powered Sites | 275 | 561 | 3115 | 7223 | 2653 | 6384 |
| Unpowered Camping | 561 | 171 | 8535 | 5254 | 7818 | 4268 |
| Contractor / Conference Room | N/A | 19 | N/A | 279 | N/A | 198 |
| Total | 970 | 935 | 13797 | 15394 | 12266 | 13529 |

Saleyards Update

| Stats Item Coolabunia Saleyards | Monthly 01/05/23-31/05/23 | This month last year | Year to date Cumulative 01/07/22- 31/05/23 | |
|----------------------------------|------------------------------|-------------------------|--|--|
| Dipping (Agent & Private) | 1039 | 1091 | 10431 | |
| Inspection (Private) | 388 | 449 | 4209 | |
| Consignment / Transit (Private) | 255 | 380 | 3227 | |
| Weighed (Agent & Private) | 650 | 321 | 6521 | |
| Sold (Agent) | 624 | 325 | 6919 | |
| Spray | 2 | 1 | 12 | |
| Nanango Dip Yard | | | | |
| Cattle Dipped | 0 | 0 | 105 | |

Customer Requests

| Category | Monthly 01/05/23-31/05/23 | Year to Date Cumulative 01/07/22 – 31/05/23 | Year to Date Cumulative 01/07/21 – 31/05/22 |
|-----------|------------------------------|--|--|
| Airports | 1 | 90 | 32 |
| Cemetery | 16 | 120 | 134 |
| Dams | 4 | 36 | 32 |
| Saleyards | 0 | 8 | 0 |
| Total | 21 | 254 | 189 |

| SOUTH BURNETT LIBRARIES 2022-2023 Statistics Year to Date Updated 02.06.2023 | | | | | |
|---|------------|----------|--|--|--|
| Visitors | 144,420 | | | | |
| Loans & Renewals | 116,012 | | | | |
| New Memberships | 1,197 | | | | |
| JP Visitation (Kingaroy) | 2,466 | | | | |
| Meeting Room Bookings (hrs) | 810 | | | | |
| PROGRAM TOTALS | | | | | |
| FOR 0-5 EARLY CHILDHOOD | | | | | |
| | Attendance | Sessions | | | |
| Total on site | 3335 | 301 | | | |
| Outreach (F5F off site) | 618 | 12 | | | |
| FOR CHILDREN 6-12 | <u> </u> | | | | |
| Total on site | 1223 | 114 | | | |
| Outreach OFF SITE | 152 | 2 | | | |
| FOR YOUNG ADULTS 13-17 | | | | | |
| Total on site | 41 | 11 | | | |
| | | | | | |
| ADULT PROGRAMMING | | | | | |
| Total on site | 1377 | 258 | | | |
| DIGITAL LITERACY | | | | | |
| Total on site | 1259.5 | 524 | | | |
| TOTAL OIL SILE | 1233.3 | J24 | | | |
| CULTURAL CELEBRATION | <u> </u> | | | | |
| Total on site 144 27 | | | | | |

10 COMMUNITY DEVELOPMENT (HEALTH, YOUTH, SENIOR CITIZENS)

10.1 TRUSTEE LEASE - NANANGO & DISTRICT NETBALL ASSOCIATION INC

File Number: 14 June 2023 Author: Lease Officer

Authoriser: Chief Executive Officer

PRECIS

Nanango Netball Association Inc are seeking a new Trustee Lease for area Lease A on part of Lot 212 on FY2647, Reserve for Recreation.

SUMMARY

Nanango & District Netball Association Inc had a temporary trustee permit over part of Lot 212 on FY2647 whist awaiting a survey to realign the property boundary. The Trustee Permit to Occupy for has now expired and the Nanango Netball Association Inc are seeking a new Trustee Lease for area Lease A on part of Lot 212 on FY2647, Reserve for Recreation.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council that:

- 1. That South Burnett Regional Council resolves that the exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)* applies to Council for the disposal by way of grant of a Lease to the valuable non-current asset which is Lease A on Lot 212 on Crown Plan FY2647, to the Nanango & District Netball Association Inc.
- 2. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Lease between Council and Nanango & District Netball Association Inc. on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.

FINANCIAL AND RESOURCE IMPLICATIONS

Rent for the lease will be a concessional rate applied to all community and non for profit groups of \$75.00 per year (excluding GST). The Netball & District Association Inc will be responsible for any maintenance and repairs to the grounds, including any fences surrounding the lease area.

Council will be responsible for any cost associated with execution of the lease.

LINK TO CORPORATE/OPERATIONAL PLAN

IN10: Investigate options for leasing opportunities to not-for-profit groups and organisations.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

A report was provided to Council on 27 April 2022 to offer the Nanango & District Netball Association Inc. a temporary trustee permit whilst Council undertook a survey and realignment of the boundary. The Survey was undertaken which has defined the area as Lease A.

The Netball & District Association Inc. has reviewed and approved the conditions of the draft lease agreement.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Offer of a Lease is in accordance with s236(1)(b)(ii) of the Local Government Regulation 2012 which provides an exemption to dispose of a valuable non-current asset to a community group without having to first undertake a tender or auction.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Offering the new lease area is in accordance with Council's Property Lease Policy and Disposal of Assets Policy and Council's Property Leasing Policy.

ASSET MANAGEMENT IMPLICATIONS

The Reserve has a canteen and storage shed that will remain the responsibility of the Club.

Council has installed a Sewerage Pump Station that is located within the proposed lease area. Council will retain the right to access this part of the lease area to undertake maintenance at any time. The Association will mow and maintain the grassed area around the pump.

REPORT

Property details

RPD: Lot 212 on FY2647

Lease Area: 1.739ha (Surveyed)
Tenure: Reserve for Recreation
Commencement date: 1/07/2023

Expiry date: 30/06/2033

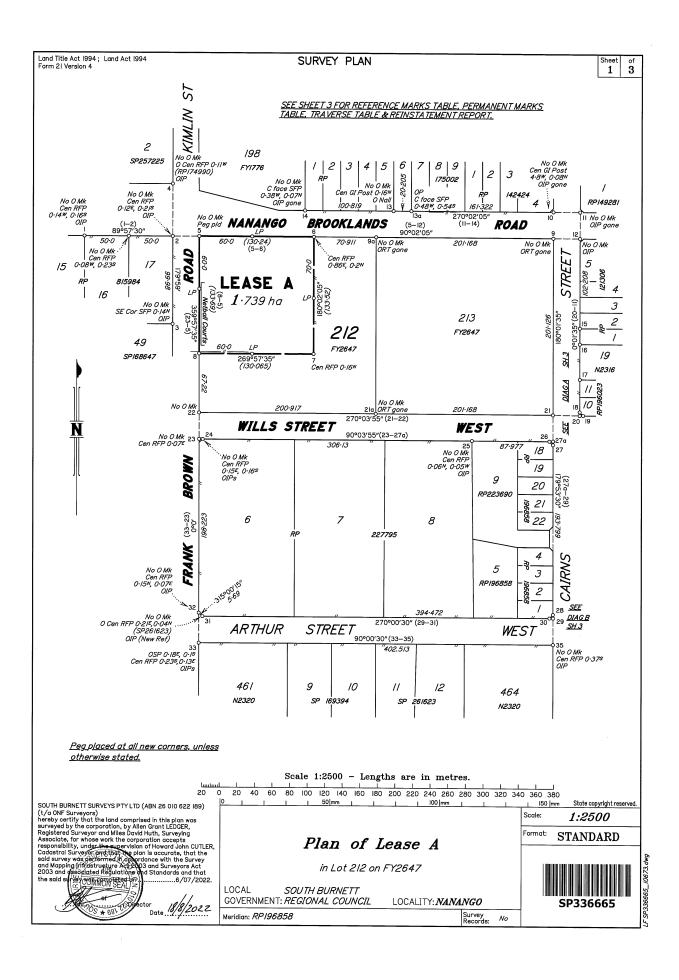
Background:

The Nanango Netball Association Inc. held a lease over the whole Reserve from 1999 to 2019. The Club were advised that the lease had expired however due to COVID-19 the Club became dormant. Council received correspondence from a newly formed committee on 8 February 2022 wishing to reengage with Council and progress a new lease for the area. A temporary Trustee Permit was executed whist a Survey of the lease area was undertaken.

A Trustee Lease for a term of 10 years at concessional rent, will be consistent form of tenancy that is held between many sporting groups and Council throughout the region. The lease allows the Club a secure possession and promotes independence in the maintenance of the assets on the lease area.

ATTACHMENTS

1. Survey Plan - Lease A - Lot 212 on FY2647 U



10.2 BLACKBUTT & DISTRICT TOURISM & HERITAGE ASSOCIATION INC - DEED OF LICENCE TO OCCUPY - ROY EMERSON MUSEUM & NUKKU NOOK AND BLACKBUTT HALL

File Number: 14 June 2023 Author: Lease Officer

Authoriser: Chief Executive Officer

PRECIS

Blackbutt & District Tourism & Heritage Association Inc have requested to renew their two (2) Deed of Licence to Occupy's for the Roy Emerson Museum & Nukku Nook and the Blackbutt Hall.

SUMMARY

The Blackbutt & District Tourism & Heritage Association Inc (BDTHA) have requested to renew and expand their expired Deed of Licence to Occupy for the Roy Emerson Museum and Nukku Nook (Nukku Rail Siding & School Building) and build a timber museum within the Blackbutt section of the Brisbane Valley Rail Trail. BDTHA have also request to renew their expired Deed of Licence to Occupy for the Blackbutt Hall.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council that:

- 1. That South Burnett Regional Council resolves that the exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)* applies to Council for the disposal by way of grant of a Deed of Licence to Occupy to the valuable non-current asset which is the land comprising of Part of Lot 1 on RP229138, Part of Lot 31 on RP32384, Part of Lot 2 on RP32381, Part of Lot 1 on RP32388 & Part of Lot 31 on SP117095 known as the Roy Emerson Museum and Nukku Nook, to the Blackbutt & District Tourism & Heritage Association, provided that:
 - (a) The Department of Transport and Main Roads approves the new licence area P1-P5 and proposal of new buildings on the licence area.
- 2. That South Burnett Regional Council resolves that the exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)* applies to Council for the disposal by way of grant of a Deed of Licence to Occupy to the valuable non-current asset which is the land comprising of Part of Lot 2 on RP32381 known as the Blackbutt Hall, to the Blackbutt & District Tourism & Heritage Association.
- 3. South Burnett Regional Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute the Deed of Licence to Occupy between Council and Blackbutt & District Tourism & Heritage Association on terms and conditions the Chief Executive Officer reasonably considers are satisfactory to Council.
- 4. Go out to tender for the development of a masterplan for the Blackbutt Rail Trail and for realignment and improvement of the rail trail accessibility.
 - (a) Request the Department of Transport and Main Road to offer financial assistance to contribute to the masterplan and community consultation during the drafting of the plan.

FINANCIAL AND RESOURCE IMPLICATIONS

Rent for the Licence to Occupy will be a concessional rate applied to all community and not for profit groups of \$75.00 per year (excluding GST).

Council will be required to go out to tender to develop the masterplan for the Blackbutt Rail Trail. It is proposed that Council request that the Department of Transport and Main Roads contribute to the masterplan including community consultation and drafting of the masterplan.

LINK TO CORPORATE/OPERATIONAL PLAN

OPL/23 Explore partnership opportunities to support local volunteer groups.

IN10: Investigate options for leasing opportunities to not-for-profit groups and organisations.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Council has been in discussions with BDTHA to expand their licence area for further development since 2018. The initial proposal was rejected by the Department of Transport and Main Roads as an existing licence was held by the Ambassadors of the Brisbane Valley Rail Trail (Moore-Linville-Benarkin-Blackbutt) Inc. for maintenance to the section of the rail trail from Linville to Blackbutt.

BDTHA contacted Council in March 2023 to re-initiate discussions to expand their licence area and build a timber museum within the Blackbutt section of the Brisbane Valley Rail Trail.

The Ambassadors have provided in principle support to the extension of the area available to Roy Emerson Museum for the purpose of establishing a Timber Museum as per section P1-P5 of the survey plan on the condition that any proposed buildings must not encroach on the Rail Trail and access to the building must not be via the Trail.

DTMR have been provided with a copy of the proposed licence area including distances from the centre of the rail trail, the feedback has been positive although formal approval is required before entering a licence agreement with BDTHA.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

An offer of a Deed of Licence to Occupy to a community group is in accordance with s236 Local Government Regulation 2012.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Offering the licence agreement area is in accordance with Council's Property Lease Policy and Disposal of Assets Policy.

ASSET MANAGEMENT IMPLICATIONS

BDTHA have been donated the buildings of the Roy Emerson Building and Nukku Rail Siding and are responsible for the maintenance and repairs of the buildings and grounds within the licence area. Placement of the buildings surrounding gardens have encroached on the 30 meter wide rail trail and within 7 meters of the centre of the rail trail.

Council surveyed the Blackbutt Rail Trail Head to define the distance between buildings and infrastructure built or relocated with the rail trail corridor. DTMR have been provided a copy of the survey plan showing the distance from the centre of the rail trail to buildings and infrastructure located in proposed licence area P1-P5 and initially feedback has been positive although approval formal approval is still required prior to executing the licence with BDTHA. It is suggested that Council undertake a masterplan of the Blackbutt Rail Trail to assess realignment of the rail trail and future use.

Pending approval with DTMR the Ambassadors have agreed to Council investigating and drawing up plans to change the alignment of the Trail. Provided that the width of the trail be retained at a safe margin of trail users, separated from the car park and fencing or an appropriate barrier be established between the rail trail and the skatepark.

REPORT

Property details: Brisbane Valley Rail Trail between Hart Street & Morris Street, Blackbutt

RPD: Lot 31 on RP32384 & Part of Lot 31 on SP117095

Tenure: Leased from State of Queensland

Lease Area: 3705m²

Rental: \$75.00 per annum

Proposed licence commencement: 1 July 2023

Expiry date: 30 June 2024

Background

The Blackbutt section of the Brisbane Valley Rail Trail (BVRT) is subleased to Council by State Government represented by the Department of Transport and Main Roads (DTMR) which is set to expire on 28 February 2036.

Council has issued a Licence to Occupy to the Ambassadors of the Brisbane Valley Rail Trail (the Ambassadors) for the section of the rail trail from Linville to Blackbutt. The Ambassadors have responsibility to inspect and maintain the rail trail excluding the buildings, the concrete causeway and two (2) meters either side of the causeway, the community gardens and the skatepark located on the Blackbutt Rail Trail Head.

The Blackbutt section of the BVRT from Hart Street to Morris Street is occupied with three (3) licences held by the BDTHA which include the Blackbutt Hall, Roy Emerson Museum and a section known as the Nukku Nook, one (1) sub-sublease by the Taromeo Rural Fire Brigade and one (1) licence held by Blackbutt District Community Organisation Inc for community gardens developed within the rail trail.

In 2011, BDTHA was gifted the original Nukku State School the building was dedicated as the Roy Emerson Museum and relocated to the Rail Head at Blackbutt with funding from the Tarong Community Partnership Program. In 2015, the Nukku Rail Siding was donated to BDTHA and relocated beside the Roy Emerson Museum. In 2017 a life side statue of Roy Emerson was erected on the land.

Council received a request, in October 2018, from BDTHA to expand their licence area and build a timber museum as a part of their 5-year development plan. Council investigated the matter and undertook internal and external stakeholder consultation. DTMR and the Ambassadors both had objections to additional infrastructure being built within the rail corridor.

In September 2019 Council engaged a surveyor to survey the sub-sublease and licence areas to define clear boundaries and in preparation to consolidate the Roy Emerson Museum and Nukku Nook onto one licence area.

The licences for BDTHA expired in have all expired although BDTHA continue to occupy the Roy Emerson Museum, Nukku Nook (School building & railway siding) and the Blackbutt Hall. Correspondence between Council and BDTHA show that renewal licences were developed and provided although this agreement was never signed by BDTHA or executed as the boundary remained unapproved by the DTMR.

In August 2022 BDTHA amended their plans to and proposed to build a shed for storage of equipment, archives and space for visitor information brochures. BDTHA stated that they did not

need to have the shed connected to water or waste water and additional shed would be beneficial in decluttering the Roy Emerson Museum.

The licences for BDTHA expired in have all expired although BDTHA continue to occupy the Roy Emerson Museum, Nukku Nook (School building & railway siding) and the Blackbutt Hall. Correspondence between Council and BDTHA show that renewal licences were developed and provided although this agreement was never signed by BDTHA or executed as the boundary remained unapproved by the DTMR.

To ensure that the width is maintained for the current and new buildings or infrastructure it is suggested that Council undertakes a masterplan of the Blackbutt Rail Trail within the Brisbane Valley Rail Trail.

Blackbutt Community Hall

Property details:

RPD: Lot 31 on SP117095

Tenure: Lease from State of Queensland

Purpose of Licence: Community purpose

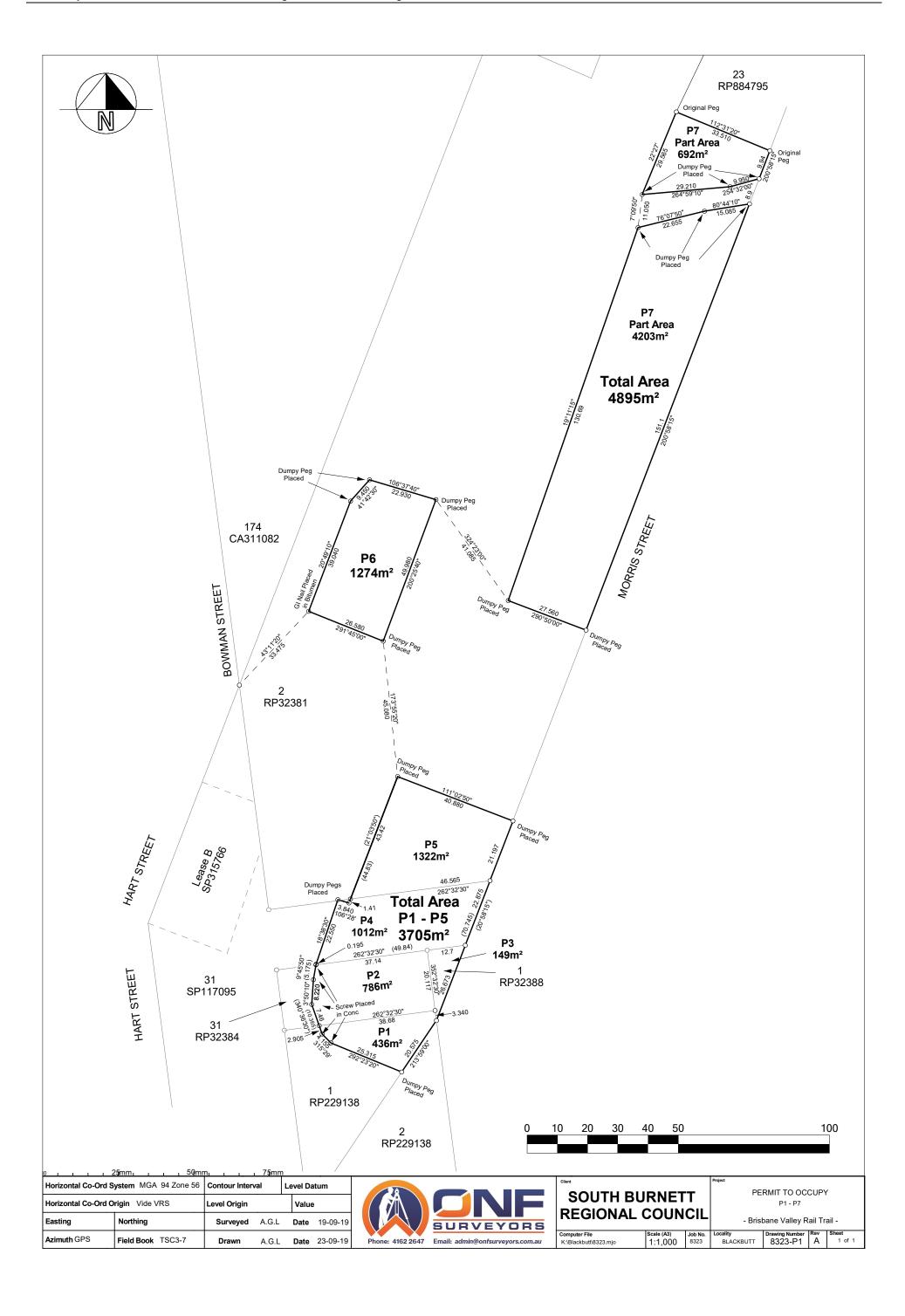
Rental: \$75.00 per year

The Blackbutt & District Tourism & Heritage Association Inc. have held a licence for the Blackbutt community hall since 1 January 2015 and expired on 31 December 2020. The group continue to manage the hall and its bookings with Council providing asset management support. The licence terms will be in alignment with other community halls such as Durong.

ATTACHMENTS

- 1. Aerial Map Licence Area P1-P5 Roy Emerson Museum & Nukku Nook Siding J
- 2. Survey Plan Blackbutt Rail Trail 🗓 🛣





11 PROPERTY & FACILITY MANAGEMENT

11.1 BUNKHOUSE (OLD HOSPITAL BUILDING) ON LICENCE AREA 3 - KINGAROY SOARING CLUB

File Number: 14 June 2023 Author: Lease Officer

Authoriser: Chief Executive Officer

PRECIS

Council has undertaken an assessment of the Bunkhouse (Old Hospital) located on Area 3 of the Kingaroy Aerodrome for the Kingaroy Soaring Club Inc.

SUMMARY

The Kingaroy Soaring Club Inc. (KSC) have requested to build new accommodation at the Kingaroy Airport either by leasing a new area of land or modifying the current licence area.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council that

- In accordance with the purposes of the Local Government Regulation 2012, Council decides, by resolution, that the exception in the Regulation Section 236 (1)(b)(ii), applies to Council in the disposal of the Building Asset as identified as the Bunkhouse (Old Hospital Building) on Licence Area 3 within Lot 3 on SP249643, other than by tender or auction, to the community organisation, to the Kingaroy Soaring Club Inc, as:
 - (a) it is in the public interest; and
 - (b) the disposal is otherwise in accordance with the sound contracting principles.
- 2. In accordance with *Local Government Act 2009* (the Act), *Section 257*, to delegate to the Chief Executive Officer of Council, the power under section *262(3)* of the Act, to negotiate and agree in principle the terms and conditions of a contract for the disposal of the building assets to the community organisation, Kingaroy Soaring Club Inc., for approval by Council.

FINANCIAL AND RESOURCE IMPLICATIONS

The building asset known as the Bunkhouse is in a state of disrepair with over 75% material containing asbestos. Council would be required to tender for a professional asbestos removal advice and service, the cost to remove the asbestos from the building is estimated over \$250,000.

The visible sections of the building frame show significant termite damage and the foundations are failing which require replacement. Engagement of a Registered Professional Engineer of Queensland (RPEQ) would be required to determine an accurate, overall condition and provide a scope for repairs and/or remediation if the asset is retained. The cost to remediate and retain the building is unknown at this stage. The Dilapidation Inspection Report recommends that the building be considered for demolition as it is not financially viable to remove the asbestos and remediate the building back to habitable condition.

The Kingaroy Aerodrome is listed on Council's Heritage Place Register. The application fee for building work or operational work on Local Heritage Place \$890.00 as per the 2022/2023 Fees and Charges.

LINK TO CORPORATE/OPERATIONAL PLAN

IN10: Investigate options for leasing opportunities to not-for-profit groups and organisations.

IN15: Continue to provide and investigate options to improve our aerodromes.

OPL/07: Actively manage Council's aerodromes to meet service standards and compliance.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Kingaroy Soaring Club contacted Council in March 2023 to discuss their accommodation facility and amenities block. Consultation has been undertaken with Facilities and Parks as well as Planning and Development.

An inspection of the current asset on Area 3 was undertaken with Council's Manager Community and Lifestyle, Property Team Leader and Lease Officer was undertaken with KSC's Secretary on 17 March 2023.

KSC undertook a pre-lodgement meeting with Council's Planning Officer on 6 April 2023 for advice on planning applications and approvals.

Further Inspection and assessment were undertaken by Council's Asset Management Officer on 2 May 2023, with a Dilapidation Inspection Report provided on 23 May 2023.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Whilst the Kingaroy Aerodrome (Sir Joh Bjelke-Peterson Airport) is referenced on the Queensland Government's WWII Historic Places website. Although the reference 602321 cannot be found on the Queensland Heritage Register. Further assessment of State Heritage significance is required under the *Queensland Heritage Act 1992*.

The Kingaroy Aerodrome is listed on Council's Heritage Place cards and removal of the building asset is assessable against the SBRC Planning Scheme Section 5.3.1(4) which refers to triggers for assessable heritage sites pursuant to *Schedule 10* of the *Planning Regulation 2017*.

Disposal of the asset by way of gifting to the Kingaroy Soaring Club is in accordance with the *Local Government Regulation 2012 Section 236(1)(b)(ii)*.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Disposal by way of gifting the building is in accordance with Council's Disposal of Assets Policy.

Under Council's Leasing Policy requires Council to assess any current assets managed by KSC including maintenance records.

ASSET MANAGEMENT IMPLICATIONS

A Dilapidation Inspection Report was provided on 23 May 2023, the summary of the report found the building in very poor condition. The condition is a combination of the age of the asset, lack of maintenance over a long period, and the techniques and materials utilised in the original construction.

It is suggested that engagement of a Registered Professional Engineer of Queensland (RPEQ) and Professional Asbestos Consultant would be required to determine an accurate condition of the asset and scope to undertake any remediation should the asset be retained. It is suggested that demolition may be the only feasible solution for the building.

REPORT

Property details

RPD: Lot 3 on SP249643

Address: 0 Warren Truss Drive

Licence Area: Area 3

The Kingaroy Soaring Club Inc (KSC) holds three (3) licence agreements with Council for the use of Council's assets including a Hanger, Clubhouse building, and Bunkhouse with 16 Caravan Sites located at the Kingaroy Aerodrome.

The Bunkhouse and Caravan Park is located within Licence Area 3 off Geoff Ralph Drive and is the old hospital building listed in Council's Local Heritage Register. KSC commenced occupation of the building on 28 October 1991 with the current licence agreement expiring on 23 January 2026.

KSC has 120 members, and the Bunkhouse accommodates approximately 10 to 12 people per week.

KSC engaged with the General Manager Liveability in June 2022 and presented their Facilities Plan, this document provided a general outline of the KSC's proposal although did not provide significant detail, costings or design plans. The proposal was placed on hold pending additional KSC's commitment to undertake additional planning.

In March 2023, Council was approached by KSC to undertake a lease on a new area of un-surveyed land at the Kingaroy Aerodrome to build a new accommodation facility and ablutions block. KSC advised Council that the current Bunkhouse was at the end of its useful life, and they would like to hand the Bunkhouse back to Council after construction of their new proposed accommodation facility.

Council advised KSC that Council would be required to inspect the bunkhouse to assess the asset and requested copies of KSC's maintenance activities undertaken on the building to date. To date KSC has failed to provide any evidence of maintenance undertaken on the building. Council also advised KSC to seek further advice from Planning and Development to progress their proposal.

Council's Lease Officer, Manager Community & Lifestyle and Property Team Leader inspected the property on 17 March 2023. The Bunkhouse was found have extensive termite damage to the interior and exterior of the property, including the frame and trims. There appears to be movement in the subfloor and stumps which is evident throughout the building. Floor levels are at different heights and there is movement evident in the wet area floors and door openings. On visual inspection there were 35 beds found throughout the rooms in the building.

Council has undertaken a Dilapidation Inspection Report and requested copies of KSC's maintenance activities undertaken on the property. The report suggests that the building is not in a habitable condition and that it would not be feasible to repair or remediate and would require professional advice for any further recommendations.

Council's Asset Management Officer undertook a further external inspection of the Bunkhouse on 2 May 2023 and provided a Dilapidation Inspection Report on 23 May 2023. The report found that over 75% of the building is asbestos containing material (ACM) which is in very poor condition. The roof cladding is corrugated asbestos sheeting and requires replacement. Significant termite damage is

evident to the external cladding of the building. The sub floor has missing and damaged/cracked stumps as well as broken and exposed steel.

Three options were considered for the asset:

Option 1: Council to tender for a Registered Professional Engineer of Queensland (RPEQ) and Professional Asbestos Consultant to determine an accurate condition of the asset and scope to undertake any remediation and repair for the asset be retained.

Option 2: Council disposes of the asset by way of gifting the building to the Kingaroy Soaring Club Inc (KSC). For KSC to make application for demolition of the asset to be able to rebuild on Area 3 within the guidelines of the Planning Scheme.

Option 3: For the Kingaroy Soaring Club Inc to hand back the building asset to Council in the dilapidated state and grant addition space to the current licence area for a new building.

ATTACHMENTS

- 1. Dilapidation Inspection Report Kingaroy Airport Bunkhouse (Old Hospital) 🗓 🖺
- 2. Internal inspection and photos of Bunkhouse 17 March 2023 🗓 🖺
- 3. Kingaroy Soaring Club Facilities Plan 2022 🗓 🛗
- 4. Location Map Kingaroy Soaring Club Licence Area 3 Bunkhouse (accommodation) and caravan park U
- 5. Planning Advice Kingaroy Soaring Club J
- 6. Internal views and clarification on Planning Advice 1

DILAPIDATION INSPECTION REPORT

Kingaroy Airport – Bunkhouse (Old Hospital)

Inspection Date: 2 May 2023



North Elevation



East Elevation

General

An external inspection was undertaken to determine the overall condition of the building on Tuesday 2 May 2023. Internal access was not available at the time of inspection.

The building is a timber framed structure supported by round concrete stumps with timber bearers and joists over.

The wet areas of the building are supported on cast in situ, suspended concrete floor slabs with integral, square, concrete stumps.

Approximately 75% of the exterior cladding is ACM (Asbestos Containing Material) with the balance being hardwood weatherboards. The roof cladding is corrugated asbestos sheeting.

Windows are generally timber framed double hung units with louvres used to the front (North) elevation.

The building was constructed for use during WW2 so is estimated to be approximately 80 years old.

The bunkhouse is listed in the SBRC Heritage Register but is not included in any other higher level heritage register.

Findings:

Concrete Access Ramps

There are three concrete ramps providing access to external doors. The ramp to the eastern end, is in poor condition with significant concrete degradation caused by rusting reinforcement. This ramp has also moved away from the building slightly.

It is noted that all external doors including frames and sills are in poor condition.



Ramp to Eastern Side



Eastern concrete access ramp has moved away from the building.

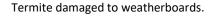
External Cladding

A sizeable portion (estimated 75%+) of the external cladding is asbestos containing material (ACM) which is generally in poor overall condition. There are damaged and cracked sheets and cover strips are missing in some locations.

The weatherboards are deteriorating with several areas having rot and/or decay visable. On the eastern wall several boards have fallen off due to significant termite damage.

The paint finish to all external surfaces is in very poor condition.

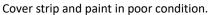


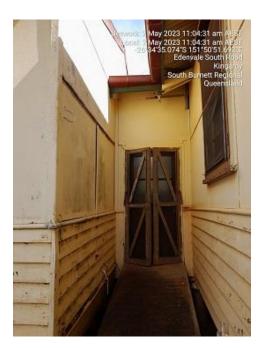




Typical rot to weatherboards.







Cladding and paint in poor condition.

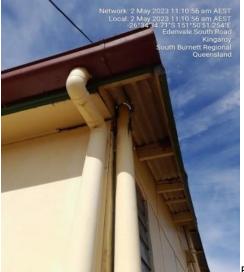
Roof

The roof is corrugated ACM with asbestos barge capping and metal (rusted) ridge capping. The ACM is generally in poor condition with damage evident.

It is common in poor condition roofs of this age, to experience some degree of moisture ingress which can cause damage and decay to the underlying timber structure; particulally if the timber structure is pine rather than hardwood. Pine was commonly used in the period when this building was constructed. Confirmation of damage would require an internal inspection of the roof space and / or removal of some roof sheeting to gain access.



Damaged roof.



Network: 2 May 2023 11:04:09 am AEST
Local: 2 May 2023 11:04:09 am AEST
-26*34*35.113*5 15*15*05*1.934*E
Edenvale South Road
Kingaroy
South Burnett Regional
Queensland

Damaged roof.

Roof leak resulting in rotted timber work.

Sub Floor

The soils on site are reactive which has resulted in building movement over many years. Some stumps have moved from their original alignment and location and in several cases the stumps are missing and have been replaced with dry stack concrete blocks.

The wet areas have been built on cast in situ, suspended, concrete slabs with integral square concrete stumps. There is considerable evidence of the steel reinforcement rusting within the concrete causing structural cracking to occur. In severe cases, the concrete has broken away and exposed the steel within.

There is significant cracking to the stump / suspended slab interface in multiple locations. This may be caused by reinforcement expansion or lateral movement caused by the reactive soils.

It is difficult to execute satisfactory, structurally adequate, repairs to damage of this type and it is likely that the slabs would need to be replaced.

Further detailed investigation by a suitably experienced RPEQ is required prior to proceeding with any repairs or remediation. The items to be investigated by an engineer include (but are not limited to):

- Soil testing to determine extent of reactivity.
- Extent of movement evident in existing stumps.
- Adequacy of existing footings and stumps.
- Extent of damage to cast in situ suspended slabs and associated stumps/footings and current structural adequacy.
- Remediation / replacement recommendations for stumps.
- Remediation / replacement recommendations for slabs.







Slab damage.



Typical wet area slab.



Slab/stump deterioration.



Cracked slab.



Dry stacked blocks in lieu stump.







Dry stacked blocks in lieu stump.



Cracked slab-note concrete block support.



Concrete block in lieu stump.

Windows

The windows are generally timber framed double hung units with louvres being installed to the front elevation. The timber windows are generally in poor condition and require repair and re-painting. Internal access was not available so it was not possible to check operational condition. It is likely, judging by the exterior condition that the windows will require maintenance (or replacement).



Typical timber double hung window.

SUMMARY

The building is in very poor condition which is reflective of its age, general lack of maintenance over a long period, and the techniques and materials utilised in the original construction.

If retention of the building is proposed, a detailed (Internal and External) inspection by an experienced RPEQ will be required to determine an accurate, overall condition and provide a scope for repairs and/or remediation.

Inspection by an asbestos consultant is also suggested to ensure all ACM is identified prior to any works progessing.

Demolition may be the only prudent and economically feasable alternative.

Report prepared 23/5/23 by:

Tony Jaques

SBRC Asset Management Officer

Internal inspection of the Kingaroy Bunkhouse - 17 March 2023

- 1. On inspection it was noted that there had been termite damage to various parts of the building in the frame and trims

 The extent of termite damage would not be able to be determined unless a more invasive investigation was to be carried including the roof members
- 2. Asbestos is also an issue as it is in the walls and ceiling in the majority of the rooms throughout the building. if it was to be renovated or internal work carried out this would be create a substantial cost to the works. Existing roof is also asbestos
- 3. There appears to be movement in the subfloor/ stumps. This is evident in several areas in the building, the worst area is the bathrooms at the southern side of the building. Floor levels are at different heights and there is movement evident in the wet area floors and door openings
- 4. The veranda on the northern side of building and entry was not lined on the underside of the rafters and while the roof battens showed signs of deterioration to what extent would not be known until the roof sheeting was removed

Internal & External Photos below:

Internal photos:











External Photos:







Kingaroy Soaring Club

Investment into the Future Facilities Plan 2022





Introduction

The sport of gliding is a little like surfing... an exhilarating free ride but where you can't see the wave or the sea.

It's like chess... a technical mind game where you can't see the pieces. It's like white water rafting...except that the ride is up and downhill and can go on for hours.

The air is a vast ocean which covers the earth and like any ocean, the air is constantly in motion and has waves, currents, ripples, and whirlpools. But you can't see air in the way you can see water unless there's a cloud to give you a clue. That's what makes gliding such a fascinating and involving sport.

There's a beauty and mystery about gliding which is missing in many sports and though gliding has challenges, competitions, races, and records, it can be enjoyed every bit as much by people who have no interest in competition and are looking for a purely personal challenge or a way to experience the real beauty, freedom, and spirituality of quiet flight.

The very first form of flying was gliding. There are a lot of claimants for who first "conquered the air" whether you think it was Otto Lilienthal, the Wright Brothers or even Sir George Cayley, it was gliding which came first.

Gliders only go downhill. Like any aircraft when you turn the motor off, gliders generate the lift to stay airborne by moving forwards and downwards under the influence of gravity. Early pioneering glider flights were short and measured in seconds.

In an effort to stay up for longer, misguided aviators soon moved to heavy aircraft with noisy motors and forgot about gliding. Not for long though because even Orville Wright went back to the sand dunes of Kittyhawk in 1911 and set a record for unpowered flight which was not broken for many years.

2

It was the Germans who returned to gliding as a sport in the 1920s and it was not long before they discovered that there are plenty of places where the air is going up very much faster than the glider is going down and if the glider remains in this up-moving air, or at least avoids the sinking air, a glider may stay up for ages.

"Glider pilots are pioneers in the exploration of the energy in the atmosphere"

How long? Well, long enough, there's a record for height gained in this up moving air. At the moment this stands at over 90,000' and is likely to go a lot higher. There's a record for the maximum distance flown between first and last light which is over 3,000 km and dozens of records for speed over a set course and distance

Glider pilots are pioneers in the exploration of the energy in the atmosphere. However, you look at them, gliders are not a particularly useful form of transport. Which is a good thing because it leaves gliders and gliding to be what it is good at. The best form of sport flying, and excellent fun.

History of the Club

KSC – A FEATURE OF THE KINGAROY SKYSCAPE SINCE 1960

The Kingaroy Soaring Club began in 1956 when two men began talking about starting a Gliding Club. The two gentlemen were (Frank Maiden, ex RAAF fitter and Bill Hill ex Airline pilot), they both decided to form a club based on the Sunshine Coast. For the next two years a bunch of stalwarts grew beans on a share farm, ran street raffles and dipped into their personal pockets. Soon they had raised enough money (500pounds) for a deposit on a brand new Kookaburra glider made in Adelaide.

When the glider finally arrived in 1958, they began operations on a very small strip at Mooloolaba. The strip was built totally by the small group of members and was only 900m long.

After a few years of only doing circuits, the club decided one day to move operations to Kingaroy for a weekend. For the



first time at this new site, they could actually soar in thermals. Eventually the members got sick of derigging the glider at the end of Sunday and heading back to the Sunshine Coast. So, it was decided in 1960 to base the club in Kingaroy.

Also at this stage, the name changed from the North Coast Gliding Club to the Kingaroy Soaring Club. With one glider (Kookaburra) and a winch, operations began. Storing the glider and winch in the one Hangar left over from when Kingaroy Airport was a huge RAAF training base during the war.

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In the early sixties the decision was made to buy the club's first single seater. The Kingfisher was purchased from the same manufacturer as the two seater and then the beginning of Cross-Country flying had begun. Going Cross-Country is in the club's DNA, and it began way back then in the early sixties.

By the mid-sixties, the club started attracting private owners. Three in total, so now

the club had grown to a total of five gliders. Kingaroy was now becoming the place to fly from if you want to fly Cross-Country. The club also started full time aero tows buy purchasing its first Tug plane (Pawnee 150).

By the late sixties the gliding club had taken over the present day club house from the South Burnett Aero Club. Where the Bar is located in the club house now



was originally the room where the club repaired gliders and did general maintenance.

In 1967 the club purchased its first high performance glider (ASK 13). We were the first club to purchase such a high performing glider. It was bought once again to train pilots on how to fly Cross-Country. So popular was the ASK 13 that the club decided to purchase another one in 1970. The Kookaburra was sold soon after the second K13 arrived. Membership was approaching 100 members and the most incredible purchase was made.

KSC was the first club in Australia to buy a Fibre glass Glider (Libelle 301). At the time this was a very gutsy decision. But it had the desired effect, increasing membership once again. The club membership was mainly from Brisbane, but we also had a strong local group as well.

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1972 saw the arrival of another new glider from Germany, Bergfalke 4. Once again this was bought to coach/train pilots in Cross-Country flying. In total the club owned 6 gliders. By the mid 70's the club fleet was an impressive total of 7 gliders. Three two seaters, and four single seaters. (2 x ASK 13; Bergfalke 4; Standard Cirrus; 2 x Libelle's; Astir).

In 1974 the club purchased its second Tug, a Citabria two seat aircraft. This was ideal for training new Tug Pilots on how to obtain their Glider Tug rating. Total glider numbers towards the end of the 70's based at Kingaroy airport was now 13.

At the beginning of the 80's, the Kingaroy club once again were out in front by being the first club in Australia to buy a new Fibreglass training glider called the ASK21. Only one other club In Australia followed Kingaroy by ordering the same glider. The Bergfalke glider was sold and the ASK 21 became the new tool to train pilots on the joys of cross-country flying. Our single seat gliders were also being modernised. By 1990 our single fleet was a LS 7, Astir 77; Libelle and a Standard Cirrus.

In the early 90's the recession had hurt the Kingaroy club. Due to low membership the club decided to reduce the size of the fleet. The Citabria tug aircraft was sold, the two ASK 13's as well as the single seat Libelle and Standard Cirrus.

Also, in the mid 90's, it was decided to buy a Cessna 150 aircraft and install a 180 hp engine to replace the ageing Pawnee 150. So, for some time in the late 90's the club only had one Tug. Very risky but somehow the club managed, towing quite a number of gliders every weekend with only one Tug plane. This one little aircraft saved the club by being very cheap to run, much cheaper than the previous two tug planes.

While all this was happening, the present Clubhouse was being modernized, a licensed bar area was built as well as a new kitchen annex on the eastern side of the building. Making for a very comfortable place to be after flying had ceased for the day.

As the year 2000 approached, the club was getting back on its feet, and the decision was made to buy a 20m wingspan two seat glider called the Duo Discus. At the time it seemed an a very ambitious decision to buy such an expensive glider (\$130,000), but it

proved to be the right choice. Membership climbed as more and more people wanted to fly such a beautiful high performing glider. Significantly there was the growth in private ownership. The Kingaroy airfield now had three hangars filled with gliders totalling 24 gliders.

The KSC original Pawnee tug which had a conventional aircraft engine was converted to have a V8 auto engine installed. This made running costs so much cheaper. Auto fuel is much cheaper to purchase than Avgas fuel. Kingaroy Soaring became one of the most efficient operations in the country with Pawnee with an Auto engine, and a Cessna 180 two seater used for towing as well as training future Tow pilots.

In the beginning of the 2000's the club was growing rapidly and so the decision was made to upgrade the single seater fleet. The LS7 and the Libelle were sold, and two new single seat Discus gliders were purchased. In 2007 another ambitious decision was made to replace the original two seater Duo Discus with an upgraded model at a cost of \$150,000.

"Kingaroy Soaring invested \$140,000 for a hangar was built to house 14 gliders. This hangar acted as a magnet to increase the size of our membership"

By 2010 the total fleet of gliders was still increasing and so another private Hangar was built to give a total number of gliders at Kingaroy to 30.

Glider numbers kept increasing and so the committee decided in 2013 to build a fairly large hangar on one of the left over concrete slabs built in 1945. Kingaroy Soaring invested \$140,000 for a hangar was built to house 14 gliders. This hangar acted as a magnet to increase the size of our membership now reaching 135 members. So with this fifth hangar built in 2014 the number of gliders based at Kingaroy reached 42.

Finally in 2016 it was decided to replace our basic trainer with a much more modern glider with better performance, so at a changeover cost of \$140,000 the club purchased a basic training glider as well for cross-country flying.

So, from its humble beginnings with only one two seat glider and one winch, the club has grown to an incredible size with two Tug planes, five club gliders and 37 private gliders.

We have held many competitions over the years including five Australian National Championships.

Story of the Kingaroy Soaring Club

The sport of gliding is one that relies heavily on the environment. Successful gliding missions require lots of open plains which provide a rich environment for the development of rising air, and of course lots of sunshine. The Kingaroy valley contains all the elements for successful glider operations.

The rich red soil in the Valley serves as a heat sink, absorbing the energy from the sun. In turn, the warm ground warms the air. Warm air rises and is the lifeblood of gliding. We call this rising air – a thermal – and we are fortunate that the Kingaroy Valley is a reliable source for the production of thermals

The size of the Kingaroy Valley affords our members a large area in which we can operate. Gliders operating from Kingaroy regularly visit the forested regions in the northern part of the region in the vicinity of Gayndah.



When conditions allow Kingaroy gliders cross the Bunya's and visit the Darling Downs at locations such as Dalby and sometimes beyond, Miles and Roma have been visited by Kingaroy based gliders

To the south we regularly set tasks reaching as far south as Milmerran, whilst we skirt around the airspace allocated for Oakey military base and the growing aviation activities at Toowoomba's Wellcamp facility.

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To the east there are forests which make gliding challenging, although destinations such as Gympie, Kilcoy and recently one of our pilots made the journey to Fraser Island and return

"The Kingaroy Valley contains all the elements for successful glider operations"

When the wind conditions are just right, the Bunya Mountains provide a source of lift known as wave flying. Strong winds over the Bunyas create air flows resembling a cross section of a wave, which extend high into the atmosphere. It is not uncommon for Kingaroy based gliders to reach 18,000 feet in favourable conditions

We are fortunate to have a natural environment at our club which promotes the sport of gliding

The membership base of the Kingaroy Soaring club has traditionally been heavily weighted with Kingaroy locals. Many of our members reside within the local community and some operate businesses in town.

MEMBERSHIP

In recent times the local member base has been supplemented by members attracted to Kingaroy from the Southeast Queensland region. We have members based in Brisbane, Redcliffe, and the Sunshine Coast. Such is the attraction the travel time is made worthwhile

Whilst COVID has impacted gliding like most other facets of the community, in recent times Kingaroy Soaring has hosted long term visitors from all over Australia, and we

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have some regular visitors from Europe, who spend the colder months in the northern hemisphere – enjoying the flying at Kingaroy

ONLY ORGANISATION IN THE REGION PROVIDING FLIGHT TRAINING

Aviation has become an important part of all of our lives, and Kingaroy airport is the most significant resource within the South Burnett. The Kingaroy soaring club is the only organisation in the region providing pilot training and education. For any child growing up in the region, with dreams of flight the Kingaroy soaring club provides an opportunity to make these dreams come true

A little-known fact is that Glider flight contributes to a prospective pilot's experience requirements. Commonly referred to as "hours" a pilot must accumulate a minimum number of hours before their career can progress. Gliding is an ideal way to accumulate experience – typically a flight on any given day can be 3 or more hours.

"A little-known fact is that Glider flight contributes to a prospective pilots experience requirement"

Significantly, costs associated with gliding are substantially lower. Three hours in student's logbook is likely to cost somewhere in the vicinity of \$70 per hour at Kingaroy Soaring. The equivalent experience contribution in a General Aviation Light single engine aircraft will be closer to \$300 per hour, and requires the student to travel outside the region

KSC and Kingaroy

A DAY IN THE LIFE OF A KINGAROY SOARING MEMBER

Whilst the gliders of the Kingaroy Soaring club have been a feature of the Kingaroy Skyline since 1953, another significant addition to the Kingaroy community has been the presence of KSC members in the businesses of Kingaroy.

The average visit of a Kingaroy member to the soaring club is two nights and two days. Gliding operations start relatively early in the day, Kingaroy members are often found in the cafés to get onboard a healthy breakfast and that all important freshly brewed coffee

Given our flights often last several hours, most members stock up on bakery supplies from the Kingaroy bakeries to cover for lunch, having to be expertly packaged into the small cockpit space

"Kingaroy Soaring club members can often be found in the local hardware stores in search of materials to keep their gliders in tip top shape"

Our gliders are primarily built from fibre glass, and like their cousin sailing boats are in constant need of maintenance. Kingaroy Soaring club members can often be found in the local hardware stores in search of materials to keep their gliders in tip top shape. We sometimes even frequent the bicycle shop for the equipment we use to tow the gliders to the runway

After the days flying is done, the members of Kingaroy Soaring are the same as sporting organisations all over — keen to share the story of their adventures. From the towering thermals, flying with eagles, successes of our students, all these stories are best shared over a meal and a beverage. Kingaroy members are often seen in the restaurants and pubs of Kingaroy, easily identifiable as the gaggle at the big table

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With an increasing number of members based in Brisbane and beyond Kingaroy members often use local motel and caravan parks for accommodation. This behaviour escalates considerably when interstate, overseas and competition entrants join us

KEEPING KINGAROY AIRPORT VIBRANT

Kingaroy Soaring club is the most active user of the facilities at Kingaroy airport. Our presence on the airfield contributes to the lifeblood and vibrancy of the facility. Many similar facilities in the region are used sparingly and often lack a lived-in atmosphere

Gliding activity at the airport commonly draws in residents and tourists alike, curious to understand a little more the activity going on at the airport. Residents are safe in the knowledge that a taxpayer funded resource is being utilised effectively.

Members of the Kingaroy soaring club participate in the Airport Stakeholders group, and we are proud of our long a harmonious relationship with council officers responsible for the operation of the facility

As part of our agreement with the council, Kingaroy soaring club members contribute to the upkeep of the airport and facilities. We operate and maintain the existing club house facility, Bunk House and two hangars.

Significantly Kingaroy Soaring club members assist in maintaining the facility. Our members maintain the grass runways, mowing the grass and improving the surface with top dressing

Kingaroy Soaring in 2018 invested \$30,000 in a purpose-built shelter near the threshold of Runway 16, and in 2022 will invest nearly \$40,000 on another purpose-built shelter near the threshold of Runway 34

KSC Competitions

One of the key elements of our location is the fact that we have "soarable" conditions year-round. Many clubs in southern states are only able to operate in the summer months. With this advantage in hand Kingaroy Soaring has been regularly successful in winning the rights to host a State and National competitions.

Whilst completing the hosting of competitions has been difficult in the Covid era, in 2021 alone, Kingaroy Soaring won the rights to host both the Queensland State competition as well as the 2021 National Competition.

Hosting a competition has a range of benefits to Kingaroy Community. These competitions attract competitors and business from with Queensland and interstate, and the benefits to the community outlined in "a day in the life" are multiplied considerably.

During an exercise completed a couple of years ago in conjunction with the council it was computed that every competition held at Kingaroy Soaring contributed \$250,000 to the local economy

"every competition held at Kingaroy Soaring contributed \$250,000 to the local economy"

As part of the investment plan, we intend to use our upgraded facilities to attract more competitions and perhaps one day we can compete for the world championships. Something that will put Kingaroy Soaring and the Kingaroy community firmly on the map

KSC – Gliding excellence

NATIONAL AND WORLD STAGES

Whilst we can't say for sure, whether it is the good gliding terrain, the facilities, or perhaps it's just the club culture, but Kingaroy Soaring attracts some of the best glider pilots in the country. Kingaroy Soaring is proud that amongst our members we have: -

- 5 members who have competed at the Men's World Gliding Championships
- 2 members who have competed at the Women's World Gliding Championships
- 20 + members who have competed National Gliding Championships

Challenges facing the club

Whilst we have been blessed to have a good facility and conditions to run a gliding club, like all organisations we need to keep an eye on the future.

Prospective glider pilots have choice when it comes to where they want to fly. There are three other gliding clubs in our region, all of which compete for patronage for members in Southeast Queensland and beyond. These clubs in recent years have invested in their facilities in the hope of attracting members

Whilst we have good facilities, most of these are buildings that were constructed as part of the airports original purpose, serving the needs of the military. These facilities have served the club and the community well but are now in need of further investment.

"Attracting younger members to the club from the Kingaroy region and beyond is vital to the health of any organisation including our club"

Attracting younger members to the club from the Kingaroy region and beyond is vital to the health of any organisation including our club. Our strategy in relation to recruitment is to keep the cost of flying as low as possible, whilst providing modern, but modest facilities

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Proposal

Kingaroy Soaring club has prepared an infrastructure proposal which will ensure the continued operation of the club – in Kingaroy for the next 20 years and beyond. This is a multi-stage plan which will see the club facilities brought into line with other gliding organisations, whilst still being able to leverage the excellent conditions the Kingaroy Valley affords.

SECURE A LOCATION

The most cost-effective way to build an infrastructure project, whilst preserving cash flow is via a multistage project. Importantly good planning is required to ensure that provisions for each stage are provided, in the most cost-effective manner.

Further combining components of the infrastructure at one location will also yield efficiency dividends and overall lower costs.

In order to achieve this outcome, the location of the new Kingaroy Soaring facility is proposed to be at the corner of



Warren Truss drive and Geoff Raph Drive (northern side)

This location provides sufficient space to locate all the elements of our proposed project in one location, but is also affords good proximity to the location where visiting gliders are parked, as well as an excellent view of the airport itself

STAGE ONE - AMENITIES

The first stage of the project would be to build an amenity and short-term accommodation block

The scope of this phase is construction of a structure which will house the amenities block. As the recent example of the COVID testing facility demonstrates, amenity facilities at the airport are either significantly dated or not available. This project will seek to address this issue

The Amenities block will house at this stage 4 shower and toilet rooms, a storage facility and short-term accommodation rooms in single and double bed arrangements

At the completion of this stage, we propose some modest clearing of the trees in rear portion of the block, and the relocation of the permanent caravans from the old hospital site on Geoff Raph Drive. At this point we intend to return this site to the council

The proposed budget for this stage is \$400,000. Many of our members are Kingaroy business owners and locals. We intend to maximise the community benefit by utilising local trades and suppliers as far as possible

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STAGE TWO - MULTI PURPOSE OPERATIONS FACILITY

The second stage of the project will be commenced immediately after completion of Stage One – or as funding restrictions allow. The scope of this stage is to build a club room facility designed to meet the needs of the club for the next 20 years. The design of the facility will revolve around being able to use the space as flexibly as possible.

Club Facility

The Kingaroy Soaring club currently operates a licensed bar, and the club facility will enable us to operate this facility within the guidelines of the Liquor Licensing act. The design features will include cool room facilities, a modest bar, and an area for socialising

Multi Use Auditorium

A significant component of the daily flying program at Kingaroy Soaring is the Daily Briefing. During this briefing, the share weather, and conditions information with the pilot community, identify how we are going to operate on the day, and discuss safety issues.

Following the briefing student pilots are provided with additional information relating to flight training theory and activities for the day

The Kingaroy Soaring Committee and number of sub committees hold regular meetings during the year. These meetings and the Annual General Meeting will utilise the multiuse Auditorium.

Kingaroy Soaring also hosts a number of social functions during the year.

Significantly the Multi Use Auditorium could be used for other community events, especially during the week, and we would be happy to discuss with council arrangements in this regard

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Office Space

The multipurpose club house will also be designed to incorporate office space for the use of Committee members, as well as a space for members to conduct flight planning activities

Kingaroy Airport - RAAF Memorabilia

One of the options in constructing this facility is the ability to allocate a publicly available space that would commemorate the long history of the Kingaroy airport and the RAAF members who served at the location

The proposed budget for this stage is \$500,000. Many of our members are Kingaroy business owners and locals. We intend to maximise the community benefit by utilising local trades and suppliers as far as possible

Program

There are several variables in relation to the timeline for this solution. The following table provides a proposed program of works based on completing Stage One.

Funding and approvals are likely to require revisions to the program, but will be amended as events unfold

| | Kiı | ngaroy Soaring Infrastructure Plan | |
|------|--------------------------|--|---------------------------|
| Task | Activity | Completed By | |
| 1 | Discovery | Pull together Budget Estimates for Options | Monday, 15 November 2021 |
| 2 | High Level Overview | Tuesday, 7 December 2021 | |
| 3 | Location Study | Identify location options | Tuesday, 21 December 2021 |
| 4 | Location Determination | Engage with Council | Tuesday, 1 March 2022 |
| 5 | Refine Requirements | Detailed Requirements | Friday, 1 April 2022 |
| 6 | Final Budget Preparation | Obtain firm quotes | Wednesday, 1 June 2022 |
| 7 | Funding Requirements | Finalise Grant program | Friday, 1 July 2022 |
| 8 | Approval | Committee approval | Saturday, 1 October 2022 |
| 9 | Tenders | Tenders let | Tuesday, 1 November 2022 |
| 10 | Construction | Construction | Thursday, 1 December 2022 |
| 11 | Completion | | Saturday, 1 April 2023 |

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Funding Arrangements

Over the two stages of the project Kingaroy Soaring intends to utilise a diverse range of funding options for the project.

- · Cash and Debt facilities
- Contributions from Benefactors
- Local Government grants
- State Government Community grants
- Fund raising and levies from the membership base

A Fund-Raising committee has already been formed, and has begun work, and we expect to be able to fund the project successfully from the above means

Next Steps

Critical to the next phase is the determination of the location of the new facility. Whilst a location is included in this proposal, Kingaroy Soaring is happy to discuss alternate locations should this site be unviable.

We would like to seek the guidance of council as to how to best approach the process of securing the location for the continued presence of the Kingaroy Soaring club within the South Burnett for the next 20 years and beyond

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SOUTH BURNETT
REGIONAL COUNCIL

South Burnett Regional Council does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that SBRC shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

Kingaroy Soaring Club Area 3 - Bunkhouse

1:6330



Page 153 Item 11.1 - Attachment 4



MEMORANDUM – To SBRC Coordinator Development Services (David Hursthouse). PURPOSE – Kingaroy Soaring Club Re-development SECURITY LABEL — Internal/For information

Warren Truss Drive (Kingaroy Airport) Address:

Property Description:

Zone:

CF4 'Community Facilities - Transport'

Overlays (relevant): **Airport Environs**

Other Instruments:

Planning Regulation

Schedule 10 Heritage Place

2017:

Regional Plan: State Agency interests:

Questions/Matter

Soaring Club is looking to re-develop their club house to include new accommodation on the airport land. Club currently utilise an existing heritage listed structure (from WW2) as their accommodation.

Response/Advice to consider

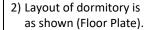
- Implications of placing new dormitory style accommodation on the site to replace the existing heritage structure.
- Potential demolition of the existing WW2 dormitory accommodation on order to facilitate a new dormitory.

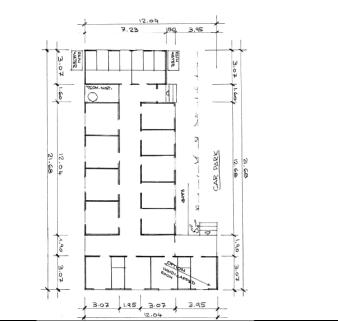
Council's initial assessment of the proposal was based on the following information provided prior to the meeting:

1)

- A new Dormitory was proposed to be located in the position shown (yellow).
- Soaring club currently occupies an existing WW2 structure (said to have been a hospital).







3) Matters discussed at the Prelodgement meeting dated 6 April 2023

Revised location – Potential location of the Soaring Club's dormitory is still under consideration, Tim Hood advised that preferred location (Point 1 above) has changed on basis of further discussions with those responsible for negotiating the land leasehold (SBRC from my understanding).

Based on Tim's advice the new dormitory may have to be located in the current Soaring Club leasehold area. Accordingly (based on Tim's discussion) the current dormitory WW2 building would either have to be extended or removed.

It was asked if the matter of removing the building presented any potential planning issues, it was understood that the building is in fact heritage listed and there are ongoing discussions between the Soaring Club and SBRC Representatives about potential demolitions (possibly on grounds of structural integrity).

4)

SBRC Planning Scheme

- The Kingaroy Soaring club has been operating from the site for circa 50years. Based initial
 assessment and discussions with club representatives it appears club activities are
 consistent with the SBRC Planning Scheme Definition of 'Air Services' in that:
 - o Conducts arrival/departure of aircraft.
 - Is part of an aviation facility.
 - Retains activities that are ancillary to the Air Service (Clubhouse/Dormitory for Club meetings).
- On this basis it was advised that use of Air Service (placement of a new dormitory) is subject to the following under the SBRC Planning Scheme:
 - Accepted development where complying with all Acceptable Outcomes cited in table 6.2.10. or
 - Code Assessable where not complying with all Acceptable Outcomes cited in table
 6.2.10.

Note it was generally agreed between Council and the customers town planner Liam Donald (DTS town planners) that this matter could potentially be dealt with via accepted development notwithstanding the following matters.

- It was generally agreed that a town planning letter or minor report discussing compliance with acceptable outcomes would suffice where further detailed assessment was undertaken.
- Customer was advised that further detailed assessment and information would be needed before Council could further consider.
- In terms of next actions, it was resolved that Council and the applicant should meet again further refine the town planning aspects (it was agreed that no development application would be the preference).

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Heritage Place – it was noted that Tim Hood referred to the current Soaring Club (at the airport) as retaining formal heritage value. This matter was further explored after the prelodgement meeting to determine implications. The following was noted:

- a. The Kingaroy airport is heritage listed on <u>state and local registers</u> (but not referred to in the SBRC Planning Scheme.
- b. The Soaring Club dormitory is one of several remaining buildings that were in service during in WW2 (was a hospital).

Implications -

- Discussions about potential demolition is perhaps the wrong conversation to have depending on what the priorities are for rehousing the Soaring Club into a new dormitory. Any demolition consideration will add significant time to the process.
- further to point (c) it is illegal to remove a heritage place without the proper approvals (process of removal/demolition from a heritage site is understood to require substantial reporting, justification, and specialist consultant input).

- e. The SBRC Planning Scheme has no trigger for assessable development on a heritage site, however, the *Planning Regulation 2017 (Schedule 10 Part 8, div 1 & 2)* triggers code assessable development on a Heritage Site (local or state).
- f. Accordingly a properly made application will be required for lodgement with SBRC as the Assessment manager pursuant to the Planning Act 2016.
- g. As the heritage aspects apply to the 'site'

Summary

- Soaring Club's use of Kingaroy Airport Land is consistent with SBRC planning scheme's definition of 'Air Services' hence a new accommodation dormitory is in principle also consistent as an ancillary use.
- Continuation of Soaring Club's Air Services activity (as a use) could be justified as Accepted development or akin to (depending on a more detailed assessment).
- Notwithstanding the Air Services being Accepted Development, a Code Assessable Development application will be required to deal with procedural matters arising from the Kingaroy Airport's Local & State Heritage listing.
- Assessment of heritage aspects associated with the development application will require specialist heritage consultant inputs.

Recommendations

- Carefully consider options regarding demolition/removal of existing buildings on the site (this may not yield a timely result).
- Consider relocating the Soaring Clubs lease area or amending in such a way as to avoid delays/issues associated with assessable demolition of heritage structures.
 Allocation of lease area for Soaring Club is not a planning issue but such decision may attract planning implications.
- o Escalate the matter:
 - Prioritise subsequent meetings with the Soaring Club asap to ensure proper process is understood for what a planning application will need to demonstrate.
 - Resolve the matter of lease area to enable resolution of the planning issues (implications of location and its effects).
- o Notify the applicable SBRC personnel (incl Jennifer Pointon & Michael Hunter)

Additional comments on heritage aspects – below is a comparison of Kingaroy Airport buildings today and in 1940's. Soaring clubs previously preferred location is shown in context of now and the WW2 period to which heritage is cited. It may be that areas such as those preferred by the Soaring club have less implications in the desired location.





The below is a building placement diagram apparently from WW2. Soaring Clubs preferred building location may not be within areas of the site that have clear historical significance (this may present less of an issue in terms of heritage assessment however proper assessment would still need to be undertaken). Soaring Clubs prefered I;ocation believed to be as hatched below.



19 April 2023 Amendment

- Spoke with Liam Donald (DTS) @ 11:20am advised on the matter of heritage and the triggers for assessment under the Planning Regulation 2017 (potentilly code assessable). Liam advised that DTS are looking at possibility of Heritage Exemption for the new dormitory.
- At this stage it is uncertain as to how demolition of the existing structure is to be undertaken, Liam inferred that the structure in question may be substantially altered (i.e. integral components that would otherwise contribute to heritage may not exist (detailed assessment probably required before making a determination here).

Cathy Jackson

From: David Hursthouse

Sent: Tuesday, 30 May 2023 11:25 AM

To: Cathy Jackson
Cc: Madelyn Stewart

Subject: FW: Request for minutes/note planning advice for Kingaroy Soaring Club **Attachments:** Kingaroy Soaring Club - Licence Area 3 - Bunkhouse (accommodation) & caravan

park.pdf; DILAPIDATION INSPECTION REPORT (002).docx; Internal photos of

Bunkhouse - 17 March 2023.docx; local-heritage-placecards.pdf

Hi Cathy

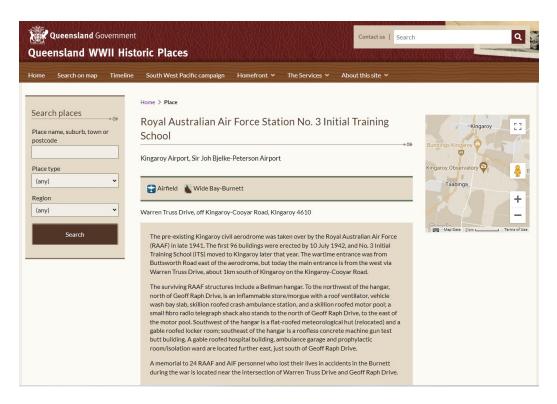
Thank you for your email, in reply please be advised that Development Services have sought, obtained and reviewed advice from Council's consultant Planner on your enquiry.

Responses to your questions are in blue font as follows:

The Kingaroy Soaring Club occupy multiple sites at the airport, their current licence area for the accommodation building and caravan park is located on Area 3, just off Geoff Ralph Drive. I understand the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is listed on the Local Heritage Register although searches through the Queensland Heritage Register show that it is not listed, there is reference to the site being a heritage reported place WW2, although the reference 602321 does not exist on the state register.

It would appear you have reviewed similar State Government resources, as while the site is referred to as a 'reported place' per QLD Heritage Register, it is confirmed that we could not locate 602321. However, we did identify a reference/citation to Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport via a QLD Govt website called 'QLD WWII Historic Places' (per the link and insert below) https://www.ww2places.qld.gov.au/place?id=839. Therefore, it appears that there is/was an intent to afford the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport State Heritage significance. However, we are not sure of the legalities/relevance/process in terms of the outcome. It is recommended that not to interfere with the subject building without first clearing this matter up with duly qualified advice and/or written advice from the State wrt the inconsistency.

1



The accommodation building known as the bunkhouse or old hospital building has been left in a state of disrepair for many years and it at an end of it's useful life, the dilapidation report references the exterior although an internal inspection was undertaken showing the majority of the frame work being rotten and eaten away by termites.

Information is noted and we have reviewed the Dilapidation Report. We not sure of the specifics in terms of how, or if a heritage building's state of repair justifies its removal or mandatory remediation. It's our understanding that state of repair/structural integrity can play a role if a building is subject to 'demolition control' under a planning scheme, but do not believe that it's as simple/straightforward for a heritage site.

Can you please clarify:

That the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is not on the Queensland Heritage Register?

Notwithstanding the 'reported place' and corresponding ID number, we have not identified that the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is on the QLD Heritage register. However, this is unusual and we are not sure how to interpret (refer to recommendation above).

• The Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is on the Local Heritage Register?

Yes, the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is on the Local Heritage Register (place card 25 of 114 as attached). Therefore, on this basis we believe removal of the structure in question is assessable against the SBRC Planning Scheme Section 5.3.1(4) which refers to triggers for assessable heritage sites pursuant to 'Schedule 10 of the Planning Regulation 2017'.

• What steps the club would need to take to apply to remove the Bunkhouse from the local register?

To the best of our knowledge SBRC does not appear to have a policy process for removing a place/building from a Local Heritage Register (i.e. SBRC's Heritage Register sits to the side of the Planning Scheme). Based on examples from other Council's (who do have a policy) it would appear that removing a heritage place/building from a site requires addressing of both cultural and building aspects.

It is suggested the next steps should be to:

o determine conclusively if the site is State Heritage Listed; and

2

 seek qualified assistance regarding the matter of removal/demolition of a heritage building (i.e. heritage consultant) as they will most familiar with addressing key aspects of the processes involved.

I trust this clarifies your questions.

Regards David



David Hursthouse

Coordinator Development Services

P 07 4189 9100
PO Box 336 Kingaroy QLD 4610
www.southburnett.qld.gov.au

f southburnettregion

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From: Cathy Jackson <cathy.jackson@sbrc.qld.gov.au>

Sent: Thursday, 25 May 2023 1:02 PM **To:** Planning <Planning@SBRC.qld.gov.au>

Cc: David Hursthouse <david.hursthouse@sbrc.gld.gov.au>

Subject: RE: Request for minutes/note planning advice for Kingaroy Soaring Club

Good afternoon,

Thank you for providing this advice so quickly. I just wanted to have some questions clarified from the advice provided.

The Kingaroy Soaring Club occupy multiple sites at the airport, their current licence area for the accommodation building and caravan park is located on Area 3, just off Geoff Ralph Drive. I understand the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is listed on the Local Heritage Register although searches through the Queensland Heritage Register show that it is not listed, there is reference to the site being a heritage reported place WW2, although the reference 602321 does not exist on the state register. The accommodation building known as the bunkhouse or old hospital building has been left in a state of disrepair for many years and it at an end of it's useful

life, the dilapidation report references the exterior although an internal inspection was undertaken showing the majority of the frame work being rotten and eaten away by termites.

Can you please clarify:

- That the Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is not on the Queensland Heritage Register?
- The Kingaroy Aerodrome/Sir Joh Bjelke-Petersen Airport is on the Local Heritage Register?
- What steps the club would need to take to apply to remove the Bunkhouse from the local register?

If you could please clarify by Tuesday 30/05/2023 or sooner, happy to discuss further.

Kind regards,



Cathy Jackson

Lease Officer

P 07 4189 9100 PO Box 336 Kingaroy QLD 4610 www.southburnett.qld.gov.au

fsouthburnettregion

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From: Planning < Planning@SBRC.qld.gov.au > Sent: Wednesday, 24 May 2023 3:40 PM

To: Cathy Jackson < cathy.jackson@sbrc.qld.gov.au >

Cc: David Hursthouse < david.hursthouse@sbrc.qld.gov.au >

Subject: RE: Request for minutes/note planning advice for Kingaroy Soaring Club

Afternoon Cathy,

Please see attached memo/minute notes from our Planning Consultant who attended the meeting on Counil's behalf.

Kind Regards

4



Planning

P 07 4189 9100 PO Box 336 Kingaroy QLD 4610 www.southburnett.qld.gov.au

f southburnettregion

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From: Cathy Jackson <<u>cathy.jackson@sbrc.qld.gov.au</u>>

Sent: Wednesday, 24 May 2023 1:59 PM **To:** Planning < <u>Planning@SBRC.qld.gov.au</u>>

Subject: Request for minutes/note planning advice for Kingaroy Soaring Club

Importance: High

Good afternoon,

Can I please request a copy of the minutes/notes from the planning advice provided to the Kingaroy Soaring Club on the 6 April 2023.

I require this for a report to Council regarding the condition of their current accommodation/request to build new accommodation at the Kingaroy Aerodrome.

If I could get a copy on or before 1 June 2023 that would be great.

Any concerns please let me know.

Kind regards,



Cathy Jackson

Lease Officer

P 07 4189 9100 PO Box 336 Kingaroy QLD 4610 www.southburnett.qld.gov.au

fsouthburnettregion

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12 PORTFOLIO - TOURISM & VISITOR INFORMATION CENTRES, SPORT & RECREATION AND COMMERCIAL ENTERPRISES

12.1 TOURISM & VIC'S, SPORT & RECREATION AND COMMERCIAL ENTERPRISES PORTFOLIO REPORT

File Number: 14-06-2023

Author: Division 1 Councillor
Authoriser: Chief Executive Officer

PRECIS

Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report

SUMMARY

Cr Erkens presented her Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report.

OFFICER'S RECOMMENDATION

That Cr Erken's Tourism & VIC's, Sport & Recreation and Commercial Enterprises Portfolio Report. to Council be received for information.

Tourism & VIC's:

Winter time is certainly well and truly here with below zero temperatures across the region bringing frosty mornings. With the winter weather comes the great migration of southern tourists through our region to the warmer weather in North Qld. As portfolio holder of Tourism one of my goals is to encourage these tourist to stop and explore some of the fabulous attractions we have in our region. Working with Visit South Burnett Inc. who are Councils partners in tourism I am hoping to encourage local tourism operator's to become involved in the Councils information centres which give a great opportunity for them to promote the region to these visitors. I certainly encourage tourism operators to connect with the volunteers.

Across the region we have lots of events which bring visitors every weekend from fishing competitions at the local dams.

Sport and Recreation:

Sporting events in the area are also a great source of income to the region. Nanango Junior Soccer hosted the Heritage Nanango Panthers MiniRoos Carnival the first weekend in June where 50 teams to attend their Carnival. Nanango Junior Rugby League hosted the junior South Burnett games and this event also attracted a great number of players and their families to the town. This is a great boost to small towns within our region.

Nanango Golf Club are celebrating their 100 year anniversary and there is a great display of their history on display at the Clubhouse. I recommend a visit to see what can be achieved with good community support.

South Burnett Rugby League President Greg Pomfret said their organisation were hopeful that a submission to host the 47th Battalion Rugby League Competition next year in the May Long Weekend will be successful. This would be a great boost to not only commercial enterprises but also Community Groups who would be called on to assist with catering and could attract up to 3,500 people to our great region.

From sporting to Arts in Kingaroy you can celebrate your passion for arts and show support to our incredible local artists! A two-month-long extravaganza of creativity, where you'll witness the magic of handmade crafts, mesmerizing artworks, and innovative designs. Whether you're an art enthusiast or simply curious, this festival promises an unforgettable experience for everyone and is attracting a number of visitors to the region.

Markets are popular at all times of the year and winter is no exception with most weekends seeing bargain hunters out checking markets. These events also bring a large influx of visitors to the region on a regular basis.

These events could not happen without the support of our volunteers. From Mums and Dads, Club Officials and general public who give up their time to ensure our lifestyle is enriched with sporting, art and cultural events as well as those volunteers who staff our Information Centres throughout the South Burnett. They travelled outside of our region promoting what we have while on a ride on the Gympie Rattler. I was very pleased to hear they had a great time as we really are grateful for the service they provide.



Pic 1. The Army Cadets held an exercise recently with visitors from South East Qld attending.



Pic 2 The Qld Jaguar Club took time out to visit Historic Ringsfield while in the region.



Pic 3 Good crowd attended the Soccer Club Mini Roo Competition.



Pic 4 South Burnett Information Centre Volunteers on their recent Outing.

South Burnett Visitor Information Centres:

The Volunteers at the Kingaroy VIC showcased three local suppliers for the month of May – Stonelands Skin, Richard's Country Kitchen and Simply Cards by Leanne. These displays are changed for each month or for special holiday season which the volunteers are always enthusiastic and passionate about.

Statistics on where our visitors to our VIC's are coming from are below. These figures are total numbers from January to May 2023.

| Kingaroy | Nanango | Wondai | Murgon | Total |
|----------|---------|--------|--------|-------|
| 4,292 | 1903 | 2,525 | 922 | 9,642 |

| | 2023 | 2022 |
|-----------------------|--------|-------|
| Brisbane | 25.24% | 31.3% |
| Gold Coast | 4.02% | 7.5% |
| Toowoomba/Golden West | 3.47% | 3.6% |
| Southern Downs | 0.87% | 1.2% |
| Sunshine Coast | 9.18% | 10.6% |
| South Burnett | 27.81% | 26.4% |
| Fraser Coast | 4.15% | 2.6% |
| Bundaberg | 2.78% | 2.5% |
| Gladstone | 0.83% | 0.6% |
| Capricorn | 1.34% | 1.1% |
| Outback | 0.30% | 0.9% |

| Mackay | 1.17% | 0.8% |
|---------------------------|-------|------|
| Whitsundays | 0.17% | 0.1% |
| Townsville | 0.78% | 0.8% |
| Tropical North Queensland | 1.09% | 0.8% |
| NSW | 8.71% | 5.2% |
| Victoria | 2.30% | 0.6% |
| Other States | 3.51% | 1.2% |
| Overseas | 2.28% | 0.4% |

The PCYC in Murgon held the first Volunteer Expo at the Murgon Town Hall which we had a stall/display. There were a number of other organisations in attendance. It was a very good day for networking and finding that all the other organisations are all looking for more Volunteers.

We have been fortunate to have three new volunteers during the month. One for the Kingaroy Heritage Museum and two for Wondai VIC.

Famil – We have had the second Famil for the year. This was held in May, and we arranged for the Famil to be outside the South Burnett, as per our Accreditation. We took our wonderful volunteers to the Mary Valley Rattler in Gympie. It was a wonderful day and the Volunteers thoroughly enjoyed themselves. For Blackbutt it was a very long day, as they were the first to be picked up and the last to be dropped off.

As we move forward through the year, we are in the planning stage for the Forum in July which will have speakers from some of our largest companies in the South Burnett – Swickers, Plenty, Crumptons and The Rail Trail, we will also have a talk from our WPH&S. This will be followed by a Famil in September and another in November/December to finish off the year.

The Wondai Heritage Museum are in the process of planning an Open Day and Dedication to Kevin Dixon in August. Kevin was a Volunteer who created a Diorama for the Museum, but unfortunately before he could finish, he passed away and his family completed the Diorama. Council received a grant to have the Diorama covered for protection, and to complete the process was agreed to have a plague and dedication arranged.

Commercial Enterprises

Saleyards:

The Saleyards continue to be busy with the completion of the Capital works project as part of Council's upgrade program and high yarding of cattle due to the continuation of a dry start to winter with Fat & Store Sale held on Tuesday 23 May 2023 and a Weaner show & sale to be held on Thursday 15 June 2023.

The Fat & Store Sale held on Tuesday 23 May was brought forward from Thursday 25 May with a yarding of 625 head between agents Aussie Land & Livestock & Grant Daniel Long. The sale commenced from 12:30pm after the Murgon Cattle sale concluded and Council's Commercial Enterprise staff demonstrated great teamwork to run their first sale in the scales and bottom office without the assistance from the agent's support staff.

A Weaner Show & Sale will be held on Thursday 15 June with 1500 head cap introduced and the awards commencing at 7.30am and sale at 8.00am. Council's Commercial Enterprise Staff will continue to provide support in the scales and bottom office to the agents, vendors, and buyers.

The capital works project to replace a section of the old wooden yards with new steel cattle yards is now completed. The quality workmanship from the Contractor has enhanced the look and safety of

this section of the complex. Council is seeking specs & quotes from contractor for further works to improve the catwalks.

Progress photo:



Dams:

The carports are continuing to be constructed at Bjelke-Petersen Dam and project is expected to conclude by 22 June, weather permitting.

The Festival of the Dams fishing competition was held at Bjelke-Petersen Dam on the weekend of the 20-21 of May. Congratulations to Fishing Freshwater, Council, dam managers & their support staff for another successful comp & job well done.

'A Day at The Dam' Music Festival preparations for 28 October 2023 are continuing to progress & well under way with all artists locked in. Featuring artists are The Wolfe Brothers, Casey Barnes, Taylor Moss and Will Day.



Next committee meeting will be held on Wednesday 14 June in Murgon meeting room with invited Emergency services sections - Qld Ambulance Service, Qld Police, Qld Fire and South Burnett Security to discuss logistics.

A Public media release has been issued on Council's website announcing the music festival with entertainment to be provided by local bands from 2pm with the main event kicking off at 5pm. Ticket sales are expected to go on sale during the month of June. The concert will finish at 10pm and will be fully licensed. Bus transport will be available for community members from Nanango, Kingaroy, Wondai and Murgon.

This event will provide a platform for local service providers, disaster recovery and employment agencies to showcase their products and share resources to the attendees, through trade displays and a mini job fair.

BACKGROUND

Nil

ATTACHMENTS

Nil

13 TOURISM & VISITOR INFORMATION CENTRES

13.1 MURGON VISITOR INFORMATION CENTRE COMMUNITY ENGAGEMENT

File Number: 14-06-2023

Author: Tourism Service Officer
Authoriser: Chief Executive Officer

PRECIS

The Murgon Visitor Information Centre is no longer accredited, a community survey has been undertaken.

SUMMARY

The Murgon Visitor Information Centre is currently open for 20 hours per week, Council has engaged with community to seek their views on the opportunity co-location with another community group.

OFFICER'S RECOMMENDATION

That the Committee recommend to Council that:

- 1. An expression of interest is released to the South Burnett not-for profit community to co-locate at the Murgon Visitor Information Centre.
- 2. The community engagement feedback is received and noted

FINANCIAL AND RESOURCE IMPLICATIONS

The proposed Expression of Interest process will be undertaken within current staff and resources. Community groups wishing to co-locate would be responsible for any fit-out or refurbishment of the building to meet their needs.

LINK TO CORPORATE/OPERATIONAL PLAN

OPL/23 Explore partnership opportunities to support local volunteer groups.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

The Tourism, VICs and Arts team provided an online community survey from 5 April 2023 to 5 May 2023. Officers visited and distributed flyers to the Murgon business community, targeting businesses located in the CBD that were most likely to be affected by any changes to the purpose and services at the VIC.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

Any proposed agreement for a not-for-profit to utilise the space will be provided to Council for final consideration under exception in *Local Government Regulation 2012 section 236 (1)(b)(ii)*.

POLICY/LOCAL LAW DELEGATION IMPLICATIONS

Expressions of Interest received from groups will be assessed against Council's Lease Policy.

ASSET MANAGEMENT IMPLICATIONS

NIL

REPORT

As per Council resolution, staff designed and released a community survey on Survey Monkey and the results are as follows:

40 people responded to the survey

1). Would you like to see the Centre used as a Community Space? For example, a not for profit?

Yes 60%

No 40%

2). Would you like to see the Centre used for a commercial entity?

Yes 22.5%

No 77.5%

3). Should the Visitor Information Centre remain in this space?

Yes 86.49% No 13.51%

4). Have you volunteered in one of the South Burnett Visitor Information Centres?

Yes 12.2%

No 87.8%

17.1 MURGON VISITOR INFORMATION CENTRE

RESOLUTION 2023/483

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That South Burnett Regional Council consults with the Murgon Business & Development Association Inc. and community groups prior to considering any changes to the Visitor Information Centre in Murgon and a report be brought back to the June Liveability, Governance and Finance Standing Committee Meeting.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kirstie Schumacher, Kathy

Duff and Scott Henschen

Against: Nil

CARRIED 7/0

ATTACHMENTS

Nil

14 PORTFOLIO - REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES, COMMUNITY & SOCIAL HOUSING

14.1 REGIONAL DEVELOPMENT, DEVELOPMENT SERVICES AND COMMUNITY & SOCIAL HOUSING PORTFOLIO REPORT

File Number: 14-06-2023
Author: Councillor

Authoriser: Chief Executive Officer

Precis

Regional Development, Development Services and Community & Social Housing Portfolio Report

Summary

Cr Schumacher presented her Regional Development, Development Services and Community & Social Housing Portfolio Report to Council.

Officer's Recommendation

That Cr Schumacher's Regional Development, Development Services and Community & Social Housing Portfolio Report to Council be received for information.

Development Services

Building

During the month of May, the Building Team received 74 customer requests and 62 building applications as follows:

- 36 Council Applications; and
- 26 Privately Certified Lodgements.

The number of building applications projected to be received by Council for the current financial year is 407. This projected figure compares to 441 for the previous financial year and 364 applications for the 2019/2020 financial year.

The number of privately certified applications projected to be received by Council for the current financial year is 248. This projected figure compares to 257 for the previous financial year and 195 applications for the 2019/2020 financial year.

Planning

During the month, the Planning Team received 80 customer requests, 18 planning applications and attended 1 pre-lodgement meeting. The breakdown of applications are as follows:

- 3 Material Change of Use (MCU);
- 2 Reconfiguration of a Lot (RAL);
- 2 Operational Work (OPW);
- 7 Plan of Sealing (POS);
- 1 Exemption Certificate (EXC); and
- 3 Development Incentive Scheme.

The number of planning applications projected to be received by Council for the current financial year is 123. The projected figure compares to 109 for the previous financial year and 64 applications for the 2019/2020 financial year.

Plumbing

During the month of May, the Plumbing Team received 17 customer requests and 26 plumbing and drainage applications as follows:

- 17 Class 1/10a Domestic No Sewer:
- 5 Class 1/10a Domestic Sewer; and
- 4 Class 2-9 Other Building (Commercial).

The number of plumbing applications projected to be received by Council for the current financial year is 236. This projected figure compares to 299 for the previous financial year and 248 applications for the 2019/2020 financial year.

Major Planning Scheme Amendment

A revised version of the proposed major amendment (version 2.1) was submitted to the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) on 22 March 2023. The States timeframes for its review expired in May without receiving a response. Our consultant advises that such delay is a consistent local government experience and continues to follow up DSDILGP about Council's request. As of 6 June 2023, Council's request remains within the internal approval processes of DSDILGP and/or with the Minister. The next process step is for the Minister to give Council notice of:

- the outcome of the State interest review;
- whether Council may proceed to publicly consult the proposed major amendment of the planning scheme; and
- the communications strategy that Council must implement when proceeding to public consultation.

Resourcing

There is a heavy reliance on utilising consultants to provide the planning functions and service due to the Senior Planner being on extended leave and Planning Officer position being recruited. Interviews were held for the vacant Planning Officer position and the preferred candidate is undertaking final pre-employment checks prior to a formal job offer being made.

Inspection Program

Planning has commenced to implement an 'approved inspection program' under s133 of the *Local Government Act 2009*. The purpose of the proposed the proposed program is to monitor compliance with building and plumbing requirements in Hivesville. A further report will be presented to Council in the near future.

Legal Matters

The Planning team has two (2) current appeals in progress, the details of which are as follows:

2922/22 VB 1884 Pty Ltd -V- South Burnett Regional Council

This is an appeal against Council's decision to issue a development approval for a Preliminary Approval for MCU Service Station (Service Station including ancillary food and drink outlet & shop) at 81 Haley Street, Wondai. The latest action in the matter is that a Court Ordered conference (mediation) was chaired by the ADR Registrar on 5 June 2023. This matter is scheduled to be reviewed by the Court on 23 June 2023.

828/23 Amplitel Pty Ltd -V- South Burnett Regional Council

This is an appeal against Council's decision to refuse a development application for a Development Permit for a Material Change of Use (Telecommunications Facility) at Redman's Road, Kingaroy.

The latest action in the matter is that a 'without prejudice' meeting is being scheduled for 21 June 2023 ahead of the directions hearing is scheduled for 23 June 2023.

ATTACHMENTS

Nil

14.2 PLANNING AND LAND MANAGEMENT OPERATIONAL UPDATE

File Number: 14-06-2023

Author: Manager Environment and Planning

Authoriser: Chief Executive Officer

PRECIS

Planning and Land Management Operational Update.

SUMMARY

Planning and Land Management Operational Update.

OFFICER'S RECOMMENDATION

That the Planning and Land Management Operational update be received for information.

ATTACHMENTS

1. May 2023 Planning & Land Management Operational Update 🗓 🖺

Item 14.2 Page 178

LIVEABILITY - PLANNING & LAND MANAGEMENT OPERATIONAL UPDATE

Darryl Brooks

Manager Environment & Planning

Total

| Private Certification YTD Report on Subcategories Period 01-Jul-2022 to 31-May-2023 | | Planning Applications YTD Report on Subcategories Period 01-Jul-2022 to 31-May-2023 |
|--|-------|--|
| Application Type | Total | Application Type |
| AltPoolFnc | 0 | |
| BudgetAcc | 0 | QEXC |
| CAP | 0 | QMCU |
| Class1&10a | 23 | QOPW |
| Class1&10b | 23 | QPOS |
| Class10a | 101 | QRAL |
| Class10a&b | 1 | QSPS |
| Class10b | 4 | |
| Class1a | 76 | LLTempHome |
| Class1b | 1 | Total |
| Class2 | 0 | |
| Class3 | 1 | |
| Class4 | 0 | |
| Class5 | 1 | |
| Class6 | 4 | Plumbing Applications YTD Report on Subcategories |
| Class7 | 2 | Period 01-Jul-2022 to 31-May-2023 |
| Class8 | 0 | |
| Class9 | 1 | Application Type |
| Class9a | 0 | , hbeae |
| Class9b | 1 | David Ma Carray |
| Class9c | 0 | DomNoSewer |
| FarmShed | 1 | DomSewer |
| IssChgClas | 1 | OtherBuild |
| Remove | 3 | Total |
| Restump | 0 | |
| RetainWall | 0 | |
| SACouncilP | 0 | |
| SAStatePro | 0 | |
| SignSatDsh | 0 | |
| SpecStruct | 0 | |
| SwimPool | 4 | |
| TempStruct | 0 | |

Building Applications YTD Report on Subcategories
Period 01-Jul-2022 to 31-May-2023

| Application Type | Total |
|------------------|-------|
| | |
| AltPoolFnc | 0 |
| BldMatters | 0 |
| BudgetAcc | 0 |
| CAP_BId | 1 |
| Class1&10a | 9 |
| Class1&10b | 0 |
| Class10a | 183 |
| Class10a&b | 0 |
| Class1a | 77 |
| Class1b | 2 |
| Class2 | 0 |
| Class3 | 0 |
| Class4 | 0 |
| Class5 | 2 |
| Class6 | 7 |
| Class7 | 9 |
| Class8 | 8 |
| Class9 | 2 |
| DesignSite | 31 |
| DwellReloc | 18 |
| FarmShed | 2 |
| FireSafety | 0 |
| IssChgClas | 0 |
| Remove | 5 |
| ReRoof | 1 |
| ResService | 0 |
| Restump | 1 |
| RetainWall | 0 |
| SACouncilP | 0 |
| SAStatePro | 0 |
| SignSatDsh | 1 |
| SpecStruct | 0 |
| SwimPool | 14 |
| TempStruct | 0 |
| Total | 373 |
| | |

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| | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | TOTAI |
|--|-------------|-------------|-----------|----------|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| Comparison of Development Applications 2019/20 | 20, 2020/20 | 021, 2021/2 | 022 and 2 | 022/2023 | | | | | | | | | |
| riod 01-Jul-2022 to 31-May-2023 | | | | | | | | | | | | | |
| • | | | | | | | | | | | | | |
| anning Applications | | | | | | | | | | | | | |
| 2019/2020 | 3 | 8 | 8 | 10 | 6 | 3 | 1 | 3 | 5 | 5 | 6 | 6 | 64 |
| 2020/2021 | 8 | 3 | 9 | 2 | 4 | 9 | 1 | 1 | 6 | 5 | 10 | 4 | 62 |
| 2021/2022 | 11 | 6 | 8 | 11 | 4 | 4 | 3 | 13 | 12 | 10 | 15 | 12 | 109 |
| 2022/2023 | 17 | 4 | 18 | 7 | 10 | 8 | 0 | 12 | 12 | 10 | 15 | 0 | 113 |
| | | | | | | | | | | | | | |
| lding Applications | | | | | | | | | | | | | |
| 2019/2020 | 38 | 51 | 35 | 33 | 32 | 6 | 38 | 35 | 20 | 20 | 23 | 33 | 364 |
| 2020/2021 | 37 | 34 | 41 | 42 | 44 | 27 | 37 | 55 | 43 | 39 | 48 | 42 | 489 |
| 2021/2022 | 40 | 41 | 44 | 43 | 36 | 24 | 36 | 37 | 34 | 28 | 43 | 35 | 44: |
| 2022/2023 | 42 | 46 | 37 | 34 | 42 | 29 | 25 | 30 | 32 | 20 | 36 | 0 | 373 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| vate Certification Applications | | | | | | | | | | | | | |
| 2019/2020 | 24 | 16 | 12 | 25 | 17 | 21 | 11 | 15 | 8 | 18 | 14 | 14 | 195 |
| 2020/2021 | 18 | 15 | 59 | 31 | 24 | 10 | 14 | 28 | 28 | 17 | 21 | 18 | 283 |
| 2021/2022 | 32 | 21 | 21 | 15 | 22 | 17 | 14 | 27 | 24 | 17 | 22 | 25 | 257 |
| 2022/2023 | 22 | 30 | 17 | 16 | 29 | 13 | 11 | 27 | 15 | 21 | 26 | 0 | 227 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| mbing Applications | | | | | | | | | | | | | |
| 2019/2020 | 32 | 20 | 21 | 21 | 21 | 15 | 24 | 14 | 24 | 11 | 19 | 26 | 24 |
| • | 23 | 26 | 17 | 43 | 30 | 23 | 24 | 30 | 31 | 21 | 27 | 14 | 307 |
| 2020/2021 | _ | | | _ | | | | | _ | | | | |
| 2021/2022 | 27 | 34 | 30 | 30 | 22 | 17 | 19 | 19 | 24 | 27 | 28 | 22 | 299 |
| 2022/2023 | 14 | 23 | 20 | 13 | 25 | 15 | 14 | 30 | 19 | 17 | 26 | 0 | 210 |

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15 DEVELOPMENT SERVICES - (PLANNING, BUILDING, PLUMBING)

15.1 MCU22/0022 - 17 FORK HILL DRIVE, MOFFATDALE

File Number: 14.06.2023

Author: General Manager Liveability

Authoriser: Chief Executive Officer

PRECIS

Update on Development Application

SUMMARY

COMMITTEE RESOLUTION 2023/247

Moved: Cr Kathy Duff Seconded: Cr Danita Potter

That the information report be noted for Council's information and a further report be brought back to the June Liveability, Governance & Finance Standing Committee Meeting.

In Favour: Crs Brett Otto, Gavin Jones, Jane Erkens, Danita Potter, Kathy Duff and Scott Henschen

Against: Nil

CARRIED 6/0

OFFICER'S RECOMMENDATION

That the report be noted

BACKGROUND

Discussions have been held with the applicant's planning consultant and advice provided on making a change application to allow assessment of the additional short term accommodation buildings the applicant is requesting.

An offer has also been made to waive the application fees for the new/change application, given the disjointed process surrounding the original application.

Currently awaiting response/application.

ATTACHMENTS

Nil

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15.2 DELEGATED AUTHORITY REPORTS (1 MAY 2023 TO 31 MAY 2023)

File Number: 14-06-2023

Author: Administration Officer
Authoriser: Chief Executive Officer

PRECIS

Reports signed by the Chief Executive Officer under delegated authority.

SUMMARY

This report comprises a listing of any reports approved by delegated authority from the 1 May 2023 until the 31 May 2023.

OFFICER'S RECOMMENDATION

That the Delegated Authority report be received.

BACKGROUND

N/A

ATTACHMENTS

- 1. RAL22/0028 Reconfiguration of a Lot Subdivision (1 Lot into 2 Lots) at 1304 Wattlegrove Road WATTLE GROVE 1
- 2. RAL23/0003 Reconfiguration of a Lot (Access Easement) at Knight Street KINGAROY
- 3. OPW23/0005 Operational Works (Filling or Excavation) at Proston Boondooma PROSTON 4
- 4. OPW23/0010 Operational Works (Signage) at 18 Main Street MAIDENWELL 4

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DATE

Ordinary Council Meeting Agenda

25 December 2030

SIGNATURE

0.0 RECONFIGURATION OF A LOT - SUBDIVISION (1 LOT INTO 2 LOTS) AT 1304 WATTLEGROVE ROAD, WATTLE GROVE (AND DESCRIBED AS LOT 459 ON FY1925).

APPLICANT: K E CRAWFORD C/-ONF SURVEYORS

coordinator developmeser MARNAGER

GM

CEO

File Number:

RAL22/0028

Author:

Planning Consultant

Authoriser:

Chief Executive Officer

PRECIS

Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) at 1304 Wattlegrove Road, Wattle Grove (and described as Lot 459 on FY1925). Applicant: K E Crawford C/- ONF Surveyors.

SUMMARY

- Application for Reconfiguration of a Lot Subdivision (1 Lot into 2 Lots);
- Subject site located in the zone under the South Burnett Regional Council Planning Scheme;
- Proposal triggered Code Assessment;
- The subject site contains an existing quarrying activity, and the balance of remaining land is currently
 used for grazing;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme. Relevant codes including:
 - The Rural Zone Code;
 - Reconfiguring a Lot Code; and
 - Services and Works Code.
- Council issued an information request and further matters letter which required the applicant to amend the original MCU application before this RAL could be decided;
- The application has been assessed and the proposal generally meets the requirement of the planning scheme and relevant codes or has been conditioned to comply (refer Attachment A – Statement of Reasons);
- Refer Attachment B Infrastructure Charges Notice;
- Application recommended for approval subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

The application is recommended for approval subject to conditions below.

GENERAL

GEN1. The development must be completed and maintained in accordance with the approved plans and documents and conditions to this development approval:

| Drawing Title | Prepared By | Ref. | Rev. | |
|----------------------|---------------|----------|------|--|
| Proposed Subdivision | ONF Surveyors | 10602P/1 | Α | |

DEVELOPMENT PERIOD - RAL

GEN2. The currency period for this development approval for reconfiguring a lot is four (4) years after the development approval starts to have effect. The development approval will lapse unless the survey plan for all works and stages required to be given to Council for approval is provided within this period.

RAL GENERAL

- RAL1. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.
- RAL2. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

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25 December 2030

A fee will be charged, with payment required prior to Council's approval of the associated documentation requiring assessment.

- RAL3. Prior to sealing the Plan of Survey the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the *Planning Act 2017*.
- RAL4. Prior to the sealing of the Plan of Survey the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the reconfiguration, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

VALUATION FEES

RAL5. Payment of Department of Natural Resources, Mines and Energy valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently \$50.00 per lot however, the actual amount payable will be based on Council's Register of Fees & Charges and the rate applicable at the time of payment.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Standard Drawings, relevant Australian Standards, Codes of Practice, WBBROC Regional Standards Manual and relevant design manuals.
- ENG3. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS

- ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

STORMWATER MANAGEMENT

- ENG6. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

VEHICLE ACCESS

ENG8. Design and construct an access to proposed Lot 1 in accordance with Council's Standard Drawing No. 00049.

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TELECOMMUNICATION

ENG9. Provide telecommunications to all lots within the development.

ELECTRICITY

- ENG10. Prior to Council sealing the Survey Plan the applicant is to provide each lot with an electricity supply or alternatively provide evidence that an alternate electricity supply can be made available to each lot.
- ENG11. The standards of service nominated by the electricity supply authority with reticulated electricity to be made available at the property boundary, should the applicant choose to provide reticulated electricity supply.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG12. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

ADVICE

ADV1. Council is offering a reduction in infrastructure charges payable through the development incentive scheme which is available between 1 December 2020 and 31 December 2023. Eligible development under this scheme is required to be completed by 31 December 2023.

For further information or application form please refer to the rules and procedures available on Council's website.

- ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting https://www.datsip.qld.gov.au and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.
- ADV3. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.
- ADV4. Infrastructure charges are now levied by way of an infrastructure charges notice pursuant to section 119 of the *Planning Act 2016*.

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FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

 GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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25 December 2030

REPORT

1. APPLICATION DETAILS

| Site address | 1304 Wattlegrove Road, Wattle Grove | | | | | |
|---|---|--|-----------------------|--|--|--|
| Real property description | Lot 459 on FY1925 | | | | | |
| Easements or encumbrances on title | NIL | | | | | |
| Area of Site | 1214.0570 ha | | | | | |
| Current Use | Extractive Industry (Extracting not more than 100,000 tonnes per annum) | | | | | |
| Environmental Management Register or Contaminated Land Register | Unknown | | | | | |
| Applicant's name | K E Crawford C/- ONF Surveyors | | | | | |
| Zone | Rural | | | | | |
| Applicable Overlays | OM2 Bushfire Overlay OM3 Flood Hazard Overlay OM5 Biodiversity Overlay OM8 Agricultural Overlay | | | | | |
| Details of proposal | Reconfiguring a Lot (RALs) | | | | | |
| | Number of existing lots | 1 | | | | |
| | Easements or leases proposed | NIL | | | | |
| | Number of proposed lots | 2 | | | | |
| | Lot areas | Proposed Lot 1 – 1,083ha (containing the quarry activity) Proposed Lot 2 – 130ha (balance rural are | | | | |
| | • Access | Access to Proposed Lot 2 from the south via Wattlegrove Road will be retained and whilst access to Proposed Lot 1 will be via an existing access via Minmore/Half Mile Creek Roads | | | | |
| Application type | Aspects of | Type of Appro | val Requested | | | |
| | Development | Preliminary Approval | Development Permit | | | |
| | Material Change of Use (MC | CU) | | | | |
| | Reconfiguration of a Lot (RA | AL) | Х | | | |
| | Building Work (BW) | | | | | |
| | Operational Work (OPW) | | | | | |
| Level of Assessment | Code Assessment | | | | | |

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25 December 2030

| 1000 | Take Harris | 38. |
|--|----------------------------|--|
| Pre-lodgement / Consultation history | made as a consequence of a | us existing approval was required to be assessing this application. The minor afore a decision on this application could |
| Key planning issues e.g. vegetation, waterway corridors, overland flow | - As above | |
| Referral agencies | Agency | Concurrence/ Advice |
| | NA | NA * |
| Public notification | No | |

2. THE SITE

Planning Regulation 2017

This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

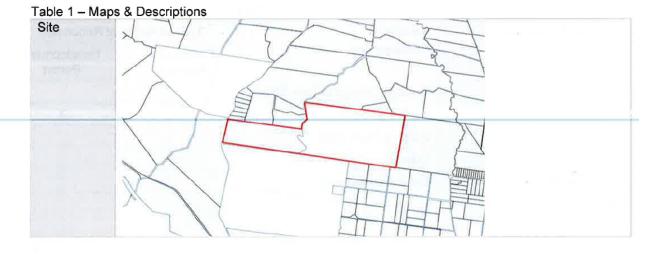
Yes - natural hazards risk and resilience

2.1. SITE DESCRIPTION & EXISTING USE

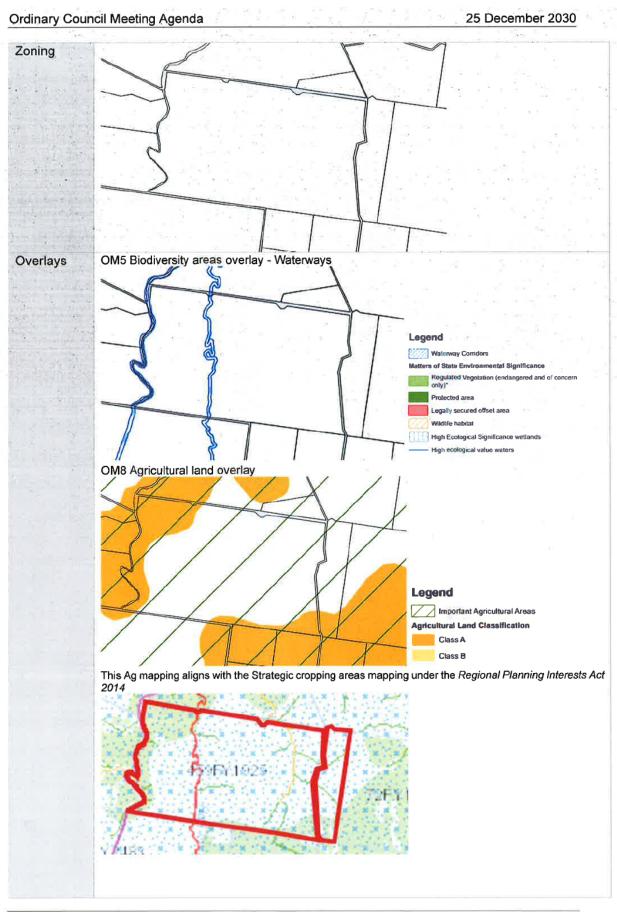
Crawford's Sand and Gravel Supply is established an operational over the subject site. Whilst extractive activities are undertaken on scattered pockets over the land area, other areas are utilised for cattle grazing. There are approximately 18 stock dams over the property for the primary purpose of cattle use; however, on occasion water may also be sourced for extraction purposes.

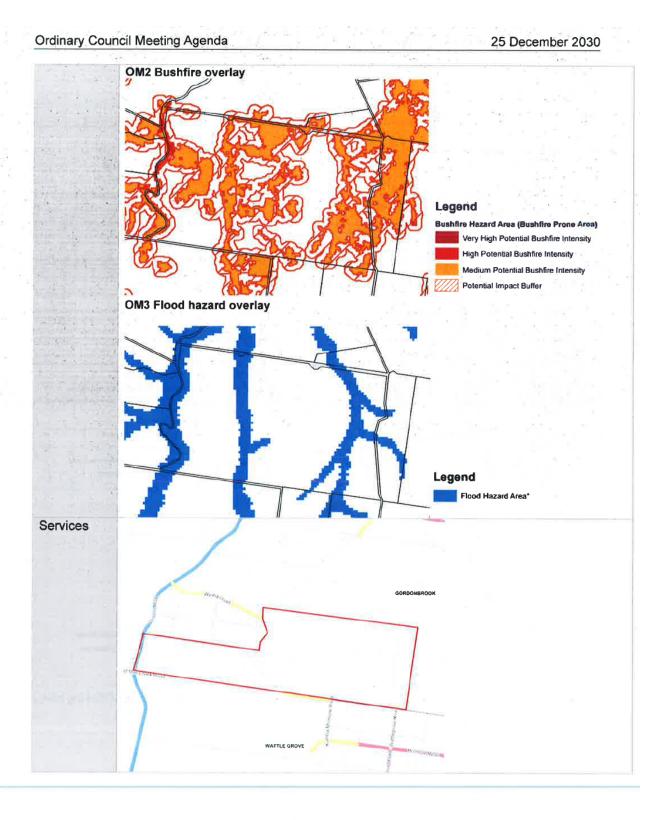
Parts of the subject lot is mapped as subject to the High Potential Bushfire Hazard, Medium Potential Bushfire Hazard and Potential Impact Buffer on the SBRC Bushfire Hazard Overlay Map OM 02. The western part of the subject site adjacent to Reedy Creek and Half Mile Creek is mapped as Waterway Corridors and High ecological value water on the SBRC Biodiversity Areas Overlay Map OM 05. The areas adjacent to these watercourses and the Two Mile Creek are further mapped as subject to the Flood Hazard Area on the SBRC Flood Hazard Overlay Map OM3.

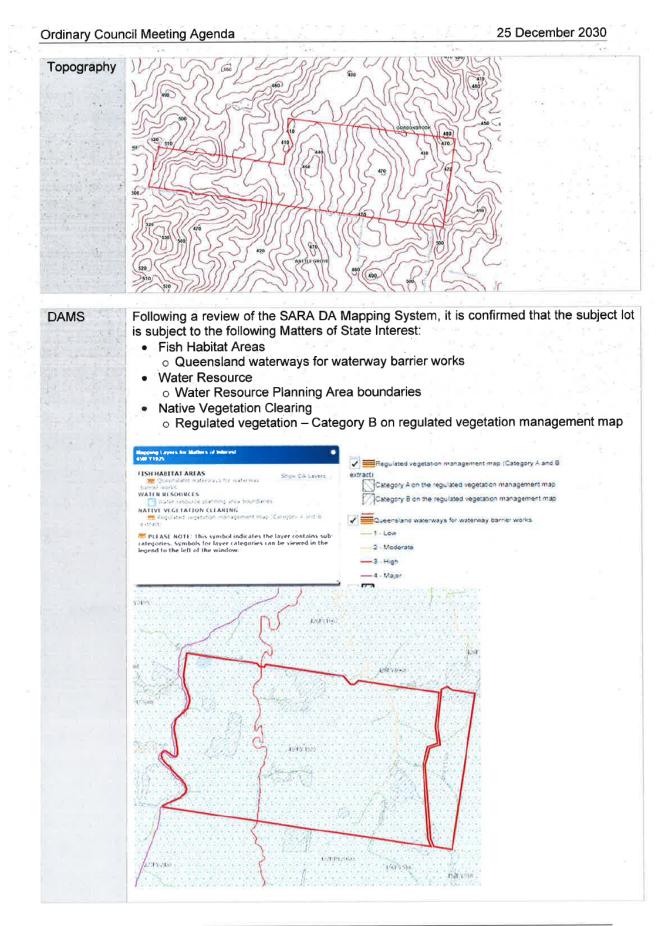
Part of the subject lot is mapped as Class A Agricultural land on the SBRC Agricultural Overlay Map OM8. However, the area mapped as agricultural land is constrained by regulated vegetation and associated mapped bushfire hazard. The area of regulated vegetation mapped over relatively small areas of the subject site will be retained.

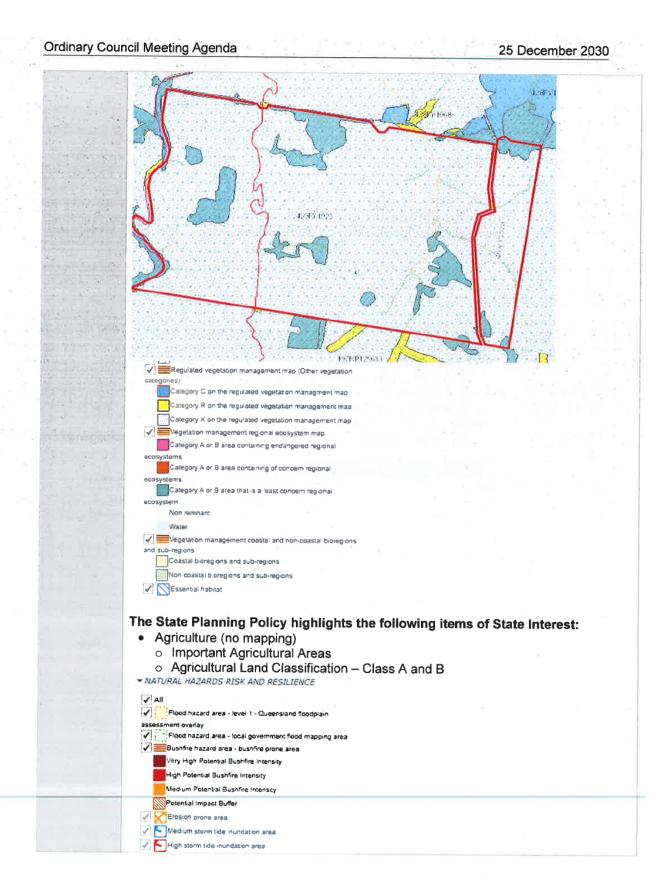


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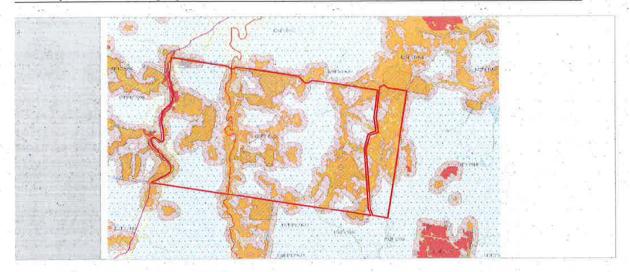








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Surrounding Land Uses

North: Rural East: Rural South: Rural West: Rural

2.2. DEVELOPMENT HISTORY OF THE SITE

| Application | Description |
|---|---|
| Original Application | |
| MCUI2017/0003 | |
| Minor Change | Annual extraction is limited to no more than |
| Removal of Lot 425 on FY2482; | 100,000 tonnes of material per year. |
| Reduction in use areas associated with | |
| the Extractive Industry; | Heavy vehicles as defined in the Transport |
| A revised site layout plan with Use Areas | Operations (Road Use Management) Act 1995 |
| identified for the Extractive Industry; and | associated with the proposed development are |
| The resultant changes to SARA's referral | only to use the route identified in Appendix A of |
| agency conditions, as per SARA's | the Traffic Impact Report – Crawford Sand & |
| changed referral response | Gravel Supplies prepared by Kevin Chambers |
| | (One Eng), dated 10 August 2017, version 1.2, |
| | as amended in red by SARA on 20 December |
| | 2022, as the haul route. |

PROPOSAL DETAILS

The proposal plans as set out in Table 1 below are included in.

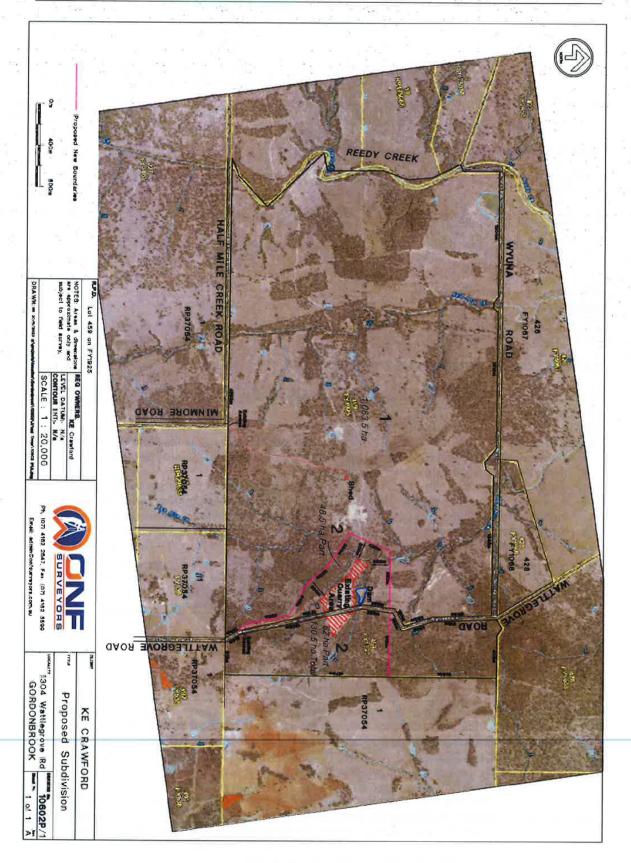
| Reco | nfiguring |
|-------|-----------|
| a Lot | Proposa |

The lot boundaries of proposed Lot 2 will include the area currently leased by the operator of the extractive industry, Kingaroy Quarry Supplies, and include a 200m buffer distance between the working area and the new lot boundaries. Proposed Lot 2 will be severed by the Wattlegrove Road, road reserve and will have a total area of 130ha. The balance area, proposed Lot 1, will be retained by the current landowner and used for rural pursuits.

The size of the balance lot will be 1,083ha. Access to Proposed Lot 2 from the south via Wattlegrove Road will be retained and whilst access to Proposed Lot 1 will be via an existing access via Minmore/Half Mile Creek Roads. The proposed dividing lot boundary will avoid the mapped waterway corridors and high ecological value water mapped on site.

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4. ASSESSMENT OF ASSESSMENT BENCHMARKS

- 4.2.1. Rural Zone Code Criteria for Assessment Assessable Development the development proposal is compliant with all applicable acceptable outcomes and no performance outcomes are sought.
- 4.2.2. Reconfiguring a Lot Code Criteria for Assessment Assessable Development the development proposal is compliant with all applicable acceptable outcomes and no performance outcomes are sought.
- 4.2.3. Services and Works Code Criterial for Assessment Assessable Development the development proposal is compliant with all applicable acceptable outcomes and no performance outcomes are sought.

Framework for Assessment
Categorising Instruments for Statutory Assessment

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

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

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

Planning Act 2016, Section 26 - Assessment Benchmarks generally

- (1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—
- (a) the assessment benchmarks stated in-
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (iii) a temporary State planning policy applying to the premises;
- (b) if the local government is an infrastructure provider—the local government's LGIP.
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

Section 30 - Assessment Benchmarks generally

- (1) For section 45(5)(i) of the Act, the impact assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the impact assessment must be carried out against the following assessment benchmarks—
 - (a) the assessment benchmarks stated in-
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and

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25 December 2030

- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises:
- (b) if the development is not in a local government area-any local planning instrument for a local government area that may be materially affected by the development:
- (c) if the local government is an infrastructure provider—the local government's LGIP.
- (3) However, an assessment manager may, in assessing development requiring impact assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

| PLANNING REGULA | TION 2017 DETAILS |
|--|---|
| Assessment Benchmarks: | NIL |
| WBB Regional Plan Designation: | The site is located within the Regional Landscape and Rural Production Area (RLRPA) of the Wide Bay Burnett Regional Plan and Rural zone of the SBRC Planning Scheme. The development requires 'Code Assessment' in accordance with Part 5 – Tables of Assessment, Section 5.6 Categorising of development and assessment as it proposes to create new lots that are larger then the 100ha minimum lot size. |
| Adopted Economic Support Instrument | Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023 |
| | 4.1. The instrument applies the following provisions in accordance with section 68D(1) of the Planning Regulation 2017: 4.1.1 Part 8B, Division 3 – Development that requires code assessment; 4.1.2 Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and 4.1.3 Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones. |
| | The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4 |

4.2. REFERRAL AGENCIES

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or 'another entity', an assessment of the proposal against Schedule 10 of the Regulation has been undertaken.

The application does not require referral to any referral agencies prescribed under Schedule 10.

4.3. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment <u>must be carried out against the assessment benchmarks</u> stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

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25 December 2030

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

| State Planning Policy Part E | |
|--|--|
| Liveable communities and housing | No applicable assessment benchmarks |
| Economic growth Agriculture. Development and construction. Mining and extractive resources. Tourism. | No applicable assessment benchmarks |
| Planning for the environment and heritage. • Biodiversity. • Coastal environment. • Cultural heritage. • Water quality | No applicable assessment benchmarks |
| Safety and resilience to hazards • Emissions and hazardous activities. • Natural hazards, risk, and resilience. | Natural hazards, risks and resilience. The site is mapped by State Policy mapping as bushfire hazard area. The RAL is not considered to necessitate a bushfire hazard impact assessment in this case as the RAL relates to lots used for grazing and quarrying activities only. |
| Infrastructure Energy and water supply. Infrastructure integration. Transport infrastructure. Strategic airports and aviation facilities. Strategic ports. | No applicable assessment benchmarks |

5. CONSULTATION

Referral Agencies

| Agency/Concurrence/Advice | Referral Trigger and Response Outcome |
|---------------------------|---|
| State Assessment and | Referral Triggers: |
| Referral Agency (SARA) | Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 |
| | Development impacting on State transport infrastructure |
| | This RAL does not trigger referral as there is no new access |
| i , i, | proposed to state controlled roads. |
| | Historical or associated referrals: |
| | ■ Date of original response: 19 March 2018 |
| | Original Reference: SDA-0218-041529 |
| | Changed referral agency response 2211-32174 SPD dated 22 |
| | December 2022 Attachment 1 – Changed conditions to be |
| | imposed |

Council Referrals

| INTERNAL REFERRAL SPECIALIST | REFERRAL / RESPONSE |
|---------------------------------|--|
| Development Engineer | Council's Development Engineer provided comments in relation to Infrastructure Charges and engineering conditions. |

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25 December 2030

Infrastructure Charges Unit

Council adopted the LGIP on 24 June 2019 which commenced on 1 July 2019.

The types of developments that may trigger the issuing of a infrastructure charges notice are:

- (a) Reconfiguring a Lot;
- (b) Making a Material Change of Use;
- (c) Carrying out Building Work.

The property is within the Transport Network and is therefore subject to relevant adopted charges.

Refer to Attachment B for the Infrastructure Charges Notice.

6. RECOMMENDATION

The proposed development will include the existing extractive industry on the subject site within a separate lot and maintain sufficient separation buffers around the extractive industry. The proposal exceeds the 100ha minimum lot size of the Rural zone and will not result in the additional fragmentation or alienation of agricultural land.

The position of the proposed new lot boundaries are clear of significant overlay areas and no adverse impacts on the achievement of the purpose and overall outcomes of the Rural zone are anticipated as a result of the proposal.

The proposed development permit for Reconfiguration of a Lot – Subdivision (1 Lot into 2 Lots) over land at 1304 Wattlegrove Road, Wattle Grove (and described as Lot 459 on FY1925) is recommended for approval subject to conditions herein. Infrastructure charges are applicable to this development permit.

ATTACHMENTS

- 1. Attachment A Statement of Reasons
- 2. Attachment B Infrastructure Charges Notice
- 3. Attachment C Approved Plans

Item 0.0

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NOTICE ABOUT DECISION - STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

| Applicant: | K E Crawford C/- ONF Surveyors |
|-----------------------|---|
| Application No: | RAL22/0028 |
| Proposal: | Reconfiguring a Lot – Subdivision (1 Lot into 2 Lots) |
| Street Address: | 1304 Wattlegrove Road, Wattle Grove |
| RP Description: | Lot 459 on FY1925 |
| Assessment Type: | Code Assessable |
| Number of Submissions | N/A |

On 26 April 2023 the above development was recommended for:

□ Refusal

1. Reasons for the Decision

The reasons for this decision are:

- The proposed complies with the code assessment benchmarks applicable including the acceptable outcomes of the rural zone code, reconfiguring a lot code and services and works code of the SBRC Planning Scheme 2017 and therefore must be approved;
- Reasonable and relevant conditions can be imposed and are included to ensure development compliance with the provisions of the Planning Scheme 2017

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

- Rural Zone Code
- Reconfiguring a Lot Code
- Services and Works Code

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

Item 15.2 - Attachment 1

INFRASTRUCTURE CHARGES NOTICE

(Section 119 of the Planning Act 2016)

APPLICANT:

KE Crawford

C/- O'Reilly Nunn Favier - ONF Surveyors

PO Box 896

KINGAROY QLD 4610

APPLICATION:

Reconfiguring of a Lot 1 lot into 2 lots

DATE:

03/05/2023

FILE REFERENCE:

RAL22/0028

AMOUNT OF THE LEVIED CHARGE:

(Details of how these charges were calculated are shown overleaf) \$4,419.00

Total

\$0.00

Water Supply Network

\$0.00

Sewerage Network

\$4,419.00

Transport Network

\$0.00

Parks and Land for Community

Facilities Network

\$0.00

Stormwater Network

AUTOMATIC INCREASE OF LEVIED CHARGE: The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how

the increase is worked out.

LAND TO WHICH CHARGE APPLIES:

Lot 459 FY1925

SITE ADDRESS:

1304 Wattlegrove Rd, Gordonbrook

PAYABLE TO:

South Burnett Regional Council

WHEN PAYABLE:

(In accordance with the timing stated in Section 122 of the Planning Act

2016)

Reconfiguring a Lot - When South Burnett Regional

Council approves the Plan of Subdivision.

OFFSET OR REFUND:

Not Applicable.

This charge is made in accordance with South Burnett Regional Council's Charges Resolution (No. 3) 2019

DETAILS OF CALCULATION

Water Supply

Adopted Charges

| Development Description | Number of Units | Units of Measure | Charge Rate | Reference | Amount |
|----------------------------|--------------------|---------------------|-------------|-----------|--------|
| Not Applicable | (*) | :• (T | \$0.00 | - | \$0.00 |

Discounts*

| Description | Number of Units | Units of Measure | Discount Rate | Reference | Amount |
|----------------|--------------------|---------------------|---------------|-----------|--------|
| Not Applicable | | | \$0.00 | • | \$0.00 |

Sewerage

Adopted Charges

| Development Description | Number of Units | Units of Measure | Charge Rate | Reference | Amount |
|----------------------------|--------------------|---------------------|-------------|-----------|--------|
| Not Applicable | | - 4 | \$0.00 | - | \$0.00 |

Discounts*

| Description | Number of Units | Units of Measure | Discount Rate | Reference | Amount |
|----------------|--------------------|---------------------|---------------|-----------|--------|
| Not Applicable | (2) | | \$0.00 | | \$0.00 |

Transport

Adopted Charges

| Development Description | Number of Units | Units of Measure | Charge Rate | Reference | Amount |
|----------------------------|--------------------|---------------------|-------------|--------------|------------|
| Reconfiguring | 2 | allotments | \$4,419.00 | CR Table 2.3 | \$8,838.00 |
| a Lot (1 into 2) | | | | | |

Discounts*

| Description | Number of Units | Units of Measure | Discount Rate | Reference | Amount |
|------------------|--------------------|---------------------|---------------|--------------|------------|
| Reconfiguring | 1 | allotments | \$4,419.00 | CR Table 2.3 | \$4,419.00 |
| a Lot (1 into 2) | | | | | |

Parks and Land for Community Facilities

Adopted Charges

| Development Description | Number of Units | Units of Measure | Charge Rate | Reference | Amount |
|----------------------------|--------------------|---------------------|-------------|-----------|--------|
| Not Applicable | 191 | | \$0.00 | | \$0.00 |

Discounts*

| Description | Jnits | Measure | Discount Rate | Reference | Amount |
|----------------|-------|---------|---------------|-----------|--------|
| Not Applicable | (#E) | | \$0.00 | | \$0.00 |

Stormwater

Adopted Charges

| Adopted ondig | | | | | |
|----------------------------|--------------------|---------------------|-------------|-----------|--------|
| Development Description | Number of Units | Units of Measure | Charge Rate | Reference | Amount |
| Not Applicable | - | 2 | \$0.00 - | | \$0.00 |

Discounts*

| Description | Number of Units | Units of Measure | Discount Rate | Reference | Amount |
|----------------|--------------------|---------------------|---------------|-----------|--------|
| Not Applicable | w | - | \$0.00 | | \$0.00 |

Levied Charges

| Development Description | Water Supply | Sewerage | Transport | Parks & Land for Community Facilities | Stormwater | Total |
|--------------------------------|-----------------|----------|------------|--|------------|------------|
| Reconfiguring a Lot (1 into 2) | \$0.00 | \$0.00 | \$4,419.00 | \$0.00 | \$0.00 | \$4,419.00 |
| Total | \$0.00 | \$0.00 | \$4,419.00 | \$0.00 | \$0.00 | \$4,419.00 |

^{*} In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

INFORMATION NOTICE

Authority and Reasons for Charge

This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.

Appeals

Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.

Automatic Increase Provision of charge rate (\$) An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average¹. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.

However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.

GST

The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act* 2016 are GST exempt.

Making a Payment

This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.

To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.

An Itemised Breakdown may be requested by emailing info@southburnett.qld.gov.au

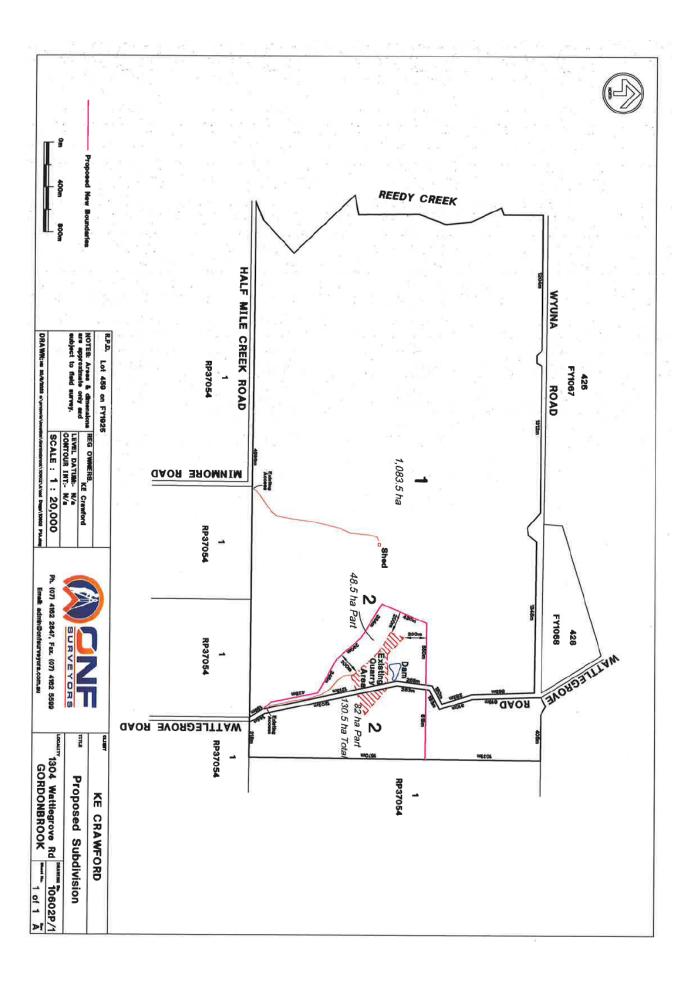
¹ 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

Payment can be made at any of the following South Burnett Regional Council Offices:

- 69 Hart Street, Blackbutt, 4314;
- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

Enquiries

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at info@southburnett.qld.gov.au



Item 15.2 - Attachment 1

DATE

SIGNATURE

develop

GM

CEO

0.0 RECONFIGURATION OF A LOT - ACCESS EASEMENT AT KNIGHT STREET, KINGAROY (AND DESCRIBED AS LOT 1 ON RP98786 AND LOT 2 ON RP37026).

APPLICANT: J CORRIE C/- ONF SURVEYORS

File Number:

RAL23/0003

Author:

Administration Officer

Authoriser:

Chief Executive Officer

PRECIS

Reconfiguration of a Lot – Access Easement at Knight Street, Kingaroy (and described as Lot 1 on RP98786 and Lot 2 on RP37026). Applicant: J Corrie C/- ONF Surveyors.

SUMMARY

- Application for Reconfiguring a Lot Development Permit (Access Easement);
- The proposal involves formalising an access easement over an existing driveway, providing legal access to a lot which is otherwise land locked.
- Subject site located in the Recreation and Open Space Zone (Lot 2) and the Emerging Community Zone (Lot 2) under the South Burnett Regional Council Planning Scheme;
- Proposal triggered Code assessment;
- The subject site is 19,530m² (Lot 2) and 40,577m² (Lot 1) in area;
- The development application is assessed against the relevant code of the South Burnett Regional Council Planning Scheme. Relevant codes including:
 - Recreation and Open Space Zone Code;
 - Emerging Community Zone Code;
 - Reconfiguring a Lot Code;
 - Services and Works Code
- There were no referrals triggered;
- Council did not issue an information request;
- The application has been assessed and the proposal generally meets the requirements of the planning scheme and relevant codes or has been conditioned to comply (refer to Attachment A – Statement of Reasons);
- The development did not trigger infrastructure charges;
- Application recommended for approval subject to reasonable and relevant conditions.

OFFICER'S RECOMMENDATION

That Council approve the development permit subject to conditions outlined below.

GENERAL

GEN1.

The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

| Drawing Title | Prepared by | Ref No. | Rev. | Date |
|--------------------------|---------------|----------|------|-----------|
| Proposed Access Easement | ONF Surveyors | 11193P/1 | 7- | 15/2/2023 |

Timing: At all times.

GEN2. All works, including the repair or relocation of services is to be completed at no cost to Council.

COMPLIANCE

GEN3. All conditions of this approval are to be satisfied prior to Council endorsing the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

A fee will be charged, with payment required prior to Council's approval of the associated documentation requiring assessment.

OUTSTANDING FEES

GEN4. Prior to sealing of Survey Plan the applicant is required to pay the Council all rates and charges or any expenses being charged over the subject land under any Act in accordance with Schedule 18 Section 69 of the Planning Regulation 2017.

SURVEY MARKS

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

VALUATION FEES

RAL2. Payment of Department of Natural Resources and Mines valuation fee that will result from the issue of split valuations prior to Council sealing the Survey Plan. The contribution is currently assessed at \$96.00 (2 x \$48.00); however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

PLANNING

RAL3. All development involving the emission of noise, odour and dust from ongoing uses, building and/or construction activities, must ensure that the emissions are in accordance with the requirements of the Environmental Protection Act 1994.

Timing: As indicated.

PROPERTY BOUNDARIES

RAL4. All existing on-site structure, dams and sewerage treatment facilities including transpiration and irrigation areas are to be relocated so as not to cross the proposed property boundary.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council Standards, relevant Australian Standards, and relevant design manuals.
- ENG3. Be responsible for any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS

- ENG1. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG2. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

ACCESS

ENG3. Provide a 100mm deep gravel access with a minimum width of 4m from the Knight St kerb and channel to the boundary of Lot 1 RP98786. The access shall not impede or redirect any stormwater flows.

STORMWATER MANAGEMENT

- ENG4. Design and construct stormwater drainage to ensure that the development will achieve "no worsening" as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like for design storms of ARI2, ARI5, ARI10, ARI20, ARI50 and ARI100.
- ENG5. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG6. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

EROSION AND SEDIMENT CONTROL - GENERAL

ENG7. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

STANDARD ADVICE

- ADV1. Section 85(1)(a) of the *Planning Act 2016* provides that, if this approval is not acted upon within a period of four (4) years the approval will lapse.
- ADV2. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting https://www.datsip.qld.gov.au and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.
- ADV3. Attached for your information is a copy of Chapter 6 of the Planning Act 2016 as regards Appeal Rights.

FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

 GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

REPORT

1. APPLICATION DETAILS

| Site address | Knight Street KINGAROY | | | | | |
|--|--|------------------|-------------------------|-----------------------|--|--|
| Real property description | Lot 1 on RP98786 and Lot 2 | on RF | 237026 | | | |
| Easements or encumbrances on title | N/A | N/A | | | | |
| Area of Site | 19,530m² (Lot 2) and 40,577m² (Lot 1) | | | | | |
| Current Use | Vacant (Lot 2) & Dwelling House (Lot 1) | | | | | |
| Environmental Management Register or Contaminated Land Register | No known listing | No known listing | | | | |
| Applicant's name | J Corrie C/- ONF Surveyors | | | | | |
| Zone | Recreation and Open Space (Lot 2) and Emerging Communities (Lot 1) | | | | | |
| Applicable Overlays | Airport Environs Overlay Distance from Airport – 3km Bushfire Hazard Overlay Medium Potential Bushfire Intensity Potential Impact Buffer Regional Infrastructure Overlay Rail Trail Agricultural Land Overlay Important Agricultural Overlay Class A | | | | | |
| Proposed use as defined | Access Easement | | | L 5 5 | | |
| Details of proposal | Reconfiguring a Lot (RALs) | | | | | |
| | Number of existing lots | N/A | | | | |
| | Easements or leases proposed | | | across Lot 2 on | | |
| | Number of proposed lots | | | | | |
| | Lot areas | N/A | | | | |
| | Access | Proj | posed easement | | | |
| Application type | Aspects of | | Type of Appro | val Requested | | |
| | Development | | Preliminary Approval | Development Permit | | |
| | Material Change of Use (MC | U) | | | | |
| | Reconfiguration of a Lot (RA | L) | | X | | |
| | Building Work (BW) | | | | | |
| | Operational Work (OPW) | | | | | |
| Level of Assessment | Code Assessment | | | | | |
| Pre-lodgement / Consultation history | N/A | | | | | |

| vegetation; | ng issues e.g. waterway verland flow | | | | |
|------------------|--|--------|---------------------|--|--|
| Referral ag | encies | Agency | Concurrence/ Advice | | |
| | | NA " | NA | | |
| Public notif | ication | NA | | | |
| Planning 2017 | Regulation | NA | | | |

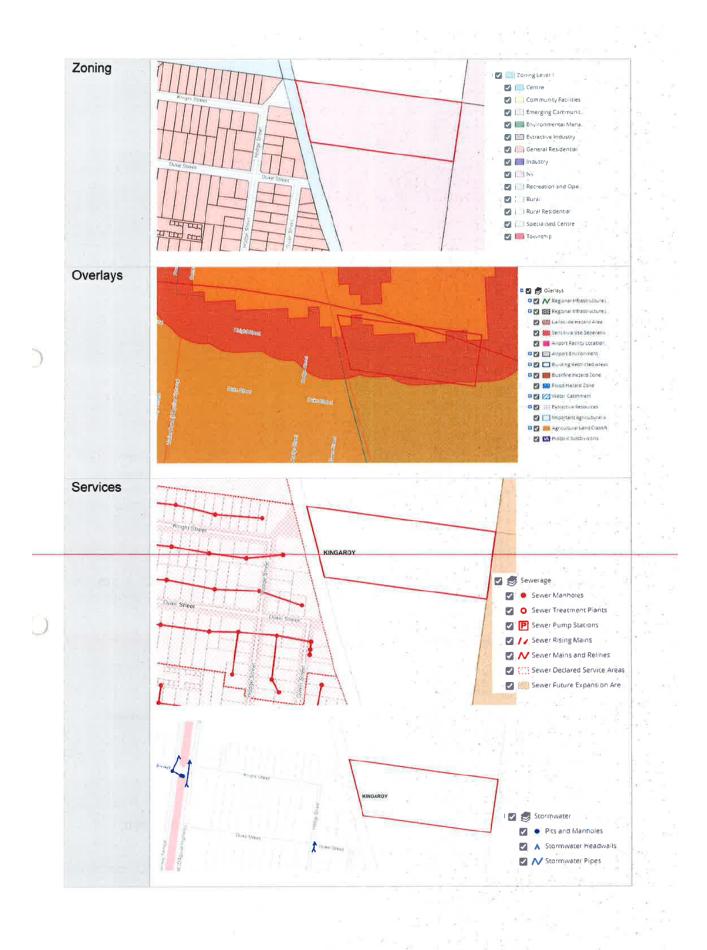
2. THE SITE

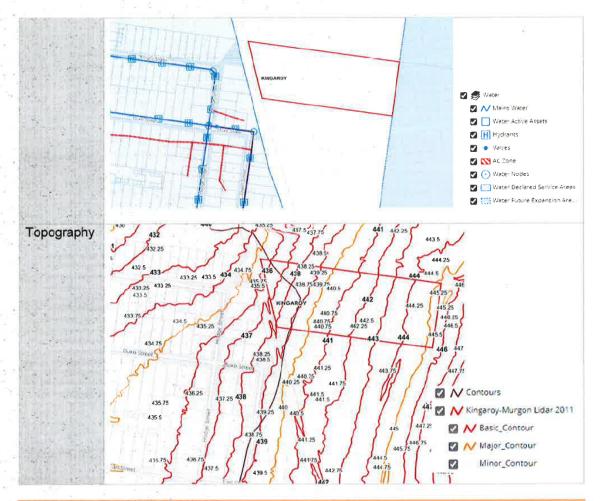
This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

Lot 2 is owned by Council and was previously used as a railway corridor. There is no known use over Lot 2 in proximity to the proposed access easement and it effectively serves as a recreation/open space buffer (having regard to its zoning). Lot 1 is currently (and has historically) been used for a single residential dwelling. A largely unsealed driveway provides access across Lot 2. In proximity to the proposed access easement (which follows the existing access track) there is no development or features of significance. Scattered trees and vegetation exist on both lots.







3. PROPOSAL DETAILS

The proposal involves the establishment of a 10m wide access easement across Lot 2, in order to provide legal access to Lot 1. The access easement is proposed to be 10m wide and follows an existing (largely unsealed) access track.

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

Framework for Assessment
Categorising Instruments for Statutory Assessment

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

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

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

Planning Act 2016, Section 26 - Assessment Benchmarks generally

(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—
- (a) the assessment benchmarks stated in-
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and (iii) a temporary State planning policy applying to the premises;
- (iii) a temporary state planning policy applying to the premises,
 (b) if the local government is an infrastructure provider—the local government's LGIP.
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

| PLANNING REGULA | TION 2017 DETAILS |
|--|--|
| Assessment Benchmarks: | N/A |
| WBB Regional Plan Designation: | Wide Bay Burnett Regional Plan 2011 – Urban Footprint The Urban Footprint identifies land that can meet the region's projected urban development needs to at least 2031. |
| | The Urban Footprint is a representation of: • large urban communities, other communities recognised as being affected by growth pressures, and other areas recognised as the preferred locations for future growth; and, |
| | lands surrounded by existing or proposed urban development, but which may not be an appropriate location for development (e.g. flood plains). |
| | The Wide Bay Burnett Regional Plan 2011, currently being reviewed, identifies the township of Kingaroy as one of the key inland towns for the Wide Bay Burnett region, and together with Bundaberg, Gympie, Hervey Bay and Maryborough, is intended to provide a range of higher order services and functions for the urban communities and to support the region's rural activities. More particularly, the Regional Plan identifies Kingaroy as a Major Regional Activity Centre within the South Burnett Regional Council area. |
| Adopted Economic Support Instrument: | Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. The instrument is in effect until 31st December 2023. |
| | Economic support provisions 4.1. The instrument applies the following provisions in accordance with section 68D(1) of the Planning Regulation 2017: 4.1.1 Part 8B, Division 3 – Development that requires code assessment; 4.1.2. Schedule 6, Part 2, Section 7A – Particular material change of use involving an existing building, and 4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business in particular zones. |
| | The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4 |

4.2. REFERRAL AGENCIES

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or 'another entity', an assessment of the proposal against Schedule 10 of the Regulation has been undertaken.

The application does not require referral to any referral agencies prescribed under Schedule 10, as demonstrated in Table 2.

Note: Grey shading indicates no provisions.

| Table | 3 - Matters Prescrib | Ca III Ocheadic | TO OF THE FIGURE | ng regulation | | Assessment |
|-------|--|--|--|---------------------------|--------------------|---|
| Part | Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Benchmarks / Matters to be assessed against |
| 1 | Airport Land | N/A | | N/A | N/A | N/A |
| 2 | Brothels | N/A | N/A | N/A | | N/A |
| 3 | Clearing Native Vegetation | N/A | N/A | N/A | N/A | N/A |
| 4 | Contaminated Land | N/A | | N/A | N/A | N/A |
| 5 | Environmentally Relevant Activity | N/A | N/A | N/A | N/A | N/A |
| 6 | Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works | N/A N/A N/A N/A | | N/A | N/A | N/A |
| 7 | Hazardous Chemical Facilities | N/A | signique de ad Se estado | N/A | N/A | N/A |
| 8 | Heritage Place: - Local Heritage Place - Queensland Heritage Place | N/A | in Degree Utrong coprise to cold and u-course or cold and selection of cold | N/A | N/A | N/A |
| 9 | Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State Transport Corridors and Future State | N/A N/A N/A N/A | | | N/A | N/A |
| | Transport Corridors - State-controlled transport tunnels and future state- controlled transport tunnels | | | | | |

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25 December 2030

| Part | e 3 - Matters Prescrib Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Assessment Benchmarks / Matters to be assessed against |
|------|---|--|---------------------------|---------------------------|--------------------|---|
| 10 | Koala Habitat in SEQ region | N/A | N/A | | | N/A |
| 11 | Noise Sensitive Place on Noise Attenuation land | N/A | N/A | | | |
| 12 | Operational Work for Reconfiguring a Lot | N/A | | N/A | | |
| 12A | Walkable Neighbourhoods – particular reconfiguring a lot | N/A | - 0 | N/A | | N/A |
| 13 | Ports: - Brisbane Core Port Land - Within the port limits of the Port of Brisbane - Within the limits of another port - Strategic Port Land | N/A N/A N/A N/A | | N/A | N/A | N/A |
| 14 | Reconfiguring a Lot under the Land Title Act | N/A | | N/A | N/A | N/A |
| 15 | SEQ Development Area | N/A | | N/A | N/A | N/A |
| 16 | SEQ Regional Landscape and Rural Production Area and Rural Living Area: - Community Activity - Indoor Recreation - Residential Development - Urban Activity | N/A | N/A | N/A | N/A | N/A |
| 16A | Southport Spit | N/A | N/A | ENTER STREET | | 世界[] 第194 |
| 17 | Tidal Works or Work in a Coastal Management District | N/A | | N/A | N/A | N/A |
| 18 | Urban Design | N/A | | The second | N/A | N/A |
| 19 | Water Related Development: | N/A N/A N/A | | N/A | N/A | N/A |

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Item 15.2 - Attachment 2

25 December 2030

| 1 | Table | e 3 - Matters Prescrib | ed in Schedule | 10 of the Planni | ng Regulation | | |
|---|-------|---|--|------------------------|---------------------------|--------------------|--|
| | Part | Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Assessment Benchmarks / Matters to be assessed against |
| | | Taking or interfering with water Removing quarry material Referral dams Levees | N/A | | | | - |
| | 20 | Wetland Protection Area | N/A | N/A | N/A | N/A | N/A |
| | 21 | Wind Farms | N/A | | N/A | | N/A |

Based on the findings in Table 2 it has been concluded that the application does not require referral to a Referral Agency in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 of the *Planning Regulation 2017*.

4.3. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment <u>must be carried out against the assessment benchmarks</u> stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

| State Planning Policy Part E Liveable communities and housing | No applicable assessment benchmarks | | | |
|--|---|--|--|--|
| Entradic Sommanded and Housing | The applicable account in some in an | | | |
| Economic growth Agriculture. Development and construction. Mining and extractive resources. Tourism. | The site is identified as being in an important agricultural area. The proposed access easement facilitates access to the lot but does not otherwise propose any new land use so does not have any direct impact on the agricultural viability of the land. | | | |
| Planning for the environment and heritage. Biodiversity. Coastal environment. Cultural heritage. Water quality | No applicable assessment benchmarks | | | |
| Safety and resilience to hazards Emissions and hazardous activities. Natural hazards, risk, and resilience. | Natural hazards, risk and resilience. The site is mapped by State Policy mapping as bushfire hazard area. The proposed access easement facilitates access to the lot but does not otherwise propose any new land use so does subject any uses to the hazard. It a minor way the proposed easement facilitates legal access to the lot and ensures a legal escape route remains availably, therefore reducing risk. | | | |

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25 December 2030

| Infrastructure | No applicable assessment benchmarks | | | |
|--|-------------------------------------|--|--|--|
| Energy and water supply. | | | | |
| Infrastructure integration. Transport infrastructure. | | | | |
| Strategic airports and aviation facilities. | | | | |
| Strategic ports. | | | | |

4.4. DEVELOPMENT CODE ASSESSMENTS

The proposed development is for the regularisation of the existing access arrangements for the site, by formalising the driveway with an easement across the Council land. The proposal meets the expectations of both the Recreation and Open Space code and the Emerging Communities code, as it does not compromise the future development of the area for urban purposes and the access is unimpeded by the constraints on the site. Furthermore, all overlays are contained within the zone codes under the Planning Scheme. The only aspect of note is PO2 and AO2.4 of the Recreation and Open Space code, outlined below:

| Performance Outcomes | Requirements for accepted development and assessment benchmarks | Responses |
|--|---|---|
| Section 1 General | | |
| PO2 Development for open space and recreation facilities contributes to the open space landscape character of the zone and avoids detrimental impact on the natural environment. | AO2.4 Any roads or driveways through the site have a maximum width of 7m. | Can Comply. The proposed development is for a 10m wide easement, however it covers an existing driveway of approximately 3m in width. If the width of the existing or future driveway is of concern, a condition may be required to ensure that the driveway is limited to 7m in width. |

The proposed development has been assessed to comply with the Service and Works code, as it does not impact on any infrastructure or services in the area, and provides direct and clear access to the road network for an existing driveway.

The proposed development has been assessed to comply with the Reconfiguring a Lot Code, with PO8/AO8.1 being of relevance as outlined below:

| Performance Outcomes | Requirements for accepted development and assessment benchmarks | Responses | | |
|--|--|--|--|--|
| Section 3 All other reconfigu | ıration | 10/ | | |
| PO8 Lots have lawful, safe and practical access. | AO8.1 Access is provided via either: (a) Direct road frontage; (b) Access strip with a minimum width of 3.5m (for rear lots only); or (c) Access easement with a minimum width of 6m (where lots only have legal road frontage that does not provide safe or practical access to the existing street network). | Complies with AO8.1. The proposed development complies with (c), with a 10m width easement providing a safe and practical access to Knight Street. | | |

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25 December 2030

5. CONSULTATION

Referral Agencies

| State Assessment and Referral Agency | N/A |
|--------------------------------------|-----|
| Other | N/A |

Council Referrals

| INTERNAL REFERRAL SPECIALIST | REFERRAL / RESPONSE |
|---------------------------------|--|
| Development Engineer | Council's Development Engineer provided standard engineering conditions. |
| Infrastructure Charges Unit | N/A |

6. RECOMMENDATION

Grounds to support the development:

- The proposal facilitates appropriate access to the subject lot which is otherwise land locked.
- The proposed development complies with all relevant prescribed acceptable outcomes and/or performance outcomes and does not prejudice the future purposes of the land in the Emerging Community zone.
- The proposed access will not compromise the Recreation and Open Space land.

On this basis, we recommend Council approve the proposed development, subject to the conditions outlined within this report.

ATTACHMENTS

- 1. Attachment A Statement of Reasons
- 2. Attachment B Approved Plans

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NOTICE ABOUT DECISION - STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

| Applicant: | J Corrie C/- ONF Surveyors |
|------------------------|---------------------------------------|
| Application No: | RAL23/0003 |
| Proposal: | Reconfiguring a Lot – Access Easement |
| Street Address: | Knight Street, Kingaroy |
| RP Description: | Lot 1 on RP98786 and Lot 2 on RP37026 |
| Assessment Type: | Code Assessable |
| Number of Submissions: | N/A |

| On | 18 May | / 2023 the | above | development | t was | recommende | d 1 | for: |
|----|--------|------------|-------|-------------|-------|------------|-----|------|
|----|--------|------------|-------|-------------|-------|------------|-----|------|

□ Refusal

1. Reasons for the Decision

The reasons for this decision are:

- The proposal facilitates appropriate access to the subject lot which is otherwise land locked.
- The proposed development complies with all relevant prescribed acceptable outcomes and/or performance outcomes and does not prejudice the future purposes of the land in the Emerging Community zone.
- The proposed access will not compromise the Recreation and Open Space land.

2. Assessment Benchmarks

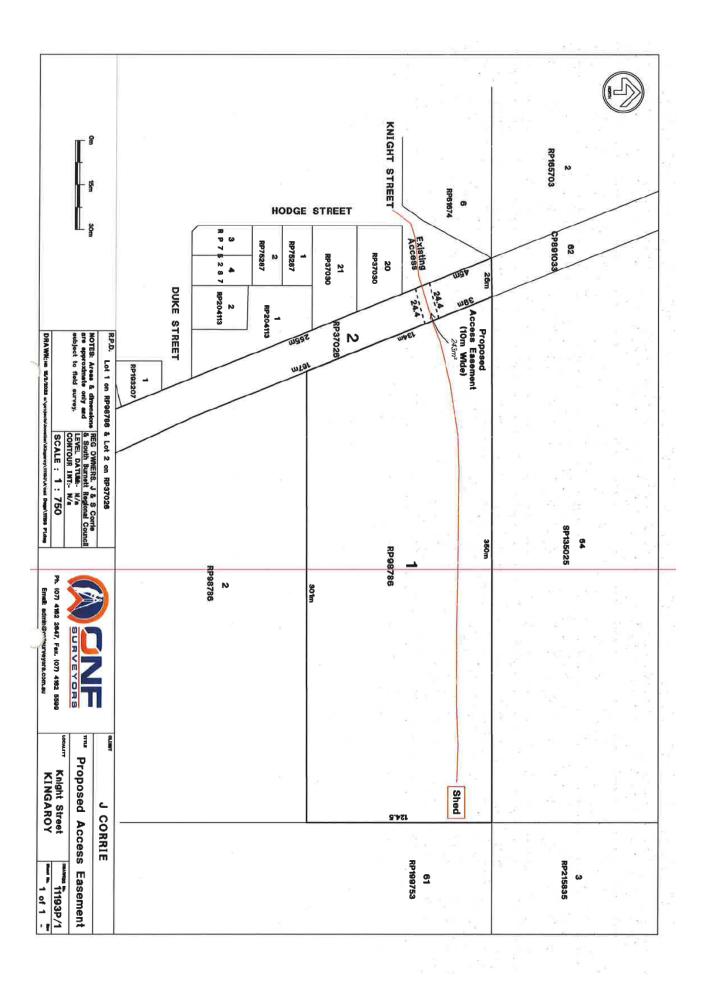
The following are the benchmarks apply to this development:

- Recreation and Open Space Zone Code;
- Emerging Community Zone Code;
- Reconfiguring a Lot Code;
- Services and Works Code

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.



Item 15.2 - Attachment 2

DA

OPERATION WORKS (FILLING OR EXCAVATION) AT PROSTON BOONDOOMA ROAD, PROSTON (AND DESCRIBED AS LOT 35 ON BO565, LOT 36 ON BO814565 AND LOT 94 ON BO814574). APPLICANT: SMITHFIELD PROPERTY (PROSTON) PTY LTD C/- RDC ENGINEERS PTY LTD

File Number:

OPW23/0005

Author:

Engineering Contractor, Planning & Land Management

MANAGER

EQ

Authoriser:

Chief Executive Officer

PRECIS

Development Application for Operational Work – Earthworks at 468 Proston Bododooma Rd, Proston – Lot 35 on BO565, Lot 36 on BO814565, and Lot 94 on BO814574 – OPW23/0005.

This report considers the proposed development, provides an assessment of the merits of the proposal and makes a recommendation to decide the development application.

SUMMARY

- Application for Operational Work for Earthworks, at 468 Proston Boondooma Rd, Proston Lot 35 on BO565, Lot 36 on BO814565, and Lot 94 on BO814574;
- The earthworks comprise excavations from an internal gravel pit for use on internal roads, pens, and hardstand;
- The proposed Operational Work is approved with conditions.
- These conditions are seen to be in accordance with South Burnett Regional Council Planning Scheme 2017, development guidelines and best practices.

OFFICER'S RECOMMENDATION

It is recommended that Council approve the development application for Operational Work (Earthworks), subject to the following conditions:

GENERAL

- ENG1. Compliance with the plans submitted with Development Application OPW23/0005 approval conditions, and Council Planning Scheme Policies.
- ENG2. Undertake all approved works and works required by conditions of this development approval at no cost to Council.
- ENG3. Pay to Council, inspection fees based on Council's Register of Cost Recovery Fees and Commercial Charges current at the time of commencement of works and based on the estimated project cost as estimated or accepted by Council prior to the pre-start meeting.
- ENG4. Adhere to the following hours of construction unless otherwise approved in writing by Council:
 - a) Monday to Saturday:

6.30am to 6.30pm

Noise permitted

b) Monday to Sunday:

6.30pm to 6.30am

No noise permitted

c) Sunday and Public Holidays:

No noise permitted

- d) Do not conduct work or business that causes audible noise from or on the site outside the above hours.
- ENG5. Be responsible to carry out Work Health and Safety legislative requirements.
- ENG6. Ensure all work sites are maintained in a clean, orderly state at all times.

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- ENG7. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG8. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development, immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of works associated with the development.

STORMWATER

ENG9. Ensure that earthworks and fill on the subject land do not lead to ponding of stormwater or actionable nuisance to any other property.

DEVELOPMENT WORKS

- ENG10. Be responsible for protecting nearby property owners from dust pollution arising from construction and maintenance of the works required by this approval, and comply with any lawful instructions from the Assessment Manager if, in his opinion, a dust nuisance exists.
- ENG11. Excavated material shall be internal to the site, and no material shall be exported from the site.

INSPECTIONS AND TESTING

- ENG12. Submit to Council the pre-start meeting agenda at the confirmation of a date and time for the meeting.
- ENG13. Provide Council with a minimum of two clear working days notice to undertake compulsory inspections and meetings at the following stages:
 - (a) Pre-start meeting with Council, Contractor, Supervising Engineer and developer;

APPROVED PLANS

ENG14. The approval is subject to construction being undertaken in accordance with the Approved Plans prepared by RDC Engineers as listed below:

| Drawing No./Revision/Sheet No. | Drawing/Plan Title | Date |
|--------------------------------|--------------------|---------|
| E2-139-00-04 Rev B | Gravel Pit Plan | 14/3/23 |

ADVICE NOTES

The applicant be advised that:

- (a) Prior to commencement of the use or endorsement of the survey plan as applicable, the applicant shall contact Council's Compliance Senior Officer to arrange a Development Compliance Inspection.
- (b) The applicant must ensure compliance with environmental conditions whether required to hold an Environmental Authority or not. These include, but are not limited to water quality, air quality, noise levels, waste waters, lighting and visual quality as a result of any activity or by-product or storage of materials within the confines of the building(s) and property boundaries.

Any amendment, alteration or addition to the development approval will require further consideration by Council in assessing any changes to the environmental conditions.

(c) The Aboriginal Cultural Heritage Act 2003 (ACHA) is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The ACHA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

(i) is not negated by the issuing of this development approval;

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- (ii) applies on all land and water, including freehold land;
- (iii) lies with the person or entity conducting an activity; and
- (iv) if breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The applicant should contact DATSIP's Cultural Heritage Co-ordination Unit on telephone (07) 3224 2070 for further information on the responsibilities of developers under the ACHA.

(d) The relevant period for the development approval (Operational Work) shall be two (2) years starting the day the approval is granted or takes effect. In accordance with Section 85(1)(c) of the Planning Act 2016 (PA), the development approval for Operational Work lapses if the development does not substantially start within the abovementioned relevant period.

An applicant may request Council to extend the *relevant period* provided that such request is made in accordance with Section 86 of PA <u>and</u> before the development approval lapses under Section 85 of the PA.

(e) Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

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FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

 GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS).

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified.

ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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REPORT

1. APPLICATION DETAILS

| Site address | 468 Proston Boondooma Rd, Proston | | | |
|--|--|-------------------------|--------------------|--|
| Real property description | Lot 35 on BO565, Lot 36 on BO814565, and Lot 94 on BO814574 | | | |
| Easements or encumbrances on title | F AP21858, E AP21857 – High Voltage Transmission Line C RP167605, A RP167602 – Tarong Pipeline | | | |
| Area of Site | 976.469 ha | | | |
| Current Use | Rural (Feedlot) | | | |
| Environmental Management Register or Contaminated Land Register | | | | |
| Applicant's name | Smithfield Property (Proston) Pty Ltd as trustee for the Smithfield Property Trust c/- RDC Engineers Pty Ltd | | | |
| Zone | Rural | | | |
| Applicable Overlays | Nil | | | |
| Proposed use as defined | Operational Work (Earthworks) | | | |
| Application type | Aspects of | Type of | Approval Requested | |
| | Development | Preliminary Approval | Development Permit | |
| | Material Change of Use (MCU) | | | |
| | Reconfiguration of a Lot (RAL) | α | | |
| | Building Work (BW) | - | | |
| | Operational Work (OPW) | | X | |
| Level of Assessment | Code Assessment | | | |
| Pre-lodgement / Consultation history | * | | | |
| Key planning issues e.g. vegetation, waterway corridors, overland flow | * | | | |
| Referral agencies | Agency | Concurrence/ Advice | | |
| | NA NA | | | |
| Public notification | No | | | |

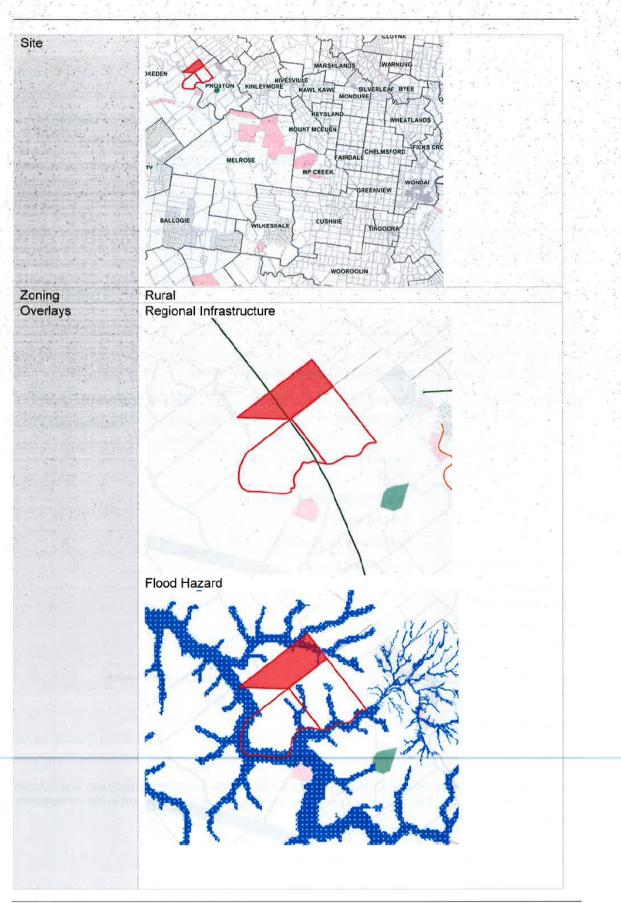
2. THE SITE

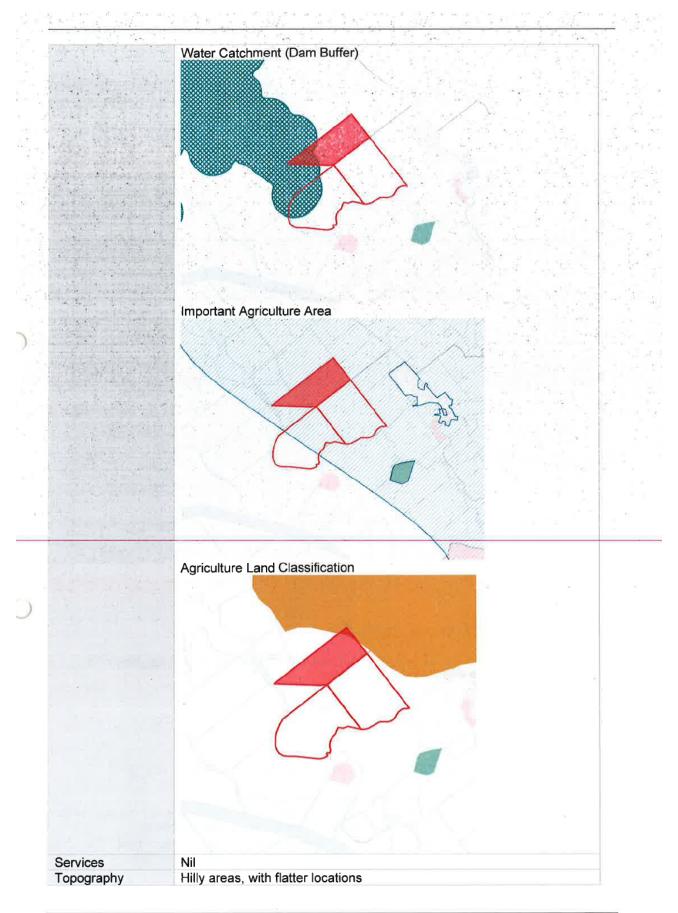
This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. SITE DESCRIPTION & EXISTING USE

Table 1 - Maps & Descriptions (Source: Intramaps)

Item 0.0 Page 5

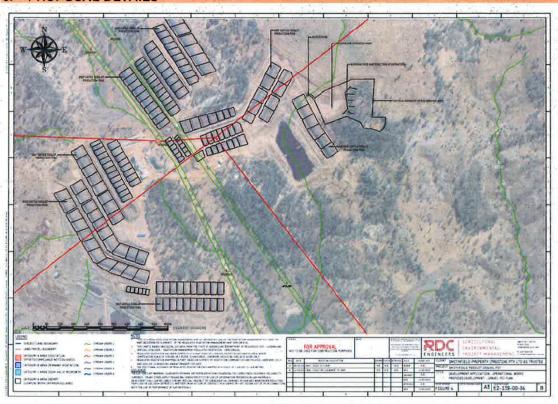




Approved Plans by See below RCD Engineers

| Drawing No./Revision/Sheet No. | Drawing/Plan Title | Date |
|--------------------------------|--------------------|---------|
| E2-139-00-04 Rev B | Gravel Pit Plan | 14/3/23 |

3. PROPOSAL DETAILS



4. ASSESSMENT OF ASSESSMENT BENCHMARKS

Framework for Assessment
Categorising Instruments for Statutory Assessment

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

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

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

Planning Act 2016, Section 26 - Assessment Benchmarks generally

- (1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—
- (a) the assessment benchmarks stated in-

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- (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
- (iii) a temporary State planning policy applying to the premises;
- (b) if the local government is an infrastructure provider—the local government's LGIP.
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. REFERRAL AGENCIES

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or 'another entity', an assessment of the proposal against Schedule 10 of the Regulation has been undertaken.

4.2. DEVELOPMENT CODE ASSESSMENTS

| Perfo | rmance outcomes | Assessment benchmarks |
|-------|---|--|
| | eral | and the state of t |
| PO1 | The development is planned and designed considering the land use constraints of the site for achieving stormwater design objectives. | AO1.1 A stormwater quality management plan provides for achievable stormwater qualit treatment measures that meet the design objectives identified in Table 9.4.4. |
| PO2 | Development does not discharge wastewater to a waterway or off-site unless demonstrated to be best practice environmental management for that site. | AO2.1 A wastewater management plan prepare by a suitably qualified person and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best-practice environmental management; and |
| | | AO2.2 Wastewater is managed in accordance with a waste management hierarchy that (a) avoids wastewater discharge to |
| | | waterways; or (b) minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposa to sewer, surface water and groundwater. |
| PO3 | Construction activities avoid or minimise adverse impacts on stormwater quality. | AO3.1 An erosion and sediment control plan addresses the design objectives for the construction phase in Table 9.4.4. |
| PO4 | Operational activities avoid or minimise changes to waterway hydrology from adverse impacts of altered stormwater quality and flow. | AO4.1 Development incorporates stormwater flocontrol measures to achieve the design objectives for the post-construction phas in Table 9.4.4. |
| | Stormwater to be managed onsite. No wastewater discharge is proposed. | |
| PO5 | Structure Development is provided with infractructure | AO5.1 Except in the Rural zone, all developmen |
| rU3 | Development is provided with infrastructure which: (a) conforms with industry standards for quality; | occurs on a site with frontage to a sealed road. |
| | (b) is reliable and service failures are minimised; and (c) is functional and readily augmented. | and AO5.2 Infrastructure is designed and constructe in accordance with the standards contained in PSP1 – Design and Construction Standards. |

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| Performance outcomes | Assessment benchmarks | | |
|---|--|--|--|
| Lots are outside water and sewer supply are Vehicle parking | as. | | |
| PO6 Vehicle parking and access is provided to meet the needs of occupants, employees, visitors and other users. | AO6.1 Vehicle parking spaces are provided onsite in accordance with Table 9.4.5. and AO6.2 A service bay is provided on-site for the service vehicle nominated in Table 9.4.5. and AO6.3 Driveway crossings are provided to the standard contained in PSP1 – Design and Construction Standards. and AO6.4 Vehicle parking and manoeuvring areas are provided in accordance with the standards contained in PSP1 – Design and Construction Standards. | | |
| N/A. Landscaping | | | |
| PO8 Plant species avoid adverse impacts on the | AO7.1 Landscaping is provided in accordance with the relevant zone code provisions. and AO7.2 Where shade tree planting is required in vehicle parking areas each planting bed has a minimum area of 2m² and is unsealed and permeable. and AO7.3 Plantings along frontages or boundaries are in the form of defined gardens with three tier planting comprised of groundcovers, shrubs (understorey), and trees (canopy) and provided with a drip irrigation system, mulching and border barriers. AO8.1 Landscaping utilises plant species that are | | |
| natural and built environment, infrastructure and the safety of road networks. | appropriate for the location and intended purpose of the landscaping. and AO8.2 Species selection avoids non-invasive plants. Editor's Note. Guidance on plant selection is provided in Branching Out - Your Handy Guide to tree Planting in the South Burnett available from Council. | | |

| Performance outcomes | Assessment benchmarks |
|--|--|
| Filling and excavation | |
| | AO9.1 The depth of: |
| PO9 Development results in ground levels that retain: (a) access to natural light; (b) aesthetic amenity; | (a) fill is less than 2m above ground level; or (b) excavation is less than 2m below |
| (c) privacy; and (d) safety. | ground level. |
| | AO9.2 The toe of the fill, or top of the excavation is not less than 0.5m inside the site property boundary. |
| | AO9.3 Works do not occur on slopes over 15% in grade. |
| | AO9.4 Retaining walls over 1m in height are terraced 1.5m for every 1m in height and landscaped. |
| | and AO9.5 Batter slopes are not steeper than 25% and are grassed and terraced 1.5m for every 1m in height. |
| | AO9.6 Filling or excavation for the purpose or retention of water: |
| | (a) is certified by an RPEQ engineer to safely withstand the hydraulic loading; |
| | (b) directs overflow such that no scour damage or nuisance occurs on adjoining lots. |
| PO10 Filling or excavation does not cause damage to public utilities. | AO10.1 Filling or excavation does not occur within 2m horizontally of any part of an underground water supply, sewerage, stormwater, electricity or telecommunications system. |
| PO11 Filling and excavation avoids water ponding | AO11.1 Following filling or excavation: |
| on the premises or nearby premises that will adversely impact on the health of the community. | (a) the premises: (i) are self-draining; and, (ii) has a minimum slope of 0.25%; and. |
| | (b) surface water flow is: (i) directed away from neighbouring properties; or |
| а в | (ii) discharged into a stormwater drainage system designed and constructed in accordance with AS3500 section 3.2. |
| The development will be carried out in accordensure a stable land form consistent with the | dance with best practice engineering standards to |
| All operational work subject to an overlay | |
| Biodiversity overlay | |
| PO12 Development avoids, minimises or mitigates adverse impacts on areas of environmental significance. | AO12.1 Uses and associated works are confined to areas not identified on Overlay Map 05. |
| | or AO12.2 Development is compatible with the environmental values of the area. |
| | or AO12.3 Where development within an area identified on Overlay Map 05 is |

| Performance outcomes | Assessment benchmarks | | |
|---|---|--|--|
| | unavoidable, measures recommended by a suitably qualified ecologist are incorporated to protect and retain the environmental values and underlying ecosystem processes within or adjacent to the development site to the greatest extent practical. | | |
| PO13 Biodiversity values of identified areas of environmental significance are protected from the impacts of development | AO13.1 Development adjacent to Protected Areas identified on Overlay Map 05 is set back a minimum of 100m from the park boundaries in the absence of any current 'Management Plans' for these areas. | | |
| PO14 There are no significant adverse effects on water quality, ecological and biodiversity values. | AO14.1 Uses and associated works are confined to areas outside overland flow paths and natural drainage features and AO14.2 The Waterway Corridors identified on Overlay Map 05 are maintained in a natural state. | | |
| Not Applicable | | | |
| Flood hazard overlay | | | |
| PO15 Development directly, indirectly and cumulatively avoids any significant increase in water flow, velocity or flood level, and does not increase the potential for flood damage either on site or other properties. | AO15.1 Works associated with the proposed development do not: (a) involve a net increase in filling greater than 50m³ in the area identified on Overlay Map 03; (b) result in any reductions of on-site flood storage capacity and contain within the site any changes to depth / duration/velocity of flood waters; or (c) change flood characteristics outside the site in ways that result in: (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows; or (iv) any reduction in flood warning times. | | |
| The proposed works will not affect flooding of | n the site. | | |
| Regional infrastructure overlay | AO40.4 Parthuranta da anti-tras laccita d | | |
| PO16 Earthworks do not restrict access to and along major electricity infrastructure corridors by the electricity providers, using their normal vehicles and equipment. | AO16.1 Earthworks do not alter levels along the boundaries of existing easements by more than 300mm and do not result in increased inundation of electricity infrastructure. | | |
| PO17 There is no worsening of drainage or erosion conditions affecting the bulk supply and linear infrastructure. | No outcome specified. | | |
| Site is not near any existing easements | | | |

| Performance outcomes | Assessment benchmarks | | |
|---|---|--|--|
| Vater catchments overlay | | | |
| PO18 There are no significant adverse effects on the water quality of the Region's drinking water supply. | AO18.1 Development within the Bjelke- Petersen Dam Water Resource Catchment Area and the 800m buffer to Boondooma and Gordonbrook Dams shown on Overlay Map 06 has no significant adverse effect on the quantity and availability of raw water for consumption, as determined by a suitably qualified water quality expert. or AO18.2 Development within the Cooyar Creek water supply buffer area shown of Overlay Map 06 complies with the specific outcomes and measures of the Seqwater Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments 2012. | | |

5. CONSULTATION

Council Referrals

| INTERNAL REFERRAL SPECIALIST | REFERRAL / RESPONSE | |
|---------------------------------|--|--|
| Development Engineer | Development Engineer has carried out the assessment. | |
| Infrastructure Charges Unit | Not Applicable | |

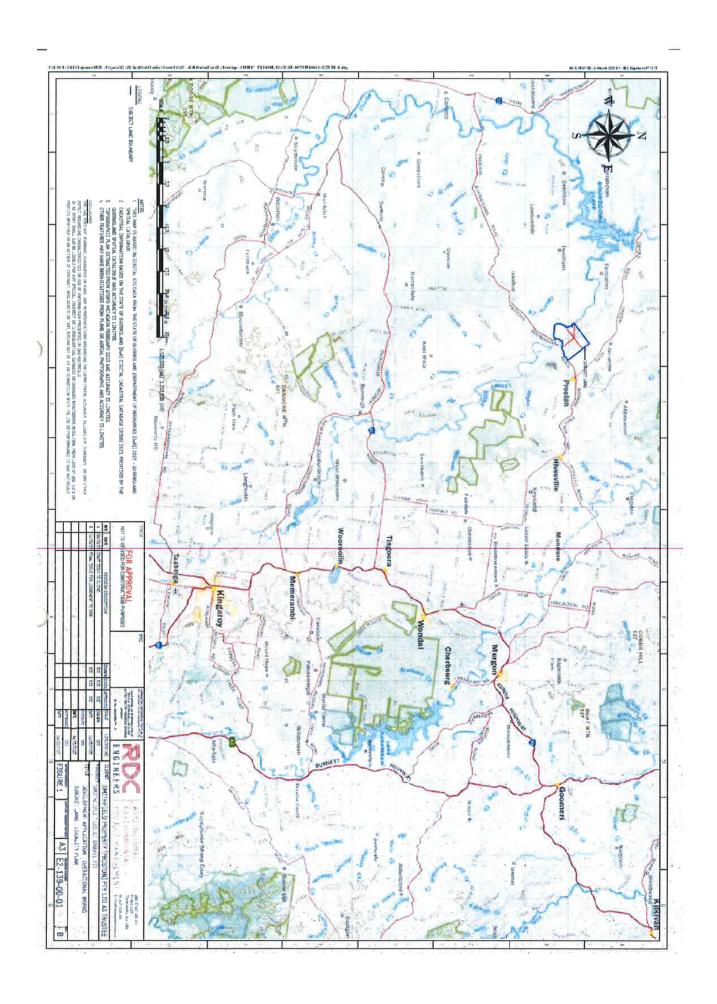
6. RECOMMENDATION

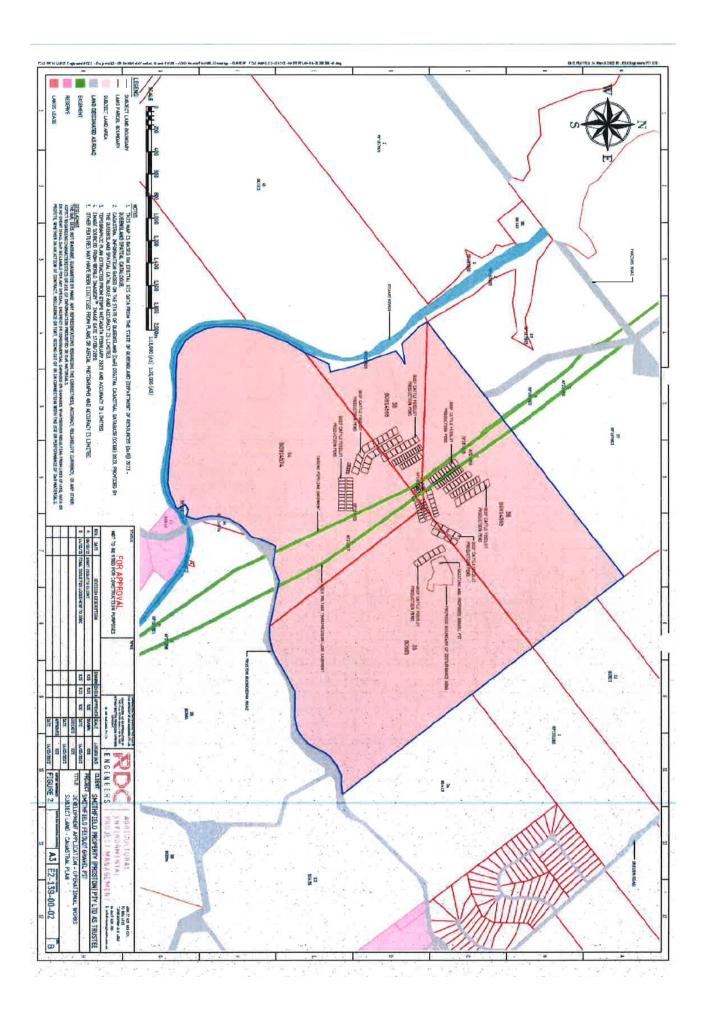
It is recommended that Council approve the development application for Operational Work for Earthworks on land described as Lot 35 on BO565, Lot 36 on BO814565, and Lot 94 on BO814574 and situated at 468 Proston Boondooma Rd, Proston, subject to reasonable and relevant conditions.

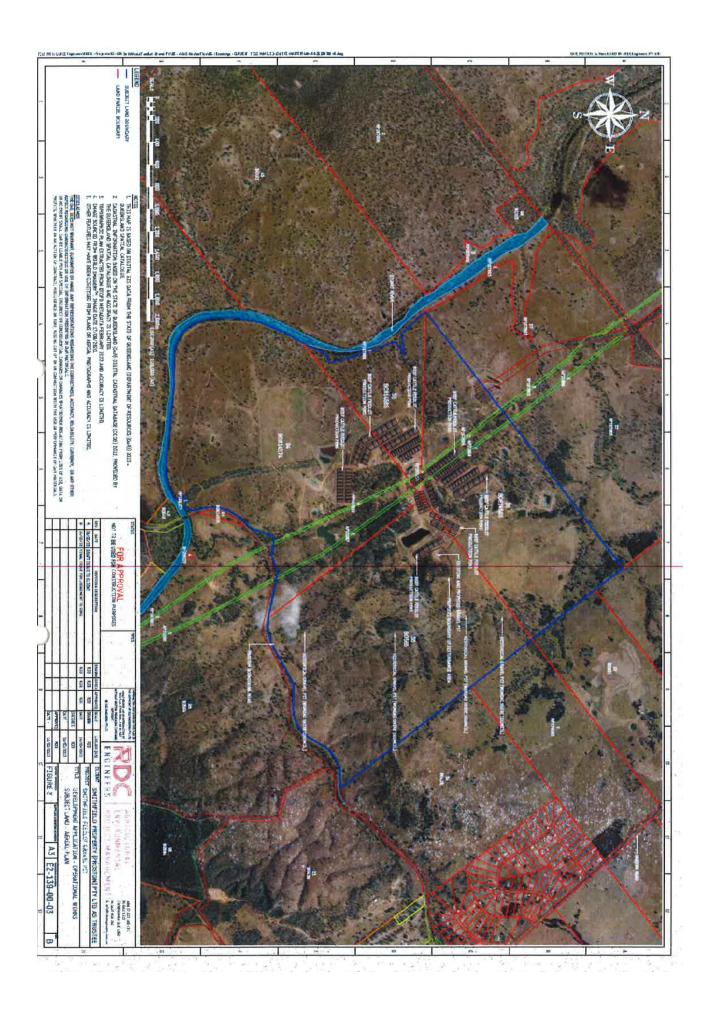
ATTACHMENTS

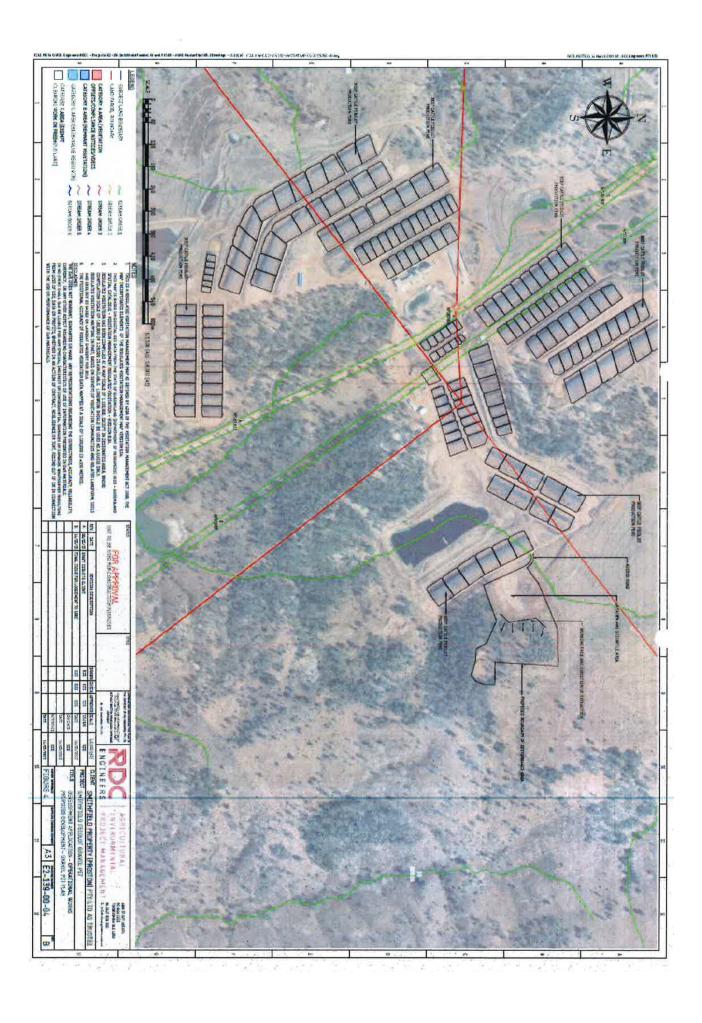
1. Attachment A - Operational Plans

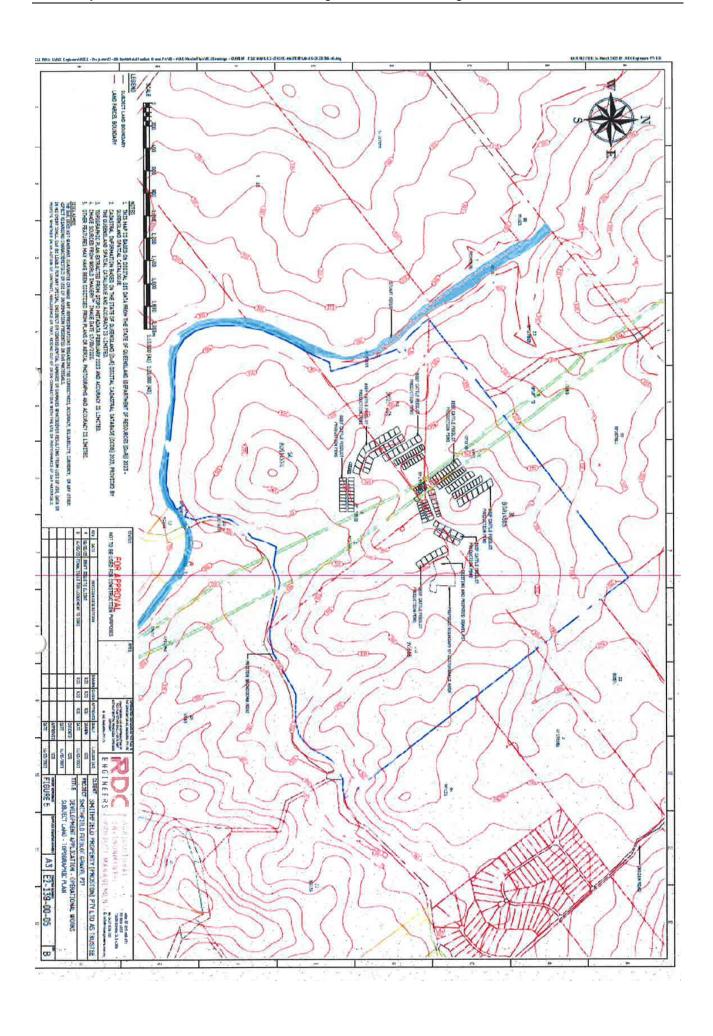
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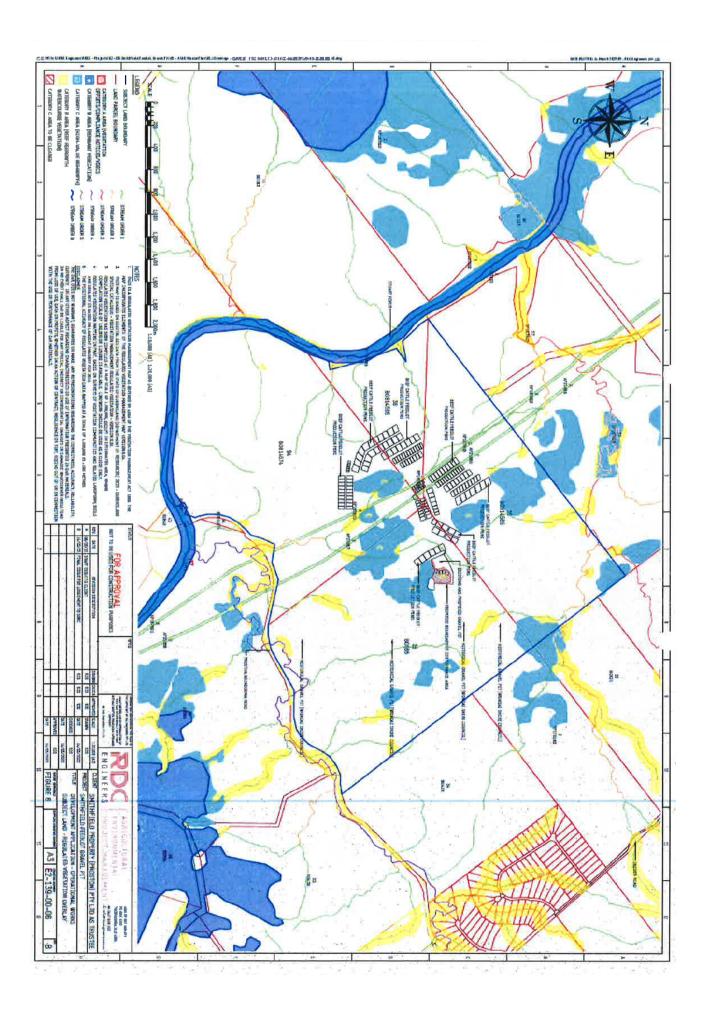


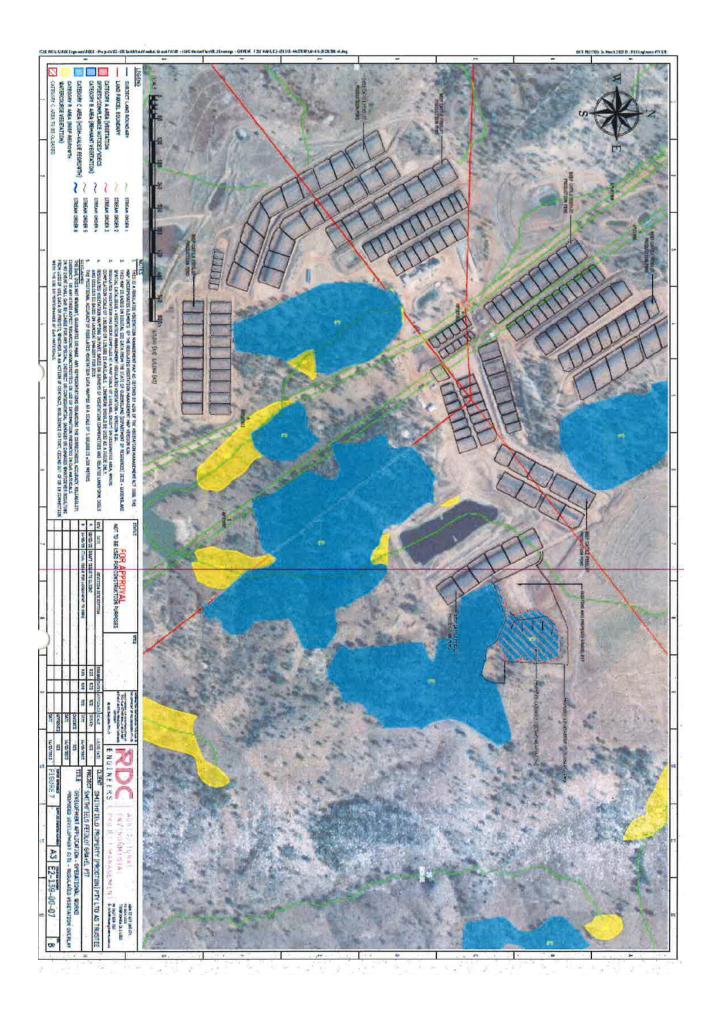


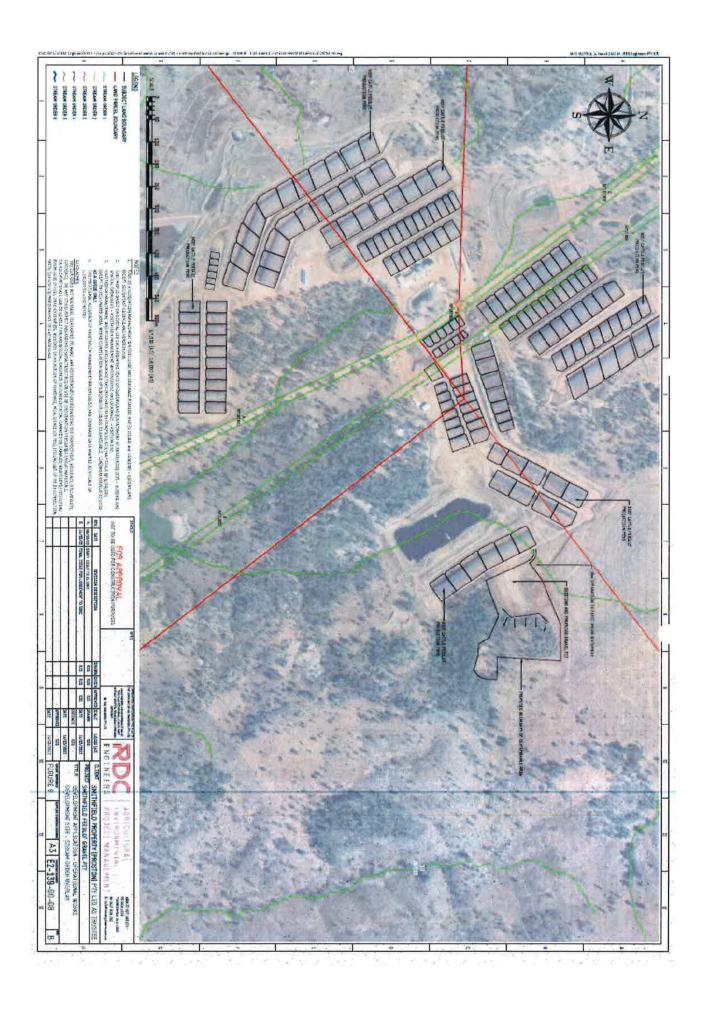


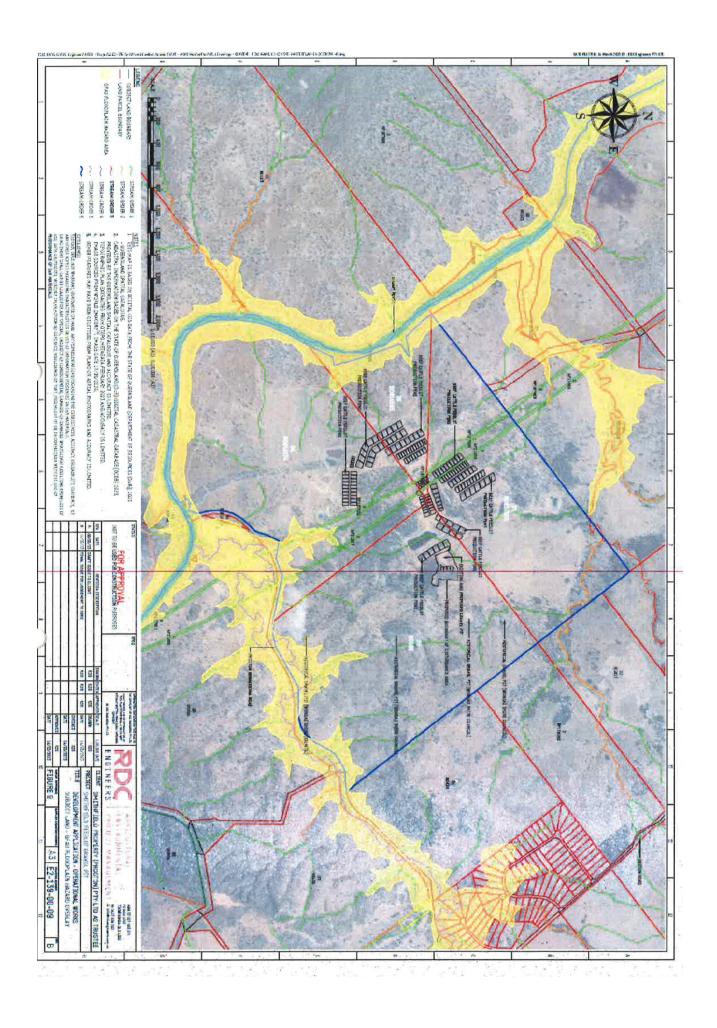












25 December 2030

OPERATIONAL WORKS (SIGNAGE) AT 18 MAIN STREET, MAIDENWELL (AND DESCRIBED AS LOT 6 ON SP229731). APPLICANT: TANDURINGIE STATE SCHOOL

MANAGER

GM

CEO

File Number:

OPW23/0010

Author:

Planning Consultant

Authoriser:

Chief Executive Officer

PRECIS

Application is for Operational Works – third party sign at 18 Main Street, Maidenwell (and described as Lot 6 on SP229731). The applicant is Tanduringie State School.

 This is a code assessable development application for a pylon sign to be erected in the northeastern corner of the subject site (facing the corner of Maidenwell Bunya Mountain Road and Kingaroy Cooyar Road).

The subject site is occupied by the Maidenwell Hotel and Tanduringie State School previously
had a winch sign erected on the subject site but it was removed in 2019. The proposed pylon
sign will be situated in the same position as the previous sign.

The proposed sign will display school contact details, school news and upcoming events, acting
as a valuable source of communication for the school. Placement of the sign at Tanduringie
State School (32 Tanduringie School Road, Maidenwell) is not an ideal location as there is very
limited passing traffic.

Structural components for the sign has been certified by Dennis Blunt Consulting Engineers Pty
Ltd to be in accordance with engineering drawings and relevant structural Australian Standards
and relevant structural sections of the BCA.

Height and dimensions for the pylon sign are compliant with the Third Party Sign Code.

Impacts on surrounding area expected to be negligible and does not directly face any residential
properties that could potentially be impacted by light or visual effects.

 The location for the pylon sign will not adversely impact pedestrian pathways or the road network as passing motorists will not be in direct line of sight of the pylon sign.

 The pylon sign will not impede pedestrian or vehicular access to the Maidenwell Hotel or disrupt the operation of the hotel.

The pylon sign is not considered to dominate the streetscape or the built form of the hotel.

 On this basis, the third party sign as identified in the application is considered appropriate for the location.

SUMMARY

- Application is for Operational Works (third party sign) Development Permit pursuant to the SBRC Planning Scheme.
- The application is for a pylon sign to be located on premises occupied by the Maidenwell Hotel
- The subject site is zoned Township.
- The development application is assessed against the relevant code of the SBRC Planning Scheme. Relevant code is the Third Party Sign Code.
- The development application is code assessable, as per Table 5.8 of the SBRC Planning Scheme.
- The subject site is within 100m of a State controlled road and intersection. Schedule 10, Part
 9, Division 4, Sub-division 2, Table 5 of the *Planning Regulation 2017* does not identify operational works for signage as requiring referral.
- Council did not issue a Request for Further Information.
- The application has been assessed and conditioned to comply (refer to Attachment A Statement of Reasons).

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Item 15.2 - Attachment 4

25 December 2030

OFFICER'S RECOMMENDATION

The Application for Third Party Signage be approved subject to the following plans & conditions.

GENERAL

The development must be carried out in accordance with the approved plans and documents.

GENERAL

GEN1. The development must be completed and maintained in accordance with the approved plans and documents to this development approval.

| Drawing title | Prepared by | Ref no | Revision | Date |
|---------------------------|-------------|---------|----------|-----------|
| Double Sided Digital Sign | Dennis Bunt | DWG S02 | Rev 2 | 16 Nov 23 |
| Structural Noted | Dennis Bunt | DWG S01 | Rev 2 | 16 Nov 23 |
| Site Plan | | 4 2+ | Rev 1 | 18 May 23 |

DEVELOPMENT PERIOD - OP Works

GEN2. Access for servicing/maintenance to be available at all times.

GEN3. The currency period for this development approval for Operational Works 3rd Party Sign is two (2) years after the development approval starts to have effect. The development approval will lapse unless otherwise agreed.

OP WORKS GENERAL

- OPW1. Any new earthworks must be confined to the area identified on approved site plan.
- OPW2. All conditions of this approval are to be satisfied prior to the commencement of use of 3rd party sign.
- OPW3. Approved structure to be retained in the nominated location per the plans referred to in this approval.
- OPW4. Approved structure shall not exceed peak heights nominated on the elevations referred to in this approval.
- OPW5. Approved digital sign face shall not exceed the dimensions specified in the approved elevations.
- OPW6. Approved digital sign face must comply with applicable Australian Standards for illumination and must remain unobtrusive at all times.
- OPW7. The approved 3rd party sign must be constructed in accordance with the approved structural notes or as required by other relevant standards, as determined by a suitably qualified professional.

ENGINEERING WORKS

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility

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25 December 2030

installations resulting from the development or from road and drainage works required in connection with the development.

LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS.

- ENG4. Be responsible for the location and protection of any Council and public utility services, Infrastructure and assets that may be impacted on during construction of the development.
- ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development.

ELECTRICITY AND TELECOMMUNICATION

ENG6. Connect the development to electricity and telecommunication services as required.

EROSION AND SEDIMENT CONTROL - GENERAL

- ENG7 Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.
- ENG8. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

HERITAGE

ADV1. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting https://www.datsip.qld.gov.au and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

OTHER PERMITS/APPROVALS

ADV2. Development approval does not omit the need for other relevant permits or approvals. It is incumbent upon the applicant to determine which other permits will be relevant or required.

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FINANCIAL AND RESOURCE IMPLICATIONS

No implication can be identified.

LINK TO CORPORATE/OPERATIONAL PLAN

Growing our Region's Economy and Prosperity

 GR8 Support and advocate for appropriate growth and development with responsive planning schemes, process, customer service and other initiatives.

COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)

Refer to CONSULTATION in this report.

LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)

No implication identified.

POLICY/LOCAL LAW/DELEGATION IMPLICATIONS

No implication can be identified where the approved third party sign is not subject to any changes in size or appearance and remains positioned in the location as shown on plans.

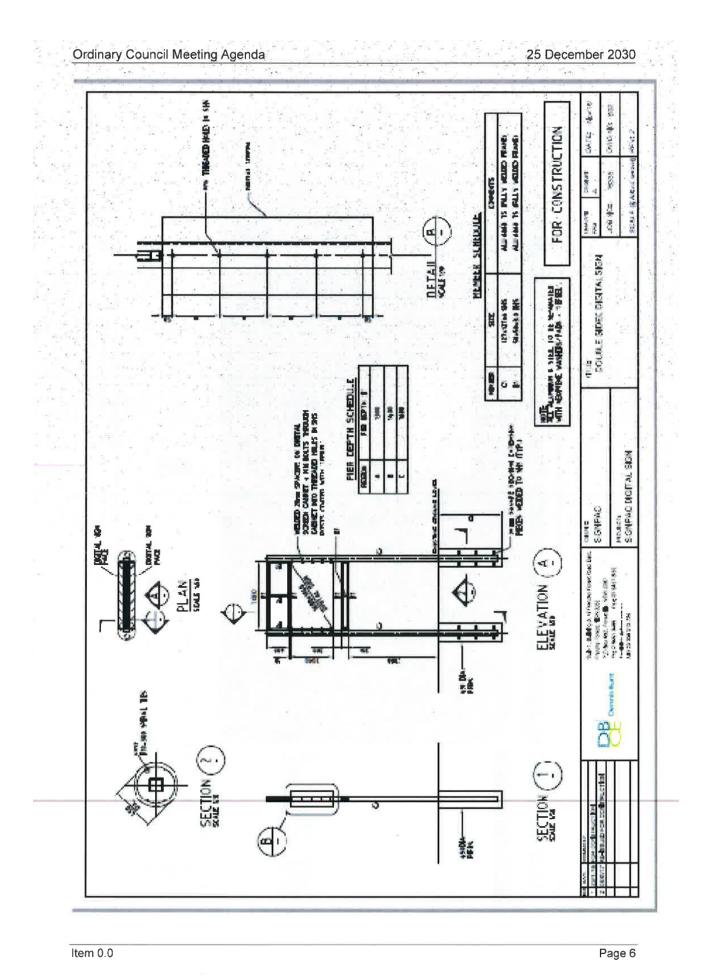
ASSET MANAGEMENT IMPLICATIONS

No implication can be identified.

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Item 0.0 Page 5



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25 December 2030

REPORT

1. APPLICATION DETAILS

| Site address | 18 Main Street, Maidenwell | | | |
|---|---|-------------------------------|-----------------------|--|
| Real property description | Lot 6 on SP229731 | Lot 6 on SP229731 | | |
| Easements o encumbrances on title | Nii | | | |
| Area of Site | 5,800m ² | 5,800m² | | |
| Current Use | Commercial – Maidenwell Hote | Commercial – Maidenwell Hotel | | |
| Environmental Management Register o Contaminated Land Register | Nil | | | |
| Applicant's name | Tanduringie State School | | | |
| Zone | Township | | | |
| Applicable Overlays | Agricultural Land Overlay – | Class B | | |
| Proposed use as defined | Third Party Sign | | in all free free | |
| Details of proposal | Operation Works (OPWs) - Th | ird Party Sign | | |
| | ■ Sign Type | Pylon | | |
| | ■ Sign Height | 4.3m, under clearance of 2.5m | | |
| | ■ Sign Face Area 3.09m² per side | | | |
| | ■ Single/Double Sided Double-sided | | | |
| | ■ Illuminated Yes, LED display component | | | |
| Application type | Aspects of | Type of Approval Requested | | |
| | Development | Preliminary Approval | Development Permit | |
| | Material Change of Use (MCU) | | | |
| | Reconfiguration of a Lot (RAL) | | | |
| | Building Work (BW) | | | |
| | Operational Work (OPW) | | X | |
| Level of Assessment | Code Assessment | | • | |
| Pre-lodgement Consultation history | Applicant sought verbal application | advice on the process | for making an | |
| Key planning issues e.g vegetation, waterway corridors, overland flow | | | | |
| Referral agencies | Agency | Concurrence/ Advice | • | |
| | NA | NA | | |
| Public notification | Not applicable | | | |
| Planning Regulation 2017 | Part E of the State Planning P the proposal. | olicy applies only to the | ne extent relevant to | |

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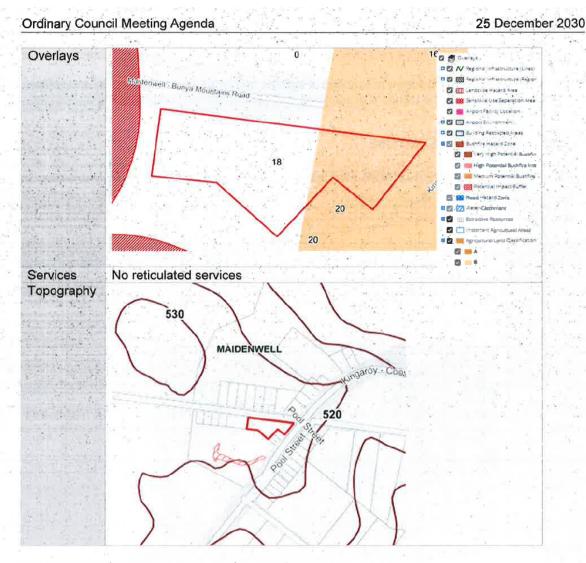
2. THE SITE

This section of the report provides a description of the site, details about the existing use and notable characteristics of the site, the standard of servicing, and the form of development in the immediately locality.

2.1. DESCRIPTION & EXISTING USE



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2.2. DEVELOPMENT HISTORY OF THE SITE

The Maidenwell Hotel occupies the subject site. Tanduringie State School previously had a winch sign erected within the boundaries of the premises which was removed in 2019.

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3. PROPOSAL DETAILS

The proposal plans as set out in Attachment B to this planning report and the development proposal is described below.

SUMMARY DETAILS

Type of Sign

Double sided pylon sign - refer to indicative image below.



Sign Location

Sign to be located within the boundaries of the subject site, within NE corner and fronting the corner of Maidenwell Bunya Mountain Road and Kingaroy Cooyar Road. – refer to image below. The Maidenwell Hotel has signage in this location and the proposed pylon sign will sit behind the hotel signage – refer to image below





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| | | [18] [18] [18] [18] [18] [18] [18] [18] |
|-------------------|-------------------------------|---|
| | Sign Height | 4.3m and 2.5m under clearance |
| | Sign Face Dimensions and Area | 3.09m² per side |
| The second second | Sign Particulars | Electronic LED Digital Sign – high resolution screen Aluminium powder coated frame, double sided header board and information panel Automatic light dimmer and temperature display sensor |
| 1 | | The school can remotely access LED screen. |

4. ASSESSMENT OF ASSESSMENT BENCHMARKS

Framework for Assessment
Categorising Instruments for Statutory Assessment

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

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

Ordinary Council Meeting Agenda

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

Planning Act 2016, Section 26 - Assessment Benchmarks generally

- (1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—
- (a) the assessment benchmarks stated in-
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and
 - (iii) a temporary State planning policy applying to the premises;
- (b) if the local government is an infrastructure provider—the local government's LGIP.
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.

4.1. PLANNING REGULATION 2017

The Planning Regulation 2017 forms the mechanism by which the provisions of the Act are administered. In particular the Regulation has the ability to regulate and prohibit development and determines the assessment manager and the matters that trigger State interests.

| PLANNING REGULATION 2017 DETAILS | | | | |
|--|--|--|--|--|
| Assessment Benchmarks: NIL – there are no benchmarks relevant to the assessment of this application | | | | |
| WBB Regional Plan Designation Wide Bay Burnett Regional Plan 2011 – RLRPA | | | | |
| | The placement of the pylon sign on an established commercial premises does not compromise any strategic outcomes set by the Wide Bay Burnett Regional Plan 2011 for the South Burnett Regional Council area. | | | |

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| Adopted Economic Support Instrument | Under section 68E of the Planning Regulation 2017 that on 24 February 2021, South Burnett Regional Council adopted an economic support instrument. This instrument is in effect until 31st December 2023. |
|---|---|
| | Economic support provisions |
| | 4.1. The instrument applies the following provisions in accordance with section 68D(1) of the Planning Regulation 2017: 4.1.1. Part 8B. Division 3 – Development that requires code assessment; 4.1.2. Schedule 6. Part 2, Section 7A – Particular material change of use involving an existing building, and 4.1.3. Schedule 6, Part 2, Section 7B – Material change of use for home-based business |
| | The adopted instrument does not change the categories of development and assessment in the Planning Scheme v1.4 |

4.2. STATE PLANNING POLICY

The State Planning Policy (July 2017) (SPP) commenced on the 3 July 2017 and is effective at the time of writing this report. The Planning Regulation 2017 (PR 2017) states the assessment <u>must be carried out against the assessment benchmarks</u> stated in Part E of the State Planning Policy to the extent Part E is not appropriately integrated into the planning scheme.

In accordance with section (8)(4)(a) of the Act, the State Planning Policy applies to the extent of any inconsistency with the Planning Scheme.

| State Planning Policy Part E | |
|---|-------------------------------------|
| Liveable communities and housing | No applicable assessment benchmarks |
| Economic growth | No applicable assessment benchmarks |
| Agriculture. | |
| Development and construction. | |
| Mining and extractive resources. | |
| Tourism. | 24 14 1 1 1 1 1 2 2 4 |
| Planning for the environment and | No applicable assessment benchmarks |
| heritage. | |
| Biodiversity. | |
| Coastal environment. | |
| Cultural heritage. | |
| Water quality | |
| Safety and resilience to hazards | No applicable assessment benchmarks |
| Emissions and hazardous activities. | |
| Natural hazards, risk, and resilience. | |
| Infrastructure | No applicable assessment benchmarks |
| Energy and water supply. | 8 9 |
| Infrastructure integration. | |
| Transport infrastructure. | |
| Strategic airports and aviation facilities. | |
| Strategic ports. | |

5. REFERRAL AGENCIES

To determine whether the development application requires referral to the State Assessment and Referral Agency (SARA) or 'another entity', an assessment of the proposal against Schedule 10 of the *Planning Regulation 2017* has been undertaken.

The application does not require referral to any referral agencies prescribed under Schedule 10, as demonstrated in Table 3.

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| Part | Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Assessment Benchmarks / Matters to be assessed against |
|------|--|--|---------------------------|---------------------------|--------------------|---|
| 1 | Airport Land | N/A | | N/A | N/A | N/A |
| 2 | Brothels | N/A | N/A | N/A | S. Vani | N/A |
| 3 | Clearing Native Vegetation | N/A | N/A | N/A | N/A | N/A |
| 4 | Contaminated Land | N/A | | N/A | N/A | N/A |
| 5 | Environmentally Relevant Activity | N/A | N/A | N/A | N/A | N/A |
| 6 | Fisheries: - Aquaculture - Declared Fish Habitat - Marine Plants - Waterway Barrier works | N/A N/A N/A N/A | | N/A | N/A | N/A |
| 7 | Hazardous Chemical Facilities | N/A | | N/A | N/A | N/A |
| 8 | Heritage Place - Local Heritage Place - Queensland Heritage Place | N/A | | N/A | N/A | N/A |
| 9 | Infrastructure Related: - Designated Premises - Electricity - Oil and Gas - State Transport Corridors and Future State Transport Corridors - State- controlled transport tunnels and future state- | N/A N/A N/A N/A | | | N/A | N/A |
| | controlled transport tunnels | | | | | |
| 10 | Koala Habitat in SEQ region | N/A | N/A | | | N/A |
| 11 | Noise Sensitive Place on Noise Attenuation land | N/A | N/A | | | |

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Item 15.2 - Attachment 4

Ordinary Council Meeting Agenda 25 December 2030

| | e 3 - Matters Prescri | | Registra | 3 - 3 - 3 - 3 - 3 | | Assessment |
|------|---|--|---------------------------|---------------------------|--------------------|---|
| Part | Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Benchmarks / Matters to be assessed against |
| 12 | Operational Work for Reconfiguring a Lot | N/A | H - 1 | N/A | | |
| 12A | Walkable Neighbourhoods – particular reconfiguring a lot | N/A | | N/A | | N/A |
| 13 | Ports: - Brisbane Core Port Land - Within the port | N/A N/A | | N/A | N/A | N/A |
| | limits of the Port of Brisbane | N/A N/A | | | | |
| | - Within the limits of another port - Strategic Port Land | | | | V. | |
| 14 | Reconfiguring a Lot under the Land Title Act | N/A | | N/A | N/A | N/A |
| 15 | SEQ Development Area | N/A | | N/A | N/A | N/A |
| 16 | SEQ Regional Landscape and Rural Production Area and Rural Living Area: - Community Activity - Indoor Recreation - Residential Development - Urban Activity | N/A | N/A | N/A | N/A | N/A |
| 16A | Southport Spit | N/A | N/A | | | |
| 17 | Tidal Works or Work in a Coastal Management District | N/A | | N/A | N/A | N/A |
| 18 | Urban Design | N/A | | | N/A | N/A |
| 19 | Water Related Development: | N/A N/A N/A | | N/A | N/A | N/A |

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| Table | e 3 - Matters Prescri | bed in Schedule | e 10 of the Plani | ning Regulation | | |
|-------|--|--|---------------------------|---------------------------|--------------------|---|
| Part | Matter | Applicability to this Development Application | Prohibited Development | Assessable Development | Referral Agency | Assessment Benchmarks / Matters to be assessed against |
| | - Taking or interfering with water - Removing quarry material - Referral dams - Levees | N/A | | | | |
| 20 | Wetland Protection Area | N/A | N/A | N/A | N/A | N/A |
| 21 | Wind Farms | N/A | | N/A | | N/A |

6. CONSULTATION

| Third Party Sign Code | Benchmarks | Responses |
|-----------------------|----------------------|--|
| | Part 8.4.4.2 (2) (a) | The pylon sign does not have an impact upon the built form of the Maidenwell Hotel. It is sited next to existing signage for the hotel and is framed by vegetation. |
| | Part 8.4.4.2 (2) (b) | The pylon sign will be placed behind signage for the hotel. There is minimal other signage within the surrounding area. It will contribute to a proliferation of signage in the area. |
| | Part 8.4.4.2 (2) (c) | The LED digital component of the pylon sign is modest in size at 1.74m² and does not directly face any residential properties. The potential for impacts to nearby sensitive land uses is extremely minimal. |
| | | The digital component of the pylon sign is not in the direct line of sight of vehicles travelling north-south along Kingaroy Cooyar Road or west along Maidenwell Bunya Mountain Road. |
| | | The sign includes an automatic light dimmer and the LED screen can be remotely accessed by the school. This will assist to maintain content and light emissions from the sign. |
| Trip - | | П |
| | Part 8.4.4.2 (2) (d) | The location for the pylon sign will not adversely impact pedestrian pathways or the road network as it is located within the boundaries of the subject site. |
| | | Passing motorists will not be in direct line of sight of the pylon sign. There are no traffic lights or prominent road traffic signage on the corner of the subject site. Consequently, the potential for the sign |

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| Aug. | | |
|------|---|--|
| | | to impact a driver's understanding of the road network is very minimal. |
| | | The pylon sign will not impede pedestrian or vehicular access to the Maidenwell Hotel or disrupt the operation of the hotel. |
| | Part 8.4.4.2 (2) (e) | The pylon sign has been structurally certified by engineers and designed in accordance in accordance with engineering drawings and relevant structural Australian Standards and relevant structural sections of the BCA. |
| | | This limits the risk of signage failure which could jeopardise the safety of persons or property. |
| | AO5.1 If the sign has 2 faces - has a maximum angle between each face of 45 degrees. | Not applicable |
| | AO5.2 The sign has a maximum face area of 40m ² . | Total face area for the sign is 3.09m² per side which is well below the maximum face area of 40m², as per AO5.2. |
| | AO5.3 The sign has a maximum height of 15m above ground level. | Total height for the pylon sign is 4.3m with a 2.5m under clearance. |
| | AO5.4 Only 1 double-sided sign is displayed on premises except where the street front boundary of the premises exceeds 100m. | There will be only one double sided sign displayed on the subject site. |
| | AO5.5 If the street front boundary of the premises exceeds 100m, more than 1 double-sided sign is permitted, however, the signs are a minimum 100m apart. | Not applicable |
| | AO5.6 The sign is not located or constructed so as to expose an unsightly back view of the sign. | The pylon sign is double sided and therefore does not exhibit an unsightly back view. Supporting posts for the sign will sit behind hotel signage and therefore, are not highly visible elements. |
| | AO5.7 The sign is not displayed less than 3m from any side boundary. | The pylon sign is not within 3m of any side boundary. |

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| AO5.8 The sign is installed | The pylon sign does not incorporate any "guide wires" or exposed supporting framework. |
|---|--|
| without "guide wires" or exposed supporting | |
| framework. | |

7. CONSULTATION

Referral Agencies

| State Assessment and Referral Agency | N/A | 27 | | NoNY. | |
|--------------------------------------|-----|--------|---|-------|--|
| Other | N/A | T Reg. | 1 | | |

Council Referrals

| INTERNAL REFERRAL SPECIALIST | REFERRAL / RESPONSE | | | | | |
|------------------------------|--|--|--|--|--|--|
| Development Engineer | Nile of the second of the seco | | | | | |
| Infrastructure Charges Unit | Nil | | | | | |

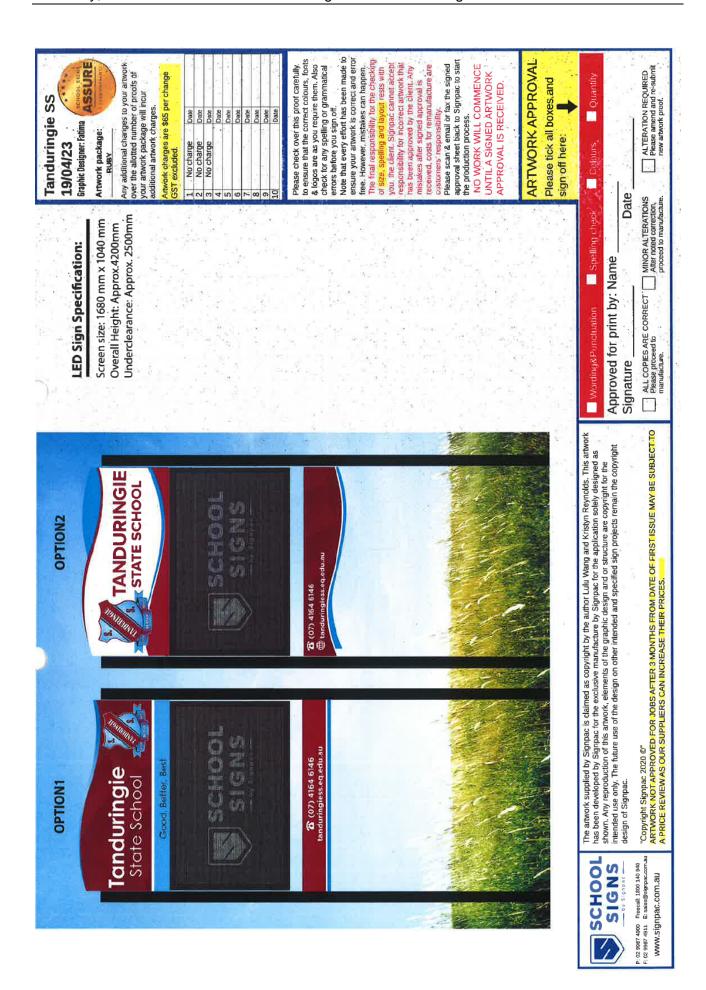
8. RECOMMENDATION

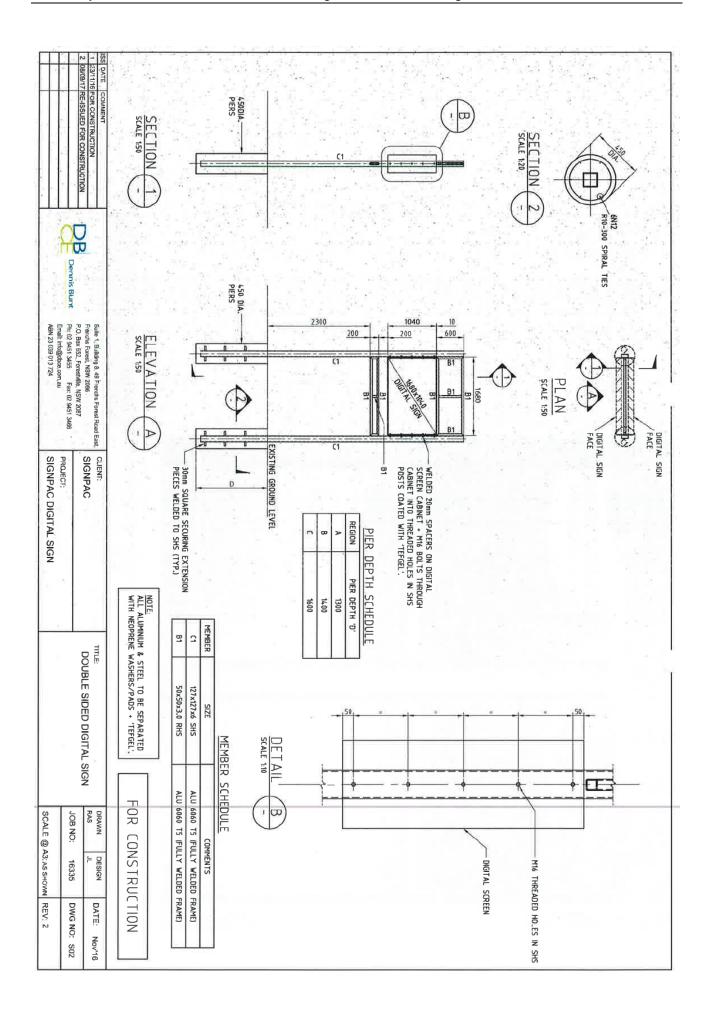
The application for a Development Permit for Operational Works – third party sign on land at 18 Main Street, Maidenwell and formally described as Lot 6 on SP229731 is recommended for approval on the grounds outlined in the Officers Recommendations.

ATTACHMENTS

- Attachment A Statement of Reasons
- 2. Attachment B Proposal Plans

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| ABN 23 039 013 724 | ISS DATE COMMENT 1 23/11/16 FOR CONSTRUCTION 2 25/11/16 STEELWORK NOTES ADDED Dennis Bunt Ph. 02 9451 3455 Fax | GENERAL 61 THESE DAMANGS SHALL BE READ IN COMMENTON WITH ALL ARCHITECTURAL AND STORES CONSTITUTES 62 THE STRUCTURAL CONSTITUTES AND WITH SLOPE STRUCTURES AND WITH CONSTITUTES 63 AND CONSTITUTES AND WITH SLOPE STRUCTURES AND WITH CONSTITUTES 64 AND CONSTITUTES AND WITH SLOPE STRUCTURES AND WITH CONSTITUTES 65 ALL DEPOSITIONS OF STRUCTURES SHALL BE AN ACCORDANCE WITH THE APPROXIMATE MUSTIFICATION 66 DEPOSITION OF THE STRUCT SHALL BET BE SHALLES WITH DEPOSITION AND TABLESTATE BETTERFORM TO ALL DEPOSITION OF THE STRUCTURAL SHALL BE AN ACCORDANCE WITH DEPOSITION OF THE STRUCTURAL SHALL BE AN ACCORDANCE WITH DEPOSITION OF THE STRUCTURAL SHALL BE ANALONE. 66 THE STRUCTURAL SECRET SHALL BE AN ACCORDANCE WITH DESIR THE STRUCTURAL SHALLES FOR THE STRUCTURAL SHALL BE AND THE SHALL BE AN ACCORDANCE WITH SHALL BE AND THE STRUCTURAL SHALL BE AND THE SHALL BE AN ACCORDANCE WITH SHALL BE ANALONE AND THE SHALL BE AND THE |
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| mau | Suite 1, Building 8, 49 Frenchs Forest Road East, Frenchs Forest, NSW 2086 P.O. Box 652, Forestville, NSW 2087 Ph. 02 9451 3455 Fax: 02 9451 3456 PROJECT: | CONCRETE (CONTINUED) CONCRETE AS DESCRIPTION FOR INSOCRAFIA DASK WITH MORE THAN JANAA CONCRETE CAST BELOW THE BAR 8 a. d. LAPPO SHOEL EMERIES TO COMPAT. M. A. D. SALLAWANG U.A.D. CONTRETE AND REPORT OF CONTRETE TO COMPAT. M. A. D. SALLAWANG U.A.D. CONTRETE AND REPORT OF SALLAWANG OF SPACE LIGHTS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. LAPPOD SHALE EMERIES FOR BARS IN COLUMNES REPER TO ASSESS OF SEMPRETICHERS. ON AN INTERPRETAL TO ASSESS OF SEMPRETICHERS IN CONCRETE WALL REQUIRE LONGERS. ON AN INTERPRETAL TO ASSESS OF SEMPRETICHERS IN CONCRETE SEMPRETICHERS. ON AN INTERPRETAL TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICHERS. ON AN INTERPRETAL TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICHERS. ON AN INTERPRETAL TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICES. ON AN INTERPRETAL TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICES. ON ASSESS OF SEMPRETICES OF SEMPRETICES TO ASSESS OF SEMPRETICES TO ASSESS OF SEMPRETICES. ON ASSESS |
| SCALE @ A3: AS SHOWN REV: 2 | STRUCTURAL NOTES DRAWN DESIGN DATE: Nov'16 Nov'1 | STRUCTURAL STEEL 11. ALI NATIONALS AND WORKHAMEND SMALL BE BY ACCORDANCE WITH ASSEMBLAND ASSEMBLAN |

NOTICE ABOUT DECISION - STATEMENT OF REASONS

The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016

| Applicant: | Tanduringie State School C/- Linet Pincott |
|------------------------|--|
| Application No: | OPW23/0010 |
| Proposal: | Operation Work (Signage) |
| Street Address: | 18 Main Street, Maidenwell |
| RP Description: | Lot 6 on SP229731 |
| Assessment Type: | Code Assessment |
| Number of Submissions: | N/A |

On 22 May 2023 the above development was recommended for:

- □ Refusal

1. Reasons for the Decision

The reasons for this decision are:

- Development is consistent with overall outcomes for the zone.
- Reasonable and relevant conditions have been imposed to ensure compliance with the South Burnett Planning Scheme 2017 v1.4

2. Assessment Benchmarks

The following are the benchmarks apply to this development:

Third Party Sign code

3. Compliance with Benchmarks

The development was assessed against all the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

Note: Each application submitted to Council is assessed individually on its own merit.

15.3 LIST OF CORRESPONDENCE PENDING COMPLETION OF ASSESSMENT REPORT

File Number: 14-06-2023

Author: Administration Officer
Authoriser: Chief Executive Officer

PRECIS

List of correspondence pending completion of assessment report.

SUMMARY

Reports pending completion of assessment as of 31 May 2023.

OFFICER'S RECOMMENDATION

That the List of correspondence pending completion of assessment report as of 31 May 2023 be received.

REPORT

Reconfiguration of a lot (RAL) applications

- 1. RAL22/0011 Easement associated with MCU22/0004 at 79 Zerners Road MURGON
- 2. RAL22/0042 Reconfiguration of a lot Subdivision (1 Lot into 10 Lots) at 14503 D'Aguilar Highway, NANANGO
- 3. RAL23/0002 Reconfiguration of a lot Boundary Realignment at 858 Memerambi Gordonbrook Road GORDONBROOK
- 4. RAL23/0003 Reconfiguration of a lot Access Easement at Knight Street KINGAROY
- 5. RAL23/0004 Reconfiguration of a lot Combined Application Subdivision (1 Lot into 31 Lots) and associated Operational Work at Kelvyn Street KINGAROY (not properly made)
- 6. RAL23/0005 Reconfiguration of a lot Subdivision (1 Lot into 3 Lots) at 43 Brett Road BLACKBUTT SOUTH
- 7. RAL23/0006 Reconfiguration of a lot Subdivision (1 Lot into 2 Lots) at 46 Kingaroy Burrandowan Road TAABINGA
- 8. RAL23/0007 Reconfiguration of a lot Boundary Realignment at Weens Road KINGAROY
- 9. RAL23/0008 Reconfiguration of a lot Easement (associated with MCU23/0008) at 20 Fork Hill Drive KINGAROY
- RAL23/0009 Reconfiguration of a lot Subdivision (1 Lot into 3 Lots) at 118 Gilliland Crescent BLACKBUTT NORTH

Material Change of Use (MCU) Applications

- 1. MCU21/0017 Material Change of Use Expansion of the existing piggery (57,000SPU) at 592 Morgans Road, WINDERA (and described as Lot 49 on MZ555 & Lot 203 on SP251979)
- 2. MCU21/0019 Other Change to Existing Approval Material Change of Use (Master Planned Community and Development Permit for Reconfiguration of a lot (1 lot into 6 lots plus parkland dedication) at Corner Bunya Highway & Taylors Road KINGAROY
- 3. MCU22/0004 Extractive Industry and Easement at 79 Zerners Road MURGON
- 4. MCU22/0011 Motorsport and Ancillary Facilities and Caretakers' Residence and ERA (63) for Sewerage Treatment at Lewis Duff Road BALLOGIE
- 5. MCU22/0018 Agricultural supplies store and Special Industry (Manufacturing fertiliser) and concurrent ERA 7 (Chemical Manufacturing) at 107 River Road KINGAROY

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- 6. MCU22/0034 Major Utility Infrastructure Solar Farm at Bowman Road BLACKBUTT
- 7. MCU23/0002 Material Change of Use Three (3) Additional Short-Term Accommodation Units at 5 Evelyn Street KINGAROY
- 8. MCU23/0003 Material Change of Use Warehouse (Self-Storage Facility) at 41-43 Pring Street WONDAI
- 9. MCU23/0005 Material Change of Use Warehouse at Bunya Highway KINGAROY
- 10. MCU23/0006 Material Change of Use Dual Occupancy at 27B Kingaroy Street KINGAROY
- 11. MCU23/0007 Minor Change to Existing Approval Material Change of Use (Increase to Number of Units and Associated Layout Changes) at 95 Markwell Street KINGAROY
- 12. MCU23/0008 Material Change of Use Food & Drink Outlet and Function Facility (associated with RAL23/0008) at 20 Fork Hill Drive MOFFATDALE
- 13. MCU23/0009 Material Change of Use Three (3) Additional Multi Dwelling Units at 42 & 44 Markwell Street KINGAROY
- 14. MCU23/0010 Material Change of Use Bulk Landscape Supplies Yard at 100 River Road KINGAROY

Operational Works (OPW) Applications

- 1. OPW23/0002 Roadworks at 79 Tim Dwyer Road EAST NANANGO
- 2. OPW23/0005 Filling or excavation at 468 Proston Boondooma Road ROSTON
- 3. OPW23/0006 Roadwork, Stormwater, Water Infrastructure, Drainage Work, Earthworks, Sewerage Infrastructure and Landscaping at Kelvyn Street KINGAROY
- 4. OPW23/0007 Roadwork, Stormwater, Drainage Work and Earthworks at Oliver Road KINGAROY
- 5. OPW23/0008 Water Infrastructure, Stormwater, Sewerage Infrastructure, Roadworks, Drainage Works, Earthworks and Clearing Vegetation at Fairway Drive NANANGO
- 6. OPW23/0009 Water Infrastructure at 155 Boat Mountain Road MURGON

ATTACHMENTS

Nil

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16 QUESTIONS ON NOTICE

16.1 PURCHASE OF LOCAL HISTORY BOOKS FOR LIBRARIES

File Number: 14-06-2023

Author: Manager Community & Lifestyle

Authoriser: Chief Executive Officer

The following question on notice was received from Councillor Kirstie Schumacher.

Question

Can local history books be purchased for our Libraries?

Response

The library does keep a collection of local history books for loan and a copy of The Blog available for browsing as it is a large format book. The Visitor Information Centre have the following titles available for purchase:

Windera SS History

Kingaroy Centenary Sporting Snapshots

Christ Church Murgon

Blue Remembered Hills Poem Book

Saul Mendelsohn & The Brisbane Ladies

Desert Wealth

Then & Now

The Gathering of the Waters

The First 100 Years

Landscapes of Change

Streets Apart

Short Story Collection - Barbara King

Wooroolin Centenary of Settlement

The Bog

RECOMMENDATION

That the response to the question regarding local history book purchases raised by Councillor Kirstie Schumacher be received and noted.

ATTACHMENTS

Nil

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16.2 SOLAR PANELS NANANGO VISITOR INFORMATION CENTRE

File Number: 14/06/2023

Author: Manager Finance & Sustainability

Authoriser: Chief Executive Officer

The following question on notice was received from Councillor Jane Erkens.

Question

Has there been any savings with the solar panels being on the Nanango Visitor Information Centre?

Response

With the solar panels installed approximately within two (2) years after the official opening in 2009, the archive retention period for financials and a change in our financial system in 2013, Council is unable to provide an accurate comparison of electricity savings for the Nanango Visitor Information Centre since their installation.

RECOMMENDATION

That the response to the question regarding Solar Panels Nanango Visitor Information Centre raised by Councillor Jane Erkens be received and noted.

ATTACHMENTS

Nil

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16.3 ALGA 5G RESOLUTION

File Number: 14.06.2023

Author: General Manager Liveability

Authoriser: Chief Executive Officer

The following question on notice was received from Councillor Otto.

Question

Question on Notice from Mayor Brett Otto:

The Australian Local Government Association (ALGA) had passed a resolution a few years back to approach the Federal Government to give local Councils greater authority in relation to upgrades of existing telecommunications infrastructure. What was this resolution and what is the status?

Response

At the 2019 the Australian Local Government Association (ALGA) passed the following resolution.

91 Port Phillip City, VIC

Carried

That the National General Assembly (NGA) calls on the Commonwealth Government to amend the Telecommunications Act 1997, to improve the existing standards for the delivery of so called "low impact" facilities, by introducing guidelines or other regulation that requires enhanced consultation with the community and other stakeholders and consideration of community amenity in the design and placement of facilities.

In September 2019, The House of Representatives Standing Committee on Communications and the Arts commencement an inquiry into and report on the deployment, adoption and application of 5G in Australia.

Terms of Reference

The House of Representatives Standing Committee on Communications and the Arts will inquire into and report on the deployment, adoption and application of 5G in Australia.

5G refers to the fifth generation of mobile technology, in line with the International Mobile Telecommunications-2020 (IMT-2020) Standard of the International Telecommunications Union and the associated releases of the 3rd Generation Partnership Project (3GPP).

The Committee will:

- 1. Investigate the capability, capacity and deployment of 5G;
- 2. Understand the application of 5G, including use cases for enterprise and government.

ALGA provided a submission to the inquiry which is attached for Council's information.

The Australian Government response to the Inquiry is also attached for Council's information

In October 2020 the Australian Government also undertook community consultation in relation to the following matter - "To improve the powers and immunities framework to balance the interests of stakeholders with the provision of modern telecommunications services"

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Improving the telecommunications powers and immunities framework. September 2020

The Issue

Telecommunications companies have some powers to enter land and install and maintain some types of telecommunications facilities, and some immunities from some state and territory legislation when doing so.

The laws are set out under Schedule 3 to the *Telecommunications Act 1997* and are critical to the efficient construction and maintenance of telecommunications networks.

The Department is consulting on possible changes to strike the right balance between the community's need to access reliable, affordable telecommunications services and ensuring that property owners, local governments and communities have a say in the deployment of infrastructure that affects them.

Most aspects of carrier powers and immunities have been in place since 1997. Since then, communications technologies have evolved rapidly, and demand for services and data has increased dramatically.

The upcoming scale and level of investment in 5G networks requires a review of the powers and immunities framework to ensure it is efficient and effective in today's operating environment. This paper seeks stakeholder feedback on how to balance both deployment and landowner needs.

In 2017, the Government consulted on 24 proposed reforms to the powers and immunities framework requested by mobile carriers and NBN Co. Of the 24 proposals, the Government at the time implemented 10 reforms in 2018 and agreed to consult further on the remaining reform proposals.

In 2018, the Department established the Powers and Immunities Reference Group (PIRG) to improve the operation of the existing powers and immunities framework. The PIRG comprised carriers and property owner stakeholder groups including the Property Council of Australia, the Australian Local Government Association, rail and road authorities, and water and energy utilities.

The ideas in this consultation process have been drawn from the public submissions to the 2017 consultation process, discussions held at the PIRG and carrier workshops.

Your feedback on the proposals is important in assisting Government to consider what reforms are required to achieve a powers and immunities framework that meets the needs of modern Australia.

ALGA provided a submission to the process which is attached for Council's information. The Consultation Paper and Consultation Outcomes Paper is also attached.

Following the consultation process the Minister for Communications, Urban Infrastructure, Cities and the Arts agreed to make the *Telecommunications Code of Practice 2021* (Code of Practice) and the *Telecommunications (Low-impact Facilities) Amendment Determination 2021* (LIFD).

These instruments implement seven of the 12 proposals from the consultation paper released in September 2020.

It is understood the current operational framework reflects changes made as part of these reviews.

The attached documents have been supplied for Information only noting the report and information supplied is non exhaustive in relation to this subject matter and no commentary is provided in relation to the framework, consultation processes or outcomes.

RECOMMENDATION

That the response to the question regarding an Australian Local Government Association (ALGA) resolution to approach the Federal Government in relation to upgrades of existing telecommunications infrastructure raised by Councillor Otto be received and noted.

ATTACHMENTS

1. ALGA Submission to Inquiry into 5G - Nov 2019 🗓 🖼

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- 2. SCCA Government Response November 2020 U
- 3. Consulation improving the telecommunications powers and immunities framework 4.
- 4. ALGA submission Consulation improving the telecommunications powers and immunities framework 1
- 5. Consultation Outcomes improving the telecommunications powers and immunities framework ...

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Submission to The House of Representatives Standing Committee on Communications and the Arts

In response to the Inquiry into the deployment, adoption and application of 5G in Australia

1 November 2019

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The Australian Local Government Association (ALGA) welcomes the opportunity to make comments on the inquiry by the House of Representatives Standing Committee on Communications and the Arts into the deployment, adoption and application of 5G in Australia.

ALGA is the voice of local government in Australia, representing around 537 councils across the nation. ALGA's President represents local government as a member of the Council of Australian Governments and several other ministerial councils. In structure, ALGA is a federation of state and territory local government associations. This submission should be read in conjunction with any separate submissions received from state and territory associations as well as individual councils.

Comments

There is no doubt that 5G is a quantum leap in technology. The Commonwealth Government's Smart Cities Plan is a vision to maximise the potential of cities by embracing new technology to revolutionalise how cities and regional centres are planned, function and to grow Australia's economy. The advent of 5G will utilise technology advancements to exponentially increase the amount of software and applications available to all levels of government and communities to feed into the Internet of Things.

While Australians support the rollout of modern infrastructure, there have been concerns raised by communities, individuals and councils over the safety of 5G, and also about the proliferation of telecommunications infrastructure, including being located on council owned infrastructure. Local government has in the past expressed concerns about the rollout of telecommunications equipment, and restates its position that the rollout of 5G should not override important planning, heritage, consultation and safety assessment provisions.

Although there has been much hype over what the rollout of 5G and the Internet of Things will bring, there seems limited understanding in the community of exactly what 5G will deliver and detail of how it will work. This situation has given rise to uncertainties about 5G including health concerns over the higher frequency emissions under which 5G will operate. A number of councils in Australia have expressed concerns over the health risks of electromagnetic radiation of 5G. A number of overseas cities have taken similar action to stop the rollout of 5G.

The proliferation of 5G and other telecommunications infrastructure has also been an issue of concern to a number of councils. This proliferation includes attaching increasing numbers of telecommunications structures to local and state government and privately held infrastructure. While ALGA supports the rollout of modern telecommunications infrastructure to improve the lifestyles, environment and economy of cities and towns, it needs to be balanced with proper process to ensure structural integrity, safety, urban design, visual amenity is retained and visual interference (eg. along road corridors) is minimised. Local government planning legislation and community consultation exist for a reason – to ensure that facilities and infrastructure meet certain standards and safety requirements.

ALGA also restates its long-held position that telecommunications should be delivered equitably to all Australians no matter where they live. Currently there are regional areas which still lack access to reliable connectivity, and which pay a higher cost for services compared to their metropolitan counterparts. The issue of black spots still affects regional, rural and remote areas of Australia and can negatively impact on individuals' and communities' access to emergency and health services, social

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connections and the increasing number of online government services. These communities are likely to continue to be disadvantaged under 5G.

ALGA encourages the Commonwealth Government to lead the agenda on the 5G rollout, rather than leave the rollout to be driven by commercial interests. Commercial interest needs to be balanced with planning laws which are designed to protect public safety, limit the impacts on the environment and also to ensure the community has a say in the planning process.

ALGA is aware that the Department of Communications and the Arts has engaged the Australian Council of Learned Academics (ACOLA) to consult stakeholders and develop a report on the Internet of Things over the next 12 months. The project will examine social, cultural, legal, ethical, economic and environmental implications of deployment of IoT in Australia. It will present an evidence base to support government decision making and help to ensure the safe and responsible implementation of this transformative technology.

ALGA encourages the Commonwealth Government to undertake a similar process in relation to 5G.

Recommendation

ALGA recommends that the Commonwealth develop and release an issues paper which provides a framework to underpin the rollout of 5G. The issues paper could include:

- a policy framework which would guide the rollout of 5G;
- a review of international models which have been successfully rolled out;
- a comprehensive explanation of the facts of 5G to demonstrate what 5G will mean to organisations and individuals in real terms (eg. driverless vehicles, traffic congestion) and the infrastructure which will be needed to enable this to occur (eg. lenses and sensors etc);
- a researched position on the safety concerns being raised by Australians and overseas countries; and
- a timetable for a structured way forward.

The issues paper would improve understanding and stimulate debate on the issues which are currently not well understood, despite 5G being mooted for at least 3 years.

Adrian Beresford-W

Chief Executive

3



Australian Government response to the House of Representatives Standing Committee on Communications and the Arts:

'The Next Gen Future'

Inquiry into the deployment, adoption and application of 5G in Australia

November 2020

The Australian Government welcomes the recommendations outlined in *The Next Gen Future* report and thanks the Committee for its work.

Digital connectivity is a key enabler of Australia's social and economic activity. The mobile and fixed telecommunications networks that provide this connectivity are critical to our lives. The fifth generation of mobile technology, or 5G, represents a step change in mobile communications, with a number of advances on 4G.

The Government has been actively supporting 5G, recognising its potential to support new and improved applications for consumer, industrial and enterprise uses. In October 2017, we released Australia's 5G Strategy outlining actions to support the roll out of 5G. Since then we have been making strong progress against the actions outlined in the strategy creating an enabling environment for carriers to establish 5G networks.

The Government is further supporting 5G now that is has reached a level of maturity that enables more advanced use cases to be demonstrated. Through the Australian 5G Innovation Initiative announced in the 2022-21 Budget, the Government is investing in demonstrating the benefits of 5G to businesses through funding practical trials and testbeds of 5G technology. These trials will also showcase the benefits of the technology more widely to all Australians.

Competition is the foundation of Australia's 5G Strategy. Competition in Australia's mobile market has been highly successful in delivering investment in infrastructure across metropolitan and regional Australia, strong consumer take-up of mobile services, and positive consumer outcomes on pricing and inclusions. The GSMA has assessed Australia as having some of the world's best mobile services.

The Committee's report provides a timely insight into the opportunities 5G can bring to the Australian economy from improvements in productivity, new use cases for the Internet of Things and smart cities, regions, and industries. The recommendations touch on the work of a diverse range of portfolios including Education, Industry and Health, in addition to Communications.

The Government thanks the Committee for its thorough review and the Government notes that it is considering the important matters raised as part of its future policy development. As noted by the Committee, several of the recommendations are the responsibility of the telecommunications industry and the Government will continue to work in partnership with industry to make sure that the benefits of 5G are realised in a timely manner.

Specific responses to the recommendations of the Committee are below.

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Recommendation 1

The Committee recommends that spectrum allocation be finalised expeditiously and that the Australian Communications and Media Authority, in conjunction with the Department of Communications and Australian Competition and Consumer Commission, investigate how future spectrum auctions can promote improved market competition for the benefit of consumers.

The Australian Government supports this recommendation.

The Australian Communications and Media Authority (ACMA) has an ambitious forward work plan for 5G-relevant spectrum allocations in support of the Australian Government's communications policy objectives to support the deployment of 5G technologies. This includes the planned auctions in the 26 GHz and 850/900 MHz bands, and the optimisation of the 3.4 GHz band. Government decisions are informed by comprehensive advice from ACMA and the Australian Competition and Consumer Commission on each allocation and accompanied by extensive consultation with industry and the public.

The Australian Government is committed to delivering spectrum reform that will provide tangible improvements in spectrum management and a more efficient regulatory framework.

In October 2019, the Government committed to a staged approach to amend the *Radiocommunications Act 1992*. The Government will progress targeted amendments to the legislation that are designed to achieve benefits for industry and spectrum users.

The Radiocommunications Legislation Amendment (Reform and Modernisation) Bill 2020 was introduced to the House of Representative on 27 August 2020. The Bill provides for:

- extension of spectrum licence terms to a maximum of 20 years, with clearer licence renewal processes and improved investment certainty;
- removal of unnecessary constraints in spectrum allocation and reallocation processes;
- the greater alignment of arrangements for apparatus licences and spectrum licences;
- clarification of the roles and responsibilities of the Minister for Communications and the ACMA in policy setting, spectrum management and regulation; and
- improved technical regulation, streamlined device supply schemes and to introduce graduated enforcement mechanisms for breaches of the Act.

As part of the 2020-21 Budget, the Government announced the investment of \$7.2 million in systems to promote the efficient allocation of spectrum. This includes:

- designing and implementing a modern auction capability to allocate spectrum bands for 5G services and beyond; and
- updating and simplifying digital spectrum licence system to provide SMEs with simple, clear and fast ways to access the spectrum and licences through an efficient digital licensing system.

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The Committee recommends that the Australian Government facilitate discussions between carriers, network operators and utility and infrastructure owners for managing redundant and/or ageing telecommunications equipment.

The Australian Government supports this recommendation.

The Government is progressing discussions with industry about how to address this issue. One option under consideration is to amend the *Telecommunications Code of Practice 2018* to include a requirement for carriers to remove redundant equipment from assets owned by utilities and infrastructure owners.

The former Department of Communications and the Arts established the Powers and Immunities Reference Group in 2018 to bring together peak level bodies (representing carriers, utilities, local government and commercial building owners) to identify and work through improvements to the operation of Commonwealth laws that assist carriers to deploy their networks. An action item undertaken by the Powers and Immunities Reference Group is to complete a stocktake of equipment located on their respective infrastructure to help understand the extent of the problem. The equipment stocktake will assist in identifying equipment that is redundant, as well as updating ownership information for legacy equipment that may still be in operation.

It is important to note that where the equipment is owned by a telecommunications carrier, infrastructure owners will need to engage with the carrier about the removal of the equipment. This is because section 474.6 of the *Criminal Code Act 1995* provides that it is an offence for a person who tampers or interferes with a facility owned or operated by carriers, carriage service providers, and nominated carriers.

The Committee recommends that the Australian Government commence a review of the low impact facilities framework to ensure that its powers to encourage co-location of facilities and equipment are fit-for-purpose in a 5G environment. As part of this process, the Australian Government should begin reviewing carrier arrangements for 5G infrastructure sharing.

The Australian Government supports this recommendation.

The Australian Government's 5G Strategy proposes actions to streamline arrangements to allow mobile carriers to deploy infrastructure more quickly and review existing telecommunications regulatory arrangements to ensure they are fit for purpose.

The Government is reviewing the powers and immunities framework to update and reform arrangements that will assist mobile carriers deploy 5G equipment, specified as low-impact facilities, while making sure that arrangements continue to balance the interests of communities.

The nature of 5G will require carriers to deploy networks with a larger number of smaller cells, which means an increased amount of infrastructure is needed to provide services to consumers. The Department of Infrastructure, Transport, Regional Development and Communications (the Department) is working with carriers to understand how 5G technology is likely to evolve, for example, whether transmitters are likely to get smaller, and the implications this will have for co-location of equipment on infrastructure.

The Committee recommends that the Department of Communications and the Arts assess the suitability of current powers and immunities arrangements, especially in relation to the timeframes for raising objections, noting the likelihood of an increased number of installations for the deployment of 5G.

The Australian Government notes this recommendation.

The Powers and Immunities Reference Group recommended to the Department that more detailed information needs to be provided to landowners and occupiers by carriers as part of the notification process to help them understand their right to object to proposed activities, and the timeframes that those objections need to made by, in the current powers and immunities framework.

The Department is developing fact sheets to be made available setting out the obligations of carriers in undertaking proposed activities and the rights of landowners and occupiers in relation to those proposed activities. The fact sheets are being developed for different audiences such as local councils, utilities and infrastructure owners, and the community.

The Department will continue to engage with stakeholders on the powers and immunities framework through existing mechanisms such as the Powers and Immunities Reference Group.

The Committee recommends that carriers work with state and territory road and transport infrastructure managers to ensure that safety standards are maintained.

The Australian Government supports in principle this recommendation.

The Government acknowledges that the actions of this recommendation are a matter for carriers and state and territory road and transport infrastructure managers in the context of workplace health and safety legislation in each state and territory and common law.

The Government notes that road authorities are members of the Powers and Immunities Reference Group and have raised safety as an issue for consideration in the context of reforms to the powers and immunities framework.

The Government notes there are existing provisions in the powers and immunities framework requiring carriers to ensure installations:

- comply with good engineering practice along with any standard that relates to the activity;
- are recognised by the ACMA as a standard for use in that industry; and
- are likely to reduce a risk to the safety of a person if the carrier complies with the standard.

There is an option available for road authorities to have existing technical or administrative guidelines about telecommunications installations in road reserves to be recognised as an industry code or standard by ACMA.

The Committee recommends that carriers consider multiuser infrastructure sharing to ensure that rural and regional consumers benefit from 5G services in a timely manner, and ensure adequate coverage across all 5G spectrum bands.

The Australian Government supports in principle this recommendation.

While the Government acknowledges that the actions of this recommendation are a matter for carriers it notes that there are mechanisms in the regulatory framework to encourage telecommunications carriers to share infrastructure. The framework provides carriers with statutory rights of access to other carriers' towers, and the sites on which those towers are located, subject to the technical feasibility of co-location.

Co-location is the standard industry model for infrastructure sharing in Australia. Typically it occurs on a site-by-site basis with co-location decisions being made based on the circumstances of individual locations. The Mobile Black Spot Program has promoted competition and efficiency outcomes by encouraging mobile network operators to co-locate on base stations funded by the Australian Government. This has included providing other mobile network operators with the opportunity to participate in the pre-design stage on base stations where they wanted to co-locate, agreed minimum technical specifications for co-location, subsidised backhaul, an independent dispute resolution process and requiring co-location to be offered where technically feasible. To date approximately 28 per cent of Round 1 to 4 funded base stations offer co-location or are co-locating on existing infrastructure.

Internationally, there has been a move to more advanced infrastructure sharing models to deliver mobile services in non-commercial areas. Draft guidelines for Round 5A, developed following consideration of feedback from industry and the community, were recently released for consultation, and include measures to incentivise applications that use sharing models to support the provision of mobile services by more than one operator.

Additionally, while it is still early in the rollout of 5G, carriers have already begun to deploy 5G in some regional centres. This has provided some regional customers with access to 5G. It is a commercial decision for the carriers to decide how they progress their respective 5G rollouts, including both installation of 5G network infrastructure and the management of their spectrum assets. It is noted that carriers have upgraded their mobile networks to adopt progressive generations of mobile technology on a national basis.

The Government also acknowledges the role of the Australian Mobile Telecommunications Association's Mobile Carriers Forum (MCF). The MCF facilitates co-location as well as sharing of information around deployment planning and community consultation. Industry has identified that there are economic incentives that encourage co-location of facilities and equipment. Industry has also acknowledge that there are also economic incentives for active sharing of infrastructure and consider that it is likely that carriers will pursue their own commercial arrangements where this is feasible.

The Committee recommends that carriers ensure rollout trials are conducted in regional and remote areas, and the Committee notes proposals for large scale trial with one of Australia's most innovative farming regions.

The Australian Government supports this recommendation.

The Government acknowledges that the actions of this recommendation are a matter for carriers, but recognises that there is an opportunity to support innovative farming practices with 5G. Recognising the benefits of 5G for regional communities and businesses, the Australian 5G Innovation Initiative is expected to fund the testing and trialling of 5G use cases in regional Australia, including agriculture (subject to an open and competitive grants process).

The telecommunications industry has noted that agriculture is a sector where there could be significant benefits from 5G. The industry has noted that members are collaborating with the agricultural sector in relation to innovative applications of 5G that promise to increase efficiency and yield.

The Government recognises the efforts of the carriers to test and trial 5G across Australia including their efforts in regional areas. The development of trials for 5G uses cases, including agricultural use cases, by the telecommunications carriers will be a commercial decision for carriers. All three of Australia's major telecommunications carriers have noted the potential for 5G to facilitate innovative use cases in regional and farming communities. In 2018, Telstra announced a partnership with the National Farmers' Federation (NFF), along with other state-level peak agricultural groups, to explore the potential for 5G. In 2020, Optus announced a partnership with Curtin University to uncover the benefits of new use cases for West Australian industries in the mining, oil and gas, agriculture and health sectors. TPG Telecom (formerly Vodafone), has acknowledged the potential benefits of 5G in supporting IoT applications in agricultural processes.

The Committee recommends that the Australian Government investigate ways to encourage the manufacture of 5G infrastructure within Australia.

This may be done initially via the Department of Industry, Science and Technology working with Australian telecommunications and related industry partners to examine how Australia could actively participate in the manufacture of components and equipment for use in the rollout of 5G networks - and that manufacturing partnerships be considered with Canada, New Zealand, United Kingdom and United States.

To help enable this, the Australian Government should establish a 5G R&D Innovation Fund to fast track the development and scale-up of alternative manufacturing approaches to reduce the duopoly dependency on 5G related equipment.

The Australian Government notes this recommendation.

The Department of Industry, Science, Energy and Resources has consulted with the Australian mobile telecommunications industry. Australian mobile carriers have existing commercial arrangements with established manufacturers for the supply of 5G components and equipment for their 5G rollouts, and Australian manufacturing of this equipment is not a priority for their rollouts. However, local industry partners are collaborating with network equipment vendors to contribute significantly to the 5G rollout in areas such as civil works site construction, assembly, integration and tuning of network equipment.

The Australian Government will continue to support Australian research, development and manufacture of technologies that complement 5G such as automated vehicle systems and advanced sensors. The Government will also encourage Australian research and development into future generations of mobile communications technologies that are expected to follow 5G.

On 1 October 2020, the Government announced the \$1.5 billion Modern Manufacturing Strategy (the Strategy) to harness Australia's manufacturing capability to increase competitiveness, build scale and enhance our future resilience. The Strategy contains a number of significant measures designed to support transformative investments in technologies and processes by manufacturers.

This builds on the Government's commitment to supporting our manufacturing industries to grow, create jobs and to become globally competitive through the first round of the Manufacturing Modernisation Fund, the \$100 million Advanced Manufacturing Fund, the Advanced Manufacturing Growth Centre, the Research and Development Tax Incentive, Entrepreneurs' Programme, and higher education research funding and industry-research collaboration via the Cooperative Research Centres Programme.

The Committee recommends that the Australian Government conduct a review of current legislative arrangements enforcing network and data security for the supply of 5G equipment. Further, as part of this framework, it must be incumbent on vendors to enforce Cyber Supply Chain Risk Management throughout procurement, roll out and maintenance of the 5G network.

The Australian Government notes the Committee's recommendation.

Telecommunications carriers generally operate their networks on a commercial basis. Telecommunications companies are responsible for managing their supply chains.

However, there are security obligations on telecommunications carriers in the *Telecommunications Act 1997*, which go to telecommunications supply chains. These provisions include:

- a security obligation, which requires carriers and carriage service providers to do their best to protect telecommunications networks and facilities from threats to national security;
- a notification requirement, which requires carriers and nominated carriage service
 providers to tell the Government about any proposed changes to their
 telecommunications systems or services that the carrier or provider considers is likely
 to have a material adverse effect on their capacity to comply with their security
 obligation;
- the ability for the Government to obtain information from carriers and carriage service providers in certain circumstances to assess compliance with their security obligations; and
- the ability to intervene and issue directions to carriers and carriage service providers in cases where the Minister for Home Affairs consider there are significant national security concerns that cannot be addressed through other means.

The Parliamentary Joint Committee on Intelligence and Security is already required to undertake a review of these provisions, commencing in September 2020, and concluding by September 2021.

Additionally, on 6 August 2020 the Government released the 2020 Cyber Security Strategy which establishes a Best Practice Regulation Taskforce to work with business to consider options for better protecting customers by ensuring cyber security is built into digital products, services and supply chains.

On 12 August 2020 the Government announced a consultation process on a package of reforms to strengthen the security and resilience of Australia's critical infrastructure, the communications sector has been identified as a sector likely to be affected by these reforms.

The Committee recommends that ARPANSA implement a suitable mechanism to consult with members of the community regarding the safe levels of electromagnetic radiation.

The Australian Government notes this recommendation.

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) provides expert advice on radiation protection and nuclear safety matters to the Australian Government. ARPANSA also publishes the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz* ('ARPANSA Standard') which sets limits for EME exposure and the standard is not limited to communications equipment.

As the Committee has found, 5G network facilities generate low levels of EME in the same way as existing 3G and 4G telecommunications networks. While 5G networks and devices are new, the radio waves used to deliver existing networks will also be used for 5G. These waves, including the higher frequency waves, have been extensively researched and are not hazardous to human health.

Under the Enhanced EME Program, which was announced on 16 December 2019 by the Hon Paul Fletcher MP, Minister for Communications, Cyber Safety and the Arts, and Senator the Hon Richard Colbeck, Minister for Aged Care and Senior Australians, responsibility for broad delivery of public information about the safety of electromagnetic energy/radiation from telecommunications facilities transferred from ARPANSA to the Department of Infrastructure, Transport, Regional Development and Communications.

ARPANSA's role (under the Program) focuses on research and measurement studies through consultation with radiation protection experts and international engagement. ARPANSA has also received \$2 million in funding to upgrade its EME laboratory to enable measurement and calibration of testing instruments and research on technologies that will operate at higher frequencies such as 5G devices. ARPANSA will continue to provide information to the public on radiation protection through its existing communications platforms, which include its website and Talk-to-a-scientist program.

A revision of the ARPANSA Radiofrequency Standard is underway, based on revised international guidance, and public consultation on a revised draft commenced in August 2020. ARPANSA has engaged international partners, such as the World Health Organization to fund assessments on the state of EME research.

The Department of Infrastructure, Transport, Regional Development and Communications has taken on the broader role of providing clear and accessible information to all members of the public. This work has already commenced with updated and easier to find information on the Department's website.

The committee, welcoming the Australian Government's decision to establish a new community information campaign on 5G, recommends that the Government work closely with the ACMA to develop an integrated and comprehensive campaign that can respond to concerns raised about the new network.

The Australian Government supports this recommendation.

As part of the Enhanced EME Program, the public information campaign, funded to \$1.8m over four years, will incorporate information about 5G, but will also aim to improve public understanding of wireless communications and the regulatory framework that applies to all networks. The Communications portfolio has carriage of this task and the Department of Infrastructure, Transport, Regional Development and Communications is working with relevant agencies, including ACMA, to design and deliver clearer information for the public.

The Committee recommends the Department of Communications and Department of Education and Training, review how current ICT curricula for roles in 5G related industries in TAFE, accredited training providers and tertiary institutions should be modified to ensure graduates are industry-ready.

The Australian Government notes this recommendation.

Review of Telecommunications Qualifications

The Australian Government has recognised the need to prioritise skills in the Information and Communications Technology (ICT) industry, including in relation to 5G. The relevant Certificate II, Certificate III and Certificate IV in Telecommunications qualifications were revised in August 2019 to meet industry's current and future skills needs with fit-for-purpose training products for the ICT industry (refer <u>Attachment A</u>). As part of that review, the rollout of 5G technology was considered in detail.

In June 2020, the Information and Communications Technology Training Package was further updated. This update had an IT focus and was designed to enable reskilling and upskilling into a range of roles in the ICT sector, such as data analysts, cloud computing developers, network engineers and network security specialists, and to ensure that graduates are job ready. These skills will support 5G related industries.

Currently, the Diploma, Advanced Diploma, Graduate Diploma, and Graduate Certificate in Telecommunications are under review and 5G technology will be considered by the ICT Industry Reference Committee as it updates those qualifications. This review is expected to be complete by December 2020.

The review of these ICT training qualifications is undertaken through an established, industry-led process for the regular assessment, review and revision of vocational education and training (VET) qualifications. The governance of this review process is set out below.

Governance

The COAG Industry and Skills Committee established the Australian Industry and Skills Committee (AISC) to approve nationally recognised VET training packages for implementation and to provide industry advice to Commonwealth, State and Territory governments.

The AISC is supported in this role by its network of 66 Industry Reference Committees (IRCs) made up of industry experts who are best placed to know the skill standards needed in the workplace. IRCs are supported in undertaking national consultation and technical writing of training package updates by six professional Skills Service Organisations that are funded by the Commonwealth.

Adjustments to qualifications are also informed by Industry Skills Forecasts. Industry Skills Forecasts bring together key economic and occupation data with industry intelligence to build an evidence base about the need for training package updates. The AISC approves training package development projects for funding on the basis of this evidence.

ICT Curricula

While the Government notes the Committee's recommendation to review ICT curricula, it is the responsibility of training providers in the VET sector to develop teaching strategies and assessment methods that will see students achieve the expected outcomes of a qualification. This ensures that the delivery of training is both nationally consistent and best able to meet the local needs, abilities and circumstances of students and industry.

Universities are autonomous bodies responsible for course design and curriculum and as such, the Government has no direct involvement in the development of curriculum for specific courses delivered through tertiary institutions. These institutions are regulated by the Tertiary Education Quality and Standards Agency, which is the independent national quality assurance and regulatory agency for tertiary education.

The Committee recommends the Australian Government lift apprenticeships in the ICT sector apprenticeships to assist with the rollout of 5G in Australia.

The Australian Government notes this recommendation.

The Government provides a range of financial incentives under the Australian Apprenticeships Incentives Program (AAIP) aimed at encouraging employers to take on Australian Apprentices, including in the areas of telecommunications and related trades. These incentives include:

- standard incentives available at commencement and at completion;
- incentives for specific target groups such as mature age workers and adult apprentices, and school-based apprentices; and
- incentives and capped wage subsidies for employers of apprentices in rural and regional locations in areas of national skills needs, under the Rural and Regional Skills Shortage Incentive and Australian Apprentice Wage Subsidy trial.

On 4 October 2020, the Australian Government announced the \$1.2 billion Boosting Apprenticeship Commencements wage subsidy for employers of any size or industry. This assistance will support up to 100,000 new apprenticeships across Australia and is in addition to the \$2.8 billion Supporting Apprentices and Trainees wage subsidy which is helping small and medium businesses to keep their apprentices and trainees in work and training.

The Committee recommends that the Australian Government work with carriers to develop campaigns to boost industry awareness about the advantages of 5G to businesses to help realise the benefits of this new network quickly. This campaign should include elements to lift 5G awareness within local government.

The Australian Government supports this recommendation.

The Government has been working with carriers to realise the benefits of 5G across a range of industry sectors. Since 2018 the Commonwealth has led a 5G Working Group that brings together representatives from across the telecommunication industry and Government to raise awareness of 5G. Additionally, the 5G Working Group seeks to identify enablers and barriers to the take-up of 5G in Australia.

The promotion of particular technology more broadly is the responsibility of carriers. Competition is the foundation of Australia's 5G Strategy. Competition in Australia's mobile market has been highly successful in delivering investment in infrastructure across both metropolitan and regional Australia, strong consumer take-up of mobile services and positive consumer outcomes on pricing and inclusions. The Government is committed to enabling strong competition and minimal regulation in the telecommunications sector to deliver the effective deployment and use of 5G.

However the Government recognises the importance of raising awareness of the benefits of 5G across government and industry. The Australian 5G Innovation Initiative has been established by the Government to foster 5G innovation and highlight the benefits of 5G to Australians and businesses in Australia. 5G's productivity benefits come principally from its ability to support new applications. Increasing awareness of the technology's ability to support new use cases will help demonstrate the benefits of 5G.

Additionally, carriers are actively raising awareness of 5G in a number of ways. Carriers have also partnered directly with industry to develop applications of the technology. Telstra and Ericsson, for example, have announced plans to collaborate with Commonwealth Bank of Australia to explore the potential of 5G edge computing technologies for the financial services sector. Carriers have also invested in research and innovation centres, with the aims of facilitating industry collaboration and developing use cases. Telstra and Ericsson have both established 5G Innovation Centres, and Optus has partnered with Curtin University to co-invest in 5G research and learning amongst students, researchers, and enterprise.

The Australian Government recognises the importance of 5G technology for all levels of government and partners with state and local Governments to pursue innovation and digital opportunities including deployment and use of 5G technology. Under the Western Sydney City Deal the Australian Government has supported the NSW Government and eight local councils to develop a 5G Strategy for the Western Parkland City. The Strategy provides the framework for governments at all levels to partner with the telecommunications industry to support investment, take-up and use of 5G, and supports trials of the technology to test 5G use cases and maximise connectivity in Western Sydney.

Attachment A

Telecommunications Qualifications Updated 30 August 2019

ICT20219- Certificate II in Telecommunications Network Build and Operation

ICT20319- Certificate II in Telecommunications Technology

ICT30419- Certificate III in Telecommunications Network Build and Operation

ICT30519- Certificate III in Telecommunications Technology

ICT41219 - Certificate IV in Telecommunications Engineering Technology

ICT41119 - Certificate IV in Telecommunications Network Design



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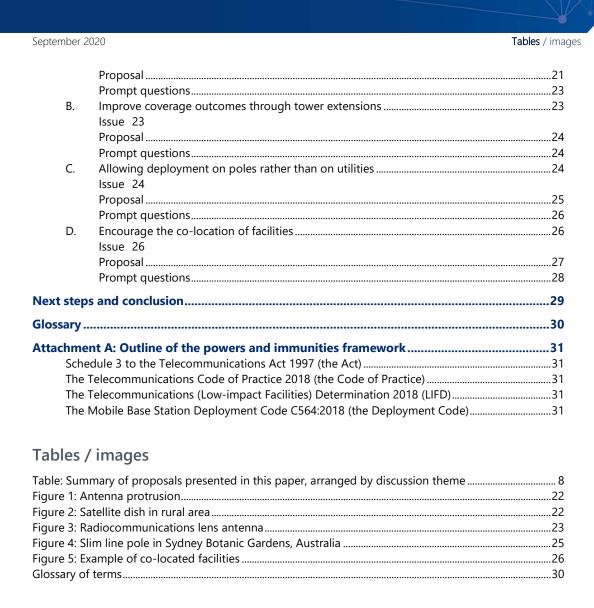
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Introduction

Telecommunications services play an important and expanding role in how people in the community go about their daily lives and how businesses operate. The Government is committed to Australians having ready access to high-quality, reliable and affordable telecommunications services.

Digital connectivity is a key enabler of Australia's social and economic activity. The mobile and fixed telecommunications networks that provide this connectivity are critical to our lives. Mobile services have long outnumbered fixed services, although fixed services carry greater volumes of data. In June 2019, there were 7.82 million fixed-line phone services in operation and approximately 16.4 million Australians had a smartphone.¹

The direct contribution from the technology sector in Australia is around \$69 billion while the broader total contribution from the technology sector is around \$122 billion (including both direct and indirect contributions).²

In April 2018, the Department's Bureau of Communications and Arts Research (BCAR) examined publicly available sources on the likely costs and benefits of 5G in order to model the impact of the technology on productivity and economic growth. Based on this evidence, the BCAR estimated 5G could provide an additional \$1,300 to \$2,000 in gross domestic product per person after the first decade of the rollout.³ The sooner 5G networks are deployed, the sooner these economic opportunities are likely to be realised.

5G represents a step change in mobile communications, with several characteristics that differentiate it from 4G. In particular, 5G will offer significantly greater capacity and faster data speeds, significantly lower signal latency or delay, and will support much larger numbers of devices in a given area.

5G also promises better outcomes in terms of spectrum efficiency, energy usage (both in the network and in devices), mobility at high speed and reliability.

It has been designed to deliver greater capabilities to support improved and new applications, not only for the mass market, but also industrial and enterprise users. As such 5G is seen as a general purpose technology that can underpin a range of industrial, agricultural and other commercial applications.

The rollout of 5G requires a new wave of infrastructure investment, the costs of which will largely be absorbed by telecommunications carriers. This infrastructure investment will be different to the previous wide scale rollouts of mobile communications and will use a much more diverse range of technology solutions.

¹ Australian Communications and Media Authority, Communications Report 2018-19, pg. 5, available at https://www.acma.gov.au/sites/default/files/2020-04/Communications%20report%202018-19.pdf

² AlphaBeta, September 2019, Australia's Digital Opportunity: Growing a \$122 billion a year tech industry, Page 12, www.alphabeta.com/wp-content/uploads/2019/09/australias-digital-dividend-final.pdf

³ BCAR, 2018, Impacts of 5G on productivity and economic growth: Working paper, Page 1, www.communications.gov.au/departmental-news/impacts-5g-productivity-and-economic-growth

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5G services will use a mix of different frequency bands that include higher frequency bands with different properties, and different deployment models.

- Where high frequency bands are used there may be a need to deploy a relatively dense network of equipment to account for its inability to propagate over longer distances. Where these frequency bands are used there may be a greater number of small cells that will be deployed in closer proximity to one another in high traffic areas, such as metropolitan areas and CBDs.
- Where mid-band spectrum is used there may be deployments more similar to previous generations of mobile networks. 5G infrastructure will work in conjunction with the existing telecommunications network that already uses a mix of macro cell towers and small cell technologies. The design of 5G networks will respond to the demand for telecommunications services as well as the suitability of network architecture for the environment in which it is deployed. In regional areas 5G small cells may be deployed in town centres, but will be supported by macro towers to make sure sufficient coverage is provided over larger distances. Alternatively, 5G services in metropolitan or suburban areas can use small cells deployed on public infrastructure in a way that reduces visual impact, such as light poles, supported by 4G and 5G macro cells.

Backhaul needs will also differ depending on the location of the rollout. For rollouts in metropolitan or suburban areas, backhaul could be provided by fibre networks. However, in regional areas, backhaul could be provided by microwave radiocommunications links making a number of hops before connecting to a fibre network backbone or via satellite. The design of 5G networks has a new range of trade-offs compared to previous generations of mobile technology that will need to be taken into account in network design and configuration.

The need to improve the powers and immunities framework

Since 1997, laws at the Commonwealth level⁴ have allowed carriers to deploy equipment classified as 'low-impact' in a nationally consistent way across Australia. These laws are known as the 'powers and immunities framework'.

Powers and immunities are important as they provide a nationally consistent framework for the deployment of telecommunications facilities that both reduces cost for carriers and ensures carrier powers are used appropriately and landowner interests are protected.

When rolling out low-impact facilities, carriers have to act in accordance with good engineering practices and interfere as little as practicable with the landowner's use of the land. Carriers are required to notify landowners and land occupiers if they are planning to undertake upcoming works. This includes telling landowners and occupiers about plans to install telecommunications infrastructure. A notice should be sent at least 10 business days before the carrier starts any activity on the land. Landowners can use the 10 business days to raise concerns with the carrier.

⁴ Schedule 3 of the *Telecommunications Act 1997*.

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Carriers have to advise landholders of:

- their right to object
- the available grounds for objection (for example, the use of the land or the location of the facility on the land)
- the right to have a decision reviewed by the Telecommunications Industry Ombudsman (TIO), and
- timeframes for lodging objections.

The powers and immunities framework reduces the costs for carriers, which in the competitive market are passed on to consumers in the form of lower prices and improved services. Equally important, the framework means that carriers are more readily able to provide services in regional and rural Australia, where the costs to provide services would otherwise be prohibitive.

Telecommunications are often regarded as a vital input to essential services—for example, water, electricity and transport. The utilities sector has a long history of using telecommunications to deliver cheaper and more reliable services to the communities they serve.

The upcoming scale and level of investment in 5G networks requires a review of the framework to ensure it is efficient and effective in today's operating environment. This paper seeks stakeholder feedback on how to balance both deployment and landowner needs.

In 2017, the Government consulted on 24 proposed reforms to the powers and immunities framework requested by mobile carriers and NBN Co. The reforms sought to:

- allow some new types of facilities to be specified as low-impact facilities,
- make changes to some existing facility types subject to the framework, and
- streamline land owner notification and objection rules.

Of the 24 proposals, the Government at the time implemented 10 reforms in 2018 and agreed to consult further on the remaining reform proposals.

To improve the operation of the existing powers and immunities framework, the Department established the Powers and Immunities Reference Group (PIRG), comprised of carriers and property owner stakeholder groups including the Property Council of Australia, the Australian Local Government Association, rail and road authorities, and water and energy utilities.

The Powers and Immunities Reference Group has met eight times since its formation in 2018 and has recommended six reforms to the powers and immunities framework that are included in this paper.

In 2019, workshops were held with carriers on proposed improvements to the powers and immunities framework and resulted in four proposals being nominated that would benefit network deployments. These proposals are also included in this paper for consideration.

Ideas presented in this paper

The ideas in this paper have been drawn from the public submissions to the 2017 consultation process, discussions held at the Powers and Immunities Reference Group and carrier workshops.

This paper outlines each reform area, key issues for consideration and possible implementation approaches. Many of the proposals could be implemented in a variety of ways; ranging from non-regulatory intervention through to legislative change. Your feedback on these reforms is important to

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Themes discussed in this paper

assist Government in considering what reforms are required to achieve a powers and immunities framework that meets the needs of modern Australia.

The Department welcomes your views on these proposals. Each proposal is accompanied by a series of prompt questions to help guide your response. These are not definitive questions and we welcome views on all aspects you consider relevant to the proposals.

The proposals are categorised into three themes.

Themes discussed in this paper

Safety and notification

It is paramount that facilities are installed safely and operate in accordance with best safety and
engineering practices. Clear notification processes assist in decision making for landowners, the
community and carriers. The paper seeks views on how safety and notification processes can be
strengthened.

Objections and protections

The existing framework includes processes for objections and protections. The paper seeks
feedback on whether these safeguards provide the correct balance between addressing
community concerns and meeting deployment needs.

Facilitating services in line with community expectations and to support economic growth

Telecommunications services are increasingly critical to both economic and social activity. For
example, telecommunications services have played an important role during the COVID-19
pandemic to enable the continued functioning of Australia's economy with many people
working, studying and operating businesses remotely. The paper seeks feedback on proposals
to improve coverage and backhaul outcomes to continue providing the modern
telecommunications services on which the community relies.

Table: Summary of proposals presented in this paper, arranged by discussion theme

| Safety and notification | Objections and protections | Services in line with community expectations |
|---|--|--|
| Creation of a primary safety condition | Clarifying objections processes for landowners | Improving coverage through better facilities, where safe |
| Standard notifications across industry | Allowing carriers to refer objections to the TIO | Improving coverage through tower extensions |
| Withdrawal of notifications | Removal of redundant equipment | Allow small cell deployments on poles rather than on utilities |
| Requirement for engineering certification | | Encourage co-location of facilities |
| Extension of notification timeframes | | |

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Themes discussed in this paper

The consultation process

The Department welcomes your views on these proposals. Each proposal is accompanied by a series of prompt questions to help guide your response. These are not definitive questions and the Department welcomes views on all aspects you consider relevant to the proposals.

The Department would welcome written submissions on the proposals outlined in this paper and is available to meet with stakeholders to discuss the proposals. Instructions on how to make a submission are provided at the end of this paper. If you have any questions on the proposals set out in this paper or the consultation process, or would like to arrange a meeting with the Department, please send an email to powersandimmunities@communications.gov.au or contact:

Rachel Blackwood Assistant Secretary Spectrum & Telecommunications Deployment Branch Department of Infrastructure, Transport, Regional Development and Communications Telephone (02) 6271 1591

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1. Safety and notification

Stakeholders who interact frequently with the powers and immunities framework include larger landowners, such as public utilities, road authorities and local governments. The proposals set out in this section of the paper are intended to address the concerns of larger landowners while also clarifying the framework for smaller landowners, including residential landowners, who may be less frequently impacted.

It is paramount that facilities are installed safely and operated in accordance with best practice. This was a strong theme in submissions to the 2017 consultation process and has been reinforced in subsequent workshops with stakeholders.

In this paper, safety is referred to in the following context:

- compliance with engineering standards and practices, and
- ensuring the structural integrity of infrastructure or assets that telecommunications equipment may be installed on.

Issues related to potential health and safety of electromagnetic energy (EME) emitted by telecommunications installations are outside the scope of this paper. There is a separate work program being undertaken in relation to EME.

In December 2019, the Government announced a program to provide more accessible information to the community about, and more research into, EME from telecommunications facilities. With this funding, the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) will deliver targeted research and measurement studies. The Department of Infrastructure, Transport, Regional Development and Communications is responsible for the delivery of clear and accessible information for the public about EME from telecommunications technologies.⁵

A. Creation of a primary safety condition

Issue

The powers and immunity framework gives a carrier rights to install certain kinds of 'facility' on another person's land and exemption from compliance with relevant State or Territory planning laws. This means the consent of the landowner (who could be a utility owner) is not needed, which can create concern that safety obligations will not be met.

Within the current framework, carriers are subject to a number of existing safety obligations. Reasonable safety measures, in line with expert advice, should be in place for any activity undertaken by a carrier. There are existing provisions in the powers and immunities framework that require carriers to ensure installations do as little damage as practicable, comply with good engineering practice, interfere as little as possible with the operations of public utilities, roads, traffic and the use of the land, and complies with industry standards recognised by the Australian Communications and Media Authority (ACMA).⁶ It is also the case that carriers must comply with the occupational health

⁵ Further information on EME is available at https://www.communications.gov.au/what-we-do/spectrum/electromagnetic-energy-eme

⁶ Division 5 of Part 1 of Schedule 3 of the Act sets out the conditions carriers must comply with when carrying out activities using the powers and immunities framework.

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and safety legislation in each state and territory, and that carriers can also be found negligent under common law.

It is important that equipment is deployed in a safe way. It is particularly important that carriers deploy facilities in a way that does not interfere with the operation of essential utilities. These services need to operate in tandem to produce the greatest benefit to the community.

Proposal

We seek your views on whether a new section outlining a primary safety condition could be added to the Code of Practice to make clear, and reaffirm, that safety of telecommunications installations is paramount. As discussed above, the focus would be on maintaining the structural integrity of infrastructure or assets on which telecommunications equipment may be installed. For example, the proposed primary condition could:

- make more explicit the existing safety obligations carriers must comply with,
- apply to other areas of the Code of Practice, such as in agreements between carriers and public utilities regarding inspection, installation and maintenance activities, and
- reinforce the need for carriers to comply with standards, including industry standards and codes registered by the ACMA under Part 6 of the Act.

Industry codes that are not registered by the ACMA could also be used to provide operational guidance and co-ordination for the safe installation of telecommunications facilities on sites or infrastructure managed by utilities and other landowners. Compliance with these types of industry codes is unable to be enforced by the ACMA.

The Code of Practice would need to be amended to include the new primary safety condition. The content of the proposed amendment would be consulted on before the Minister amended the Code of Practice.

Prompt questions

- 1. Do the current safety arrangements provide assurance for the safe and effective implementation of telecommunications equipment?
- 2. If no, what additional regulatory mechanisms may provide that assurance?
- 3. Would the addition of a primary safety condition to the Code of Practice provide that assurance?

B. Standard notifications across industry

Issue

Stakeholders, including those representing landowners in the Powers and Immunities Reference Group, have raised the need to have access to deployment information in a consistent and timely manner. This assists with making decisions on how to manage their land and operations during deployment and their rights to objection processes.

The legislation underpinning the powers and immunities framework already provides for a notification process, whereby carriers are required to give a notice, referred to by industry as a land access and activity notice (LAAN), to landowners and occupiers before undertaking an inspection, installation or

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maintenance activity. The notice should inform the landowner about the activity proposed to be undertaken and relevant details associated with the proposed activity.

Specific feedback from stakeholders about the current process is that information provided in notices:

- can be different in each case,
- provides no certainty for the landowner or occupier about how long an activity could take,
- does not provide information about certification or what standard the activity will be certified to, or
- the timeframe to assess the proposed activity and request additional information, if needed, is
 often too short.

Standardising information in a notice required to be given by a carrier could help landowners make more effective decisions about the potential impact of proposed activities on their land, assets or operations.

Proposal

We seek your views on whether requiring new information to be included in a notice could enhance and clarify the existing notification procedures.

The Powers and Immunities Reference Group recommended the following information, or similar, could be specified for inclusion in a notice given by a carrier:

- indicative timeframes for proposed activities, such as when the activity will commence and how long the activity would usually take once commenced,
- for landowners that are public utilities, including road authorities, a statement explaining the
 proposed activity supplemented with technical drawings or plans, and the standards applicable
 to the activity, and
- for all other landowners, a plain English explanation of the proposed activity and the equipment to be installed or maintained. Landowners may request information from carriers about the technical plans or standards applicable to a proposed activity, however the provision of this information as part of the notification would only apply if the landowner is a public utility.

Including these requirements in the notice given by a carrier is intended to provide clarity to landowners about the process, and could reduce the need for landowners and occupiers to use the objections processes to gather further information about a proposed activity.

These changed information requirements could be incorporated into the Code of Practice.

The Powers and Immunities Reference Group also recommended that a template notice used by all carriers would be useful. While a template notice could contain the minimum information required to be provided about a proposed activity, it would not prevent carriers from including any additional information that could assist landowners' consideration of a proposed activity.

One option to implement this recommendation could be to develop an industry code that can be registered by the ACMA under Part 6 of the Act.

Alternatively, a condition could be included in the Code of Practice that the ACMA must prescribe the form of a notice. This type of approach was adopted in the United Kingdom where its communications regulator, OFCOM, prescribes the form of a notice to be given by carriers under each provision of the UK's land access code.

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Prompt questions

- 1. Is there any other information that could be included on a notice would provide clarity on the installation process and timeframes?
- 2. What benefits, either financial or non-financial would additional notice and information bring to landowners?
- 3. If possible, to what extent would the inclusion of a standardised notification process increase or decrease regulatory burden, and at what cost per notification?

C. Withdrawal of notifications

Issue

Stakeholders have expressed concern that there is no specific requirement in the notification process for carriers to advise landowners and occupiers if a proposed activity is cancelled or indefinitely delayed. At the same time, the framework does allow for a carrier to notify landowners of a delay or cancellation of the proposed activity and agree to different arrangements in consultation with the landowner.

Discussion in the Powers and Immunities Reference Group highlighted the confusion that can be caused in situations where carriers issue a new notice to a landowner specifying a similar activity as a previous, or current, notice. This confusion arises especially in situations where the landowner is unaware that the carrier did not proceed with the proposed activity.

The Powers and Immunities Reference Group recommended that carriers be required to withdraw a notice when the proposed activity is cancelled or indefinitely delayed to provide certainty and transparency for landowners and occupiers. This proposal is operational and designed to effect behavioural change by carriers encouraging greater interaction and engagement with the landowner or occupier.

Proposal

We seek your views on whether the level of carrier engagement sought by landowners and occupiers could be achieved by either of the following non-regulatory or regulatory options.

Option 1: Industry commitment to withdraw a notice

The behavioural change recommended by the Powers and Immunities Reference Group could be achieved if industry provided a commitment to withdrawing notices, where possible, in the event that a proposed activity is cancelled or indefinitely delayed.

This would be a non-regulatory approach and would not be part of the legislative framework underpinning the powers and immunities framework. Industry could consider whether this commitment could be demonstrated in any way, but it would be the responsibility of industry to do so.

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Succession Succession

Option 2: Formal requirement for a carrier to withdraw a notice

Alternatively, new requirements could be introduced either in an industry code registered by the ACMA or in the Code of Practice requiring carriers to follow a procedure to withdraw a notice when the proposed activity is cancelled or indefinitely delayed. Information about the procedure could include:

- minimum timeframes for the notice to be withdrawn, such as at least two business days before the planned activity is expected to begin,
- reference to the date of the original notice, and
- information explaining why the notice is withdrawn.

If the Code of Practice is identified as the appropriate location for this requirement, the content of the proposed amendment would be consulted on before the Minister amended the Code of Practice.

Prompt questions

- 1. How often has a lack of withdrawal of notice created a financial, or non-financial burden to a landowner? Please provide context to help explain your response.
- 2. To what extent would a notice of withdrawal, provided in a timely manner, reduce this burden?
- 3. What methods have carriers used to notify landowners that a proposed activity would not take place, or was cancelled? How effective are these methods?
- 4. How often would a withdrawal notice be required, and to what extent would this great an additional regulatory burden? If so, what is the anticipated financial regulatory burden each year?

D. Requirement to provide engineering certification

Issue

The powers and immunities framework requires carriers, when undertaking an activity under Schedule 3 of the Act, to do so in accordance with good engineering practice. Feedback from some public utilities operators is they would like greater visibility and certainty that the equipment on their land or assets has been installed in accordance with certified practices, including the relevant standards the equipment is installed under.

Some landowners indicated that, in the absence of having certification from the carrier, they had independently sought their own engineering certification for equipment to provide assurance the telecommunications facility has been, or in some cases will be, constructed in accordance with good engineering practice. This is duplicative, and should be avoided if possible.

While both utilities and carriers have standards with which they must comply, it is the utility owner that bears primary responsibility for maintenance and safety of the overall infrastructure—electricity pole, water tower or bridge. Providing engineering certificates about the telecommunications facility mitigates risk for all parties, especially as carriers are liable to pay compensation for financial loss or damage resulting from installation or maintenance of a facility.⁷

⁷ Section 42, Schedule 3 of the *Telecommunications Act 1997*.

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The Powers and Immunities Reference Group recommended a requirement be included in the framework that carriers are to provide engineering certificates about the telecommunications facility. Industry has advised that, in some cases, carriers may receive engineering certificates up to two months after the installation or maintenance activity has been completed and assessed.

Proposal

We seek your views on whether providing a copy of the engineering certificate to the landowner or occupier would add significant administrative cost or burden to the existing process.

The proposal would rest on industry commitment to provide the engineering certificate to a landowner or occupier, if requested, as soon as possible after the installation of the facility. This would be a non-regulatory approach and would not be part of the legislative framework underpinning the powers and immunities framework.

Alternatively, new requirements could be introduced in either an industry code registered by the ACMA or the Code of Practice requiring carriers to provide an engineering certificate to a landowner or occupier within 30 business days after the certification has been received. If implemented via a change of the Code of Practice, the content of the proposed amendment would be consulted on before the Minister amended the Code of Practice.

Prompt questions

- 1. What benefits would landowner or occupiers see in the provision of an engineering certificate within 30 business days after the certification has been received?
- 2. Would the provision of an engineering certificate to landowners increase the regulatory burden on carriers? If so, what is the estimated regulatory financial impact per year?

E. Extending notification timeframes

Issue

As noted above, feedback from stakeholders highlighted notifications received from carriers often did not include sufficient information so the impact of the proposed activity to day to day operations, or on land, infrastructure or assets could be understood. This situation means public utilities need to request additional information from carriers to make such an assessment. Some landowners noted situations where delays in receiving additional information from carriers has prevented them from being able to make an objection in time.

Public utilities landowners have suggested that extending the notification time for public utilities and road authorities from 10 business days to 20 business days would provide sufficient time for this information to be considered in detail without the need to use the objection provisions. The Powers and Immunities Reference Group did not make any recommendations regarding this proposal.

A submission from the Telecommunications Industry Ombudsman (TIO) in 2017 recommended that uniform timeframes should be applied across activities. The TIO recommended the:

- minimum notification timeframe be extended from 10 to 20 business days, and
- timeframe to provide a written objection to a carrier be extended from 5 to 10 business days.

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Clause 19 of Schedule 3 of the Act provides that notice must be given to utilities and road authorities at least 10 business days before the carrier begins to engage in an installation or maintenance activity. While the Act provides a minimum timeframe for notification, a carrier could still provide a notice well in advance of 10 business days or engage informally with public utilities well before the proposed activity is expected to take place. This behaviour is encouraged wherever possible.

The minimum notice period of 10 business days provided in Schedule 3 to the Act provides industry with a safeguard for those installation and maintenance activities that sit in between 'routine' and 'urgent'. These are the activities that are unable to be planned for and must be undertaken, but are not urgent. For routine installation and maintenance activities, it is more likely these activities would be subject to work planning exercises and resource allocations by industry, meaning that landowners and occupiers could be engaged with earlier in the process, even in an informal way.

Proposal

We seek your views on whether a legislative amendment to Schedule 3 of the Act to extend the minimum notification timeframe for utilities and road authorities from 10 business days to 20 business days would provide additional assurance to public utility landowners that they can meet the objection timeframes.

We also seek your views on alternative options that could achieve the same outcome. For example, the following activities intended to provide greater interaction and engagement from carriers could be included in an industry code registered by the ACMA:

- commit to greater engagement with landowners and occupiers in its business practices, and
- initiate or reinstate regular meetings with public utilities and road authorities, in particular, to share information about proposed deployments.

Informal engagement could be as simple as an email or letter outlining the proposed deployment, before the carrier gives a notice in accordance with the Act.⁸

Prompt questions

- 1. What are the benefits (financial and non-financial) of a non-regulatory approach in providing a longer notification timeframes?
- 2. What are the benefits (financial and non-financial) of a regulatory approach in providing a longer notification timeframe?
- 3. Should longer notification timeframes apply to all landowners, and not be limited to landowners that are public utilities and road authorities?
- 4. What would be the benefits (financial and non-financial) of providing a longer timeframe for objections to be made to carriers about proposed activities?
- 5. What other factors should be considered when considering whether to extend notification or objection timeframes?

⁸ Clauses 17 and 19 of Schedule 3 to the Act set out requirements regarding giving notice to landowners and occupiers.

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2. Objections and protections

It is important that the framework includes robust safeguards so that the interests of landowners and the community are taken into account and protected.

A. Clarifying the objections process for landowners

Issue

The Powers and Immunities Reference Group identified the need for more detailed information to be provided regarding landowners' rights and grounds for objection to a proposed activity. Consistent, accurate information is necessary to facilitate landowners' rights to natural justice.

Proposal

We seek your views on whether the current notice requirements under the Code of Practice provide enough clear information on the objection processes. Analysis of notices given by carriers shows that Code of Practice requirements are being met, yet landowners and occupiers remain concerned that the information in the notice does not provide necessary guidance about the objection process.

Factsheets about the powers and immunities framework could be developed including information about the objections processes. Factsheets could be developed for different audiences, such as landowners, councils and the community, and made available in a number of ways. For example, carriers could include a reference or link to the factsheets in the notice given to the landowner or occupier.

Prompt questions

- 1. Is the objections process as set out in the Code of Practice clear and easily understood by landowners and occupiers? If no, what parts of the process need further explanation?
- 2. Does the information provided by carriers when giving notice of a proposed activity outline the objections process, or only the first step, that is, to make the objection in writing to the carrier?
- 3. How could the objection process be better communicated to landowners and occupiers?

B. Allowing carriers to refer objections to the TIO

Issue

The objections process set out in the Code of Practice provides a complaint can only be referred to the Telecommunications Industry Ombudsman (TIO) by a carrier where a landowner has made a request for the carrier to do so.

Carriers are seeking a regulatory change that would allow carriers to refer objections to the TIO for resolution without waiting for a landowner to request the objection be referred. Such referrals would occur in cases where carriers consider it is unlikely to resolve matters directly with the landowner or occupier who are objecting to the proposed activity. This proposal was endorsed by the Powers and Immunities Reference Group which noted that the cost to resolve disputes via the TIO are borne by the carrier, regardless of who refers the dispute, so there would remain an incentive for carriers to attempt to resolve disputes within the existing objections process.

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Proposal

We seek your feedback on whether the Code of Practice should be amended to allow carriers to refer objections directly to the TIO. The inclusion of such a clause would mean that both parties to the notification process—carriers and landowners and occupiers—are able to refer objections to the TIO for resolution.

In its feedback to the 2017 consultation process, the TIO suggested that existing clauses in the Code of Practice requiring a carrier to lodge an objection after receiving a request from a landowner or occupier to do so could be strengthened by including a deadline for a carrier to lodge the objection. The TIO submission did not provide an indicative timeframe for such a deadline, however we are interested in stakeholder views on what timeframes, if any, would be useful.

Prompt questions

- 1. What benefits or disadvantages are there in including a carrier as a party that can initiate dispute resolution with the TIO?
- 2. To what extent would this inclusion increase, or decrease, the financial and non-financial burden on carriers or landowners during a dispute?
- 3. What financial or non-financial burden, if any, would the inclusion of a deadline on carriers to lodge an objection with the TIO have?
- 4. If there is support for the proposal to include a deadline on carriers to lodge an objection with the TIO, what timeframe should apply?

C. Removal of redundant equipment

Issue

Redundant equipment is any part of a telecommunications or radiocommunications network that is no longer used to deliver a service, and is not likely to be used to deliver services in the future. The *Mobile Base Station Deployment Code C564:2018* (the Deployment Code) includes a requirement for carriers to make sure that equipment no longer in service does not transmit, or is removed.

Although the extent of the problem has not yet been established, there is some evidence that redundant equipment has been turned off, yet left in situ on the infrastructure and assets of landowners and occupiers.

The presence of redundant equipment has a range of effects on different landowners and may make the management of critical infrastructure more difficult for operators of public utilities. It can also have a visual impact and occupy space that could otherwise be used by other operators, causing competition issues.

⁹ Clauses 2.36, 4.36 and 6.36 in the Code of Practice provide information about carriers lodging an objection with the TIO after receiving a request from a landowner or occupier.

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The Powers and Immunities Reference Group identified the need for policy reform to be considered that would require carriers to remove redundant equipment from infrastructure. Utilities providers also made the case for this reform in the Standing Committee on Communications and the Arts' Inquiry into 5G in Australia. ¹⁰ In its final report, the Committee made the following recommendation:

The Committee recommends that the Australian Government facilitate discussions between carriers, network operators and utility and infrastructure owners for managing redundant and/or ageing telecommunications equipment.

Regardless of whether the facility is operating or not, it is an offence under section 474.6 of the *Criminal Code Act 1995* to tamper or interfere with a facility owned or operated by a carrier. As such, landowners and occupiers are unable to remove or relocate a redundant telecommunications facility without seeking prior consent from the carrier that owns the facility, except in very limited circumstances (such as a serious emergency).

Proposal

We seek your views on how prevalent the problem of redundant equipment is, and what issues this equipment causes your business practice.

If stakeholder feedback indicates this is a systemic problem, then a range of options are available. These options set the expectation that equipment should be removed when it is no longer used, either from the operator's own initiative or following a request by a landowner or occupier, unless removal would be impractical to do so. An example would be the removal of underground cabling.

We also seek your views on what maximum timeframe should apply for carriers to remove redundant equipment following a request by a landowner or occupier, and what dispute resolution mechanisms could apply in the event that carriers and landowners are unable to agree on whether the proposed removal of equipment would be impractical.

Option 1: Inclusion in a registered Industry Code

This option proposes the requirement for carriers to remove redundant equipment from infrastructure or assets of public utilities, including road authorities, and local governments be included in an Industry Code registered by the ACMA. For example, the existing requirement in the Deployment Code could be strengthened by removing the option to remove the equipment no longer in use, and making it a mandatory requirement.

Where a carrier failed to comply with a provision in a registered industry code, the compliance options available to the ACMA could include issuing a formal warning notice to the carrier, or issuing a direction to comply with the industry code. The failure to comply with such a direction may amount to an offence under the Act.¹¹

¹⁰ Information about the 5G inquiry, submissions and the final report can be accessed here.

¹¹ Information on ACMA's compliance and enforcement policy is available at https://www.acma.gov.au/compliance-and-enforcement-policy

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Option 2: Inclusion in the Code of Practice

This option proposes a new section be included in the Code of Practice so that the removal of redundant equipment by a carrier becomes a legal requirement and part of the powers and immunities framework. Clause 15 (2) of Schedule 3 to the Act requires carriers to comply with the Code of Practice.

Where a carrier failed to comply with a requirement set out in the Code of Practice, the compliance options available to the ACMA could include issuing a formal warning notice to the carrier, giving a remedial direction which may include requiring rectification strategies, or accepting an enforceable undertaking from a carrier.

For either of the options above, a carrier or other operator would not be expected to remove redundant equipment where it is impractical to do so.

Prompt questions

- 1. What level of enforcement would provide the best solution to the issue of redundant equipment?
- 2. What regulatory burden (financial or non-financial) would occur if these options were enacted?
- 3. Are there other non-regulatory ways to better enforce the policy position that equipment is removed if not used?

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September 2020

Facilitating services in line with community expectations and to support economic growth

3. Facilitating services in line with community expectations and to support economic growth

Telecommunications services are increasingly critical to both economic and social activity. For example, telecommunications services have played an important role during the COVID-19 pandemic to enable the continued functioning of Australia's economy with many people working, studying and operating businesses remotely.

The current framework sets out technical descriptions on what is considered a low-impact facility and therefore not subject to owner permissions or state and territory planning laws. Industry has expressed concern that descriptions in the LIFD are outdated and are not flexible enough to support the deployment of new technologies. Other stakeholders, including landowners and occupiers and communities, are concerned that changes to these descriptions could lead to safety issues, or lack of visual amenity in the surrounding environment.

The proposals in this section seek your views on how to strike an appropriate balance between the rollout of modern technology and visual amenity.

A. Improve coverage outcomes through better infrastructure, where safe

Issue

Coverage for mobile services, particularly in regional and remote Australia, is largely dependent on the ability of carriers to deploy towers of sufficient height so that coverage can be provided to the whole community. However, submissions to the Government's 5G inquiry show there is community concern about the visual impact of increasing amounts of telecommunications equipment being deployed.

Increasing the height of existing infrastructure, such as antenna protrusions and existing towers, could potentially reduce the visual impact because fewer antennae may need to be deployed overall. Likewise, new antenna technologies, such as radiocommunications lens antennae, could reduce the visual impact of towers as the number of panel antennas needed are reduced, while still providing efficient and effective coverage outcomes. Larger radiocommunications and satellite dishes can support stronger signals, increase reliability and provide a much needed option for backhaul ultimately improving services to a wider range of areas of Australia.

Proposal

We seek your views on whether the below technical amendments to equipment classified as a low-impact facility strikes the right balance between visual amenity and access to improved mobile coverage.

Allow antenna protrusions to be extended to a height of 5 meters

Item 4 in Part 1 of the Schedule to the LIFD provides that the maximum protrusion for a panel, yagi or other like antenna from a structure is 3 metres. It is proposed that the maximum protrusion height be extended by 2 metres to 5 metres in total. Increasing the height of the protrusions will improve coverage outcomes. The visual amenity issues could be addressed by making sure the antenna is colour-matched to its background, or in a colour agreed in writing between the carrier and the relevant local authority.

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Figure 1: Antenna protrusion



Allow satellite dishes of 2.4 meters in diameter to be deployed in industrial and rural areas

Item 7 of the LIFD already specifies satellite dishes with a diameter of up to 1.8 metres as low-impact facilities that can be deployed in industrial and rural areas. It is proposed to increase the maximum diameter size of satellite dishes in industrial and rural areas to 2.4 metres. The visual amenity issues could be addressed by making sure the antenna is colour-matched to its background, or in a colour agreed in writing between the carrier and the relevant local authority.

Figure 2: Satellite dish in rural area



Specify radiocommunications lens antennae as a new low-impact facility

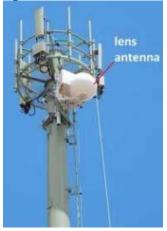
It is proposed that radiocommunications lens antennae could be specified as a low-impact facility in industrial and rural areas. The use of this type of antenna can reduce the number of panel antennas used on the pole or tower. If there is support for this proposal, the dimensions of lens antennae that would be permitted would be consulted on as part of any exposure draft of amendments and installation would be subject to safety objectives. The visual amenity issues could be addressed by making sure the antenna is colour-matched to its background, or in a colour agreed in writing between the carrier and the relevant local authority.

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Figure 3: Radiocommunications lens antenna



Subject to stakeholder views, the Schedule to the LIFD would need to be amended to give effect to the proposals outlined above. The content of the proposed amendment would be consulted on before the Minister amended the LIFD. These proposals would be subject to the primary safety condition outlined earlier, and the other safeguards outlined in this paper and in the powers and immunities framework more generally.

Prompt questions

- 1. Are there alternative options that would reduce impacts to visual amenity while providing necessary coverage for a modern telecommunications service?
- 2. Would these options strike a balance between visual amenity and the need to maintain telecommunications services?
- 3. What benefits or disadvantages (financial or non-financial) would occur as a result of implementing these options?

B. Improve coverage outcomes through tower extensions

Issue

Coverage for mobile services, particularly in regional and remote Australia, is largely dependent on the ability of carriers to deploy towers of sufficient height. Submissions to the 2017 consultation process highlighted concern about the potential impact to visual amenity if a proposal to allow tower extensions in commercial areas was implemented to help improve coverage outcomes.

Item 12 in the LIFD already provides that the height of towers located in industrial and rural areas can be extended, subject to conditions, to a maximum of 5 metres. The proposal in 2017 sought to apply the same provisions to towers in commercial areas (which may be on the outskirts of regional towns).

While there may be some impact to visual amenity from higher structures, the improved coverage and co-location of infrastructure that could result from height extensions means less telecommunications infrastructure—towers and antennae—need to be deployed overall. A reduced infrastructure footprint could be considered a net benefit when considering impacts to visual amenity.

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Proposal

We seek your views on whether tower heights (Item 12 in the Schedule to the LIFD) should be amended to allow height extensions up to a maximum of 5 metres in commercial areas in the following circumstances:

- the height of the extension does not exceed 5 metres (as in current LIFD)
- there have been no previous extensions to the tower (as in current LIFD), or
- the tower was previously extended by less than 5 metres (new suggestion).

If this amendment were supported, it would require a change to the LIFD. The content of the proposed amendment would be consulted on before the Minister amended the LIFD.

This proposal would be subject to the primary safety condition outlined earlier, and the other safeguards outlined in this paper and in the powers and immunities framework.

Prompt questions

- 1. Would the extension to 5m maintain a balance between visual amenity and the need to maintain telecommunications service?
- 2. What benefits or disadvantages (financial or non-financial) would occur as a result of implementing this option?
- 3. Are there any other conditions or issues that should be considered if this proposal was to proceed?

C. Allowing deployment on poles rather than on utilities

Issue

There are different regulatory regimes that apply depending on whether a carrier deploys on a building or chooses to deploy on a pole or a tower. Poles and towers are not low-impact facilities and are subject to local planning obligations, meaning a development approval is required. These obligations ensure that significant infrastructure is subject to safety and visual amenity oversight.

5G, and in particular millimetre wave technology, will rely on small cells deployed on existing public infrastructure, including electricity poles. However, there are some locations where there is no existing infrastructure or, where infrastructure is available, it may have no spare capacity. Telecommunications carriers have developed a new type of telecommunications facility for these circumstances—a smart pole, or a slim pole. Smart or slim poles are slimline in design and able to physically accommodate equipment and antennas on or within the structure.

The costs to plan and provision a telecommunications deployment in an area of low volume or traffic density where a full development approval is required can make some deployments unfeasible.

Specifying smart or slim poles as low-impact facilities could have the effect of reducing capital costs involved in acquiring and rolling out 5G infrastructure. It means that carriers could roll out new, better mobile services in more locations where it would have been unfeasible to do so previously. Significant economic benefits may be realised if smart or slim poles are specified as low-impact facilities as deployments could be undertaken in a nationally consistent way.

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There is also the potential that smart or slim poles, without limitations on type and application, could go against the low visual impact policy rationale of the powers and immunities framework. Lowimpact facilities are generally telecommunications equipment that:

- are essential to the efficient operation of telecommunications networks
- have low visual impact, and
- are unlikely to cause significant community disruption during installation or operation.

While smart or slim poles may meet this criteria, clause 6(5) of Schedule 3 of the Act provides that towers, including poles or masts, cannot be specified as low-impact facilities unless certain conditions are met. None of the existing conditions outlined in clause 6(5) are applicable to the deployment of smart or slim poles.

Carriers have provided feedback they would prefer that smart or slim poles be specified as low-impact facilities provided that they are of a suitably discrete design, blending in with the surrounding environment or as a feature, such as an art installation for example. Smart or slim poles have been deployed in the Sydney Botanic Gardens to provide small cell coverage and other services to users the area. An example of a slim line pole in the Botanic Gardens is provided below.

Figure 4: Slim line pole in Sydney Botanic Gardens, Australia



Proposal

We are seeking your feedback on whether existing planning arrangements provide enough certainty for the community, landowners and carriers in creating an effective 5G network that is of low visual impact.

Alternative arrangements, such as early engagement with and leveraging support from local governments about planned smart or slim pole deployments may lead to positive development application outcomes.

We also seek your views on whether the benefits offered by the deployment of smart or slim poles are significant enough to include as a low-impact facility; or whether the risk to potential lack of visual amenity means this infrastructure should remain within the current planning processes.

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If smart or slim poles were specified as a low-impact facility, a legislative change to the Act would be needed. An amendment would need to outline conditions for the deployment of smart or slim poles.

If you agree that a smart or slim pole could be classified as a low-impact facility, we are further seeking your feedback on what conditions for deployment could be useful to ensure it remains of low visual impact. For example,

- a pole could only be used to support small cell telecommunications facilities
- the height of the pole cannot exceed 12 metres
- a pole can only be installed on public land
- a pole cannot be installed in close proximity to existing public infrastructure, it must replace that item of public infrastructure
- the pole may be supported by an equipment cabinet installed at ground level
- the installation of a pole is subject to consultation in accordance with industry codes and standards, as recognised by the ACMA.

Prompt questions

- 1. Should smart or slim line poles, under certain conditions, be considered as low visual impact? If so, what should those conditions be?
- 2. What other suggestions would help to categorise a smart or slim pole as of low visual impact?
- 3. What alternatives to this option better meet the need for a national approach to telecommunications infrastructure investment that balances the need for visual amenity?
- 4. What benefits or disadvantages (financial or non-financial) would occur as a result of implementing these options?

D. Encourage the co-location of facilities

Issue

The introduction of 5G and other similar technologies into the future will result in more small cells being deployed in areas of high use. To reduce the impact of more deployments and to continue to meet the community's expectations regarding visual amenity, co-location on existing infrastructure and urban furniture, such as utility poles, is desirable.

Figure 5: Example of co-located facilities



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Submissions to the 2017 consultation process raised concerns about a proposal to remove the 25 per cent co-location limit in commercial areas, and lift the co-location limit from 25 per cent to 50 per cent in residential areas. Landowners were concerned about the potential impact the proposal would have on the structural integrity of infrastructure with larger co-located facilities on assets, as well as the impact on visual amenity. These risks are acknowledged and suitable mitigations should be put in place.

The LIFD applies a volume restriction on co-location of 25 per cent in residential and commercial areas which some stakeholders have identified as limiting the opportunities for co-location, especially for small cell infrastructure. The limitations of co-location can have the perverse result where the deployment of new towers and facilities are needed, increasing both visual impact and cost. The alternative is to lift the existing volume restriction to allow for greater co-location on existing facilities.

Encouraging co-location can help minimise the impact on visual amenity. Telecommunications technology is constantly evolving. It is possible that future equipment to be installed on public infrastructure may be smaller and less obtrusive while still operating efficiently.

Proposal

We seek your views on whether co-location volume limits should be updated and have suggested options below.

Some carriers suggest the volume restriction in commercial areas should be entirely removed. This would mean that commercial areas would be treated in the same way as industrial and rural areas in the LIFD.

Recognising there is a case for some restrictions to continue to apply to co-location volumes in residential areas, we are seeking views on whether the restriction in residential areas should be lifted from 25 per cent to 50 per cent.

Option 1: Co-location volume to be lifted to 50 per cent in residential and commercial areas

Item 2 in Part 8 of the Schedule to the LIFD could be amended to lift the total co-location volume of co-located facilities from 25 per cent to 50 per cent in residential and commercial areas.

There are no volume restrictions for co-location in industrial or rural areas and there is no expectation for this to change.

Option 2: Co-location volume lifted to 50 per cent in residential areas, no limit in commercial areas

Item 2 in Part 8 of the Schedule to the LIFD could be amended to lift the volume of co-located facilities to 50 per cent in residential areas, and remove the reference to commercial areas.

Item 1 in Part 8 of the Schedule to the LIFD could be amended to include reference to commercial areas. This would mean there would be no volume restrictions for co-location of facilities in commercial, industrial and rural areas.

Submissions to the 2017 consultation process indicated that higher co-location volume limits may be more acceptable to landowners in commercial areas if conditions are applied to deployments. For example, local councils suggested that higher co-location volumes may be more acceptable if co-location only occurred on existing telecommunications towers, or not positioned close to residential areas.

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It is also noted that co-location volume can be measured in different ways and no standard methodology has been developed. For example, some carriers measure it on visual amenity while other carriers consider the impact of the weight and other dimensions of the infrastructure on the integrity of the overall structure.

Prompt questions

- 1. Would a consistent approach to measuring co-location volume assist or hinder the co-location and visual amenity of equipment?
- 2. What methodologies could be used by carriers to determine co-location volume? Are any of these methodologies agnostic regarding equipment type?
- 3. With safety as a primary consideration, which would be a preferred approach to co-location and why?
- 4. What benefits or disadvantages (financial or non-financial) would occur as a result of implementing these options?

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September 2020 Next steps and conclusion

Next steps and conclusion

The proposals in this paper seek to improve the powers and immunities framework by addressing concerns of landowners and occupiers and supporting the deployment of telecommunications equipment in a balanced way.

A modernised deployment framework will provide greater certainty and transparency to landowners, occupiers and communities, while allowing industry to deploy telecommunications equipment to support new and expanded uses of mobile technologies.

The Department welcomes your views on these proposals. Each proposal is accompanied by a series of prompt questions to help guide your response. These are not definitive questions and the Department welcomes views on all aspects you consider relevant to the proposals.

The consultation period will be open for four weeks and submissions will be accepted up until **Friday, 16 October 2020**. To provide a written submission, please email powersandimmunities@communications.gov.au. When making a submission, please include:

- Contact name
- Organisation name, if applicable
- Contact details, including telephone number, postal and email addresses
- Confirmation whether or not your submission can be made public—published—or kept confidential.

All submissions to be made public need to meet the Digital Service Standard for accessibility. Any submission that does not meet this standard may be modified before being made public. If your submission is to be made public, please ensure you do not include any personal information that you don't want to be published. If your submission is confidential, please ensure each page of the submission is marked as confidential.

If you have any questions on the exposure draft or the consultation process, or would like to arrange a meeting with the Department, please send an email to powersandimmunities@communications.gov.au or contact:

Rachel Blackwood
Assistant Secretary
Spectrum & Telecommunications Deployment Policy Branch
Department of Infrastructure, Transport, Regional Development and Communications
Telephone (02) 6271 1591

The outcomes of the consultation process will inform the progression of the proposals included in this paper. As noted earlier, the approach towards some of the proposals is graduated ranging from non-regulatory intervention through to legislative change.

The Department expects to publish the outcomes to this consultation process at least four weeks after the consultation period closes outlining the forward approach to be taken for the various proposals set out in this paper.

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September 2020 Glossary

Glossary

Glossary of terms

| Terms | Meaning |
|-------------------------------------|---|
| ACMA | Australian Communications and Media Authority—the telecommunications-specific industry regulator dealing with |
| | carrier powers and immunities issues (<u>www.acma.gov.au</u>). |
| The Act | Telecommunications Act 1997 |
| Carrier | The owner of a network unit used to supply carriage services—such as telephony or internet—to the public. Must hold a carrier licence from the ACMA in accordance with the Act. |
| Code of Practice | Telecommunications Code of Practice 2018 |
| Commercial area | Referred to in the LIFD, an area where its designated use is for commercial purposes. |
| The Department | The Department of Infrastructure, Transport, Regional Development and Communications. |
| Industrial area | Referred to in the LIFD, an area where its designated use is for industrial purposes. |
| Mobile Base Station Deployment Code | Mobile Base Stations Deployment Code C564:2018 (www.commsalliance.com.au/Documents/all/codes/c564). |
| LAAN | Land Access Activity Notice—a notice issued by telecommunications carriers seeking entry to land to conduct activities authorised by Schedule 3 to the Act. |
| Landowners | The owner of a site or an asset where a telecommunications facility is proposed to be deployed. There are many types of landowners including government, utilities, road authorities, commercial entities and homeowners. |
| LIFD | Telecommunications (Low-impact Facilities) Determination 2018. |
| NBN Co | NBN Co Limited, the company building the National Broadband Network, a high-speed broadband network being constructed for the Australian Government (www.nbnco.com.au). |
| Residential area | Referred to in the LIFD, an area where its designated use is for residential purposes, and parts of built-up areas that cannot otherwise be described as a commercial. Industrial or rural area. |
| Rural area | Referred to in the LIFD, an area where its designated use is for rural purposes, and areas not part of built-up areas that cannot otherwise be described as a commercial, industrial or residential area. |
| Schedule 3 | Schedule 3 to the Telecommunications Act 1997, which sets out the carriers' powers and immunities framework. |
| TIO | Telecommunications Industry Ombudsman—the independent dispute resolution service for telecommunications consumers, which also covers some powers and immunities issues (www.tio.com.au). |

^{30.} Improving the telecommunications powers and immunities framework

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Attachment A: Outline of the powers and immunities framework

Attachment A: Outline of the powers and immunities framework

Carriers' powers and immunities are provided in a regulatory framework set out in legislation and an industry code registered by the Australian Communications and Media Authority (the ACMA).

Schedule 3 to the Telecommunications Act 1997 (the Act)

Schedule 3 to the Act provides carriers with powers to enter land, including public areas of buildings, for inspection and to install and maintain certain types of facilities. Schedule 3 also covers the installation of 'low-impact facilities', which are specified further in the LIFD. It also provides certain immunities from a range of State and Territory laws when carrying out those activities, such as laws relating to land use, planning, design, construction, siting, tenancy, environmental assessments and protection. These are collectively referred to as 'planning laws' in this paper.

Where Schedule 3 does not cover a particular telecommunications facility, carriers need to comply with applicable State and Territory planning laws and obtain landowner consent.

The Telecommunications Code of Practice 2018 (the Code of Practice)

The Code of Practice sets out the notification and objection procedures for carriers using powers and immunities authorised by Schedule 3 to the Act, as well as obligations for carriers when undertaking activities—inspecting land, installing and maintaining facilities—using their powers. Compliance with the Code of Practice is a carrier licence condition.

The Telecommunications (Low-impact Facilities) Determination 2018 (LIFD)

Schedule 3 to the Act gives the Minister for Communications and the Arts the ability to specify facilities as 'low-impact facilities' which can be installed using Schedule 3 powers and immunities. They are the most common type of carrier facilities installed under Schedule 3 and are specified in the LIFD.

The types of facilities that are currently specified in the LIFD as low-impact are those considered to be essential to the effective and efficient operation of telecommunications networks in providing services to the public, but are considered to be of low visual impact and unlikely to cause significant disruption to the community during installation or operation.

Low-impact facilities can be radiocommunications facilities, underground and above-ground housing, underground and some aerial cables, public payphones, emergency and co-located facilities. For example, mobile phone network facilities installed on existing towers and buildings can be low-impact facilities listed in the LIFD.

As well as specifying the types of facilities, the LIFD can designate the areas in which carriers can install low-impact facilities such as residential, commercial, industrial and rural areas.

The Mobile Base Station Deployment Code C564:2018 (the Deployment Code)

The Deployment Code sets out additional processes and conditions carriers are required to follow when installing mobile phone base stations. The Deployment Code was developed by Communications Alliance and is registered with the ACMA. The ACMA can warn or direct sections of industry to comply with the Deployment Code.

^{31.} Improving the telecommunications powers and immunities framework infrastructure.gov.au | communications.gov.au | arts.gov.au



ALGA Submission to the consultation paper on improving the telecommunications powers and immunities framework

Via email to: powersandimmunities@communications.gov.au 23 October 2020

The Australian Local Government Association (ALGA) welcomes the opportunity to make comments on the Department of Infrastructure, Transport, Regional Development and Communications Consultation Paper on *Improving the telecommunications powers and immunities framework,* which was released on 16 September 2020.

ALGA is the voice of local government in Australia, representing around 537 councils across the nation. In structure, ALGA is a federation of state and territory local government associations. This submission has been prepared in consultation with ALGA's members and should be read in conjunction with any separate submissions received from state and territory associations, as well as individual councils.

General comments

ALGA reiterates many of the comments it made in its submission to the first consultation on possible amendments to the telecommunications powers and immunities regime, in July 2017, particularly in relation to balancing the rollout of telecommunications infrastructure with planning, environmental and safety issues.

In 2017, the issue which caused the most concern to local government was the proposal to install cables and conduits on bridges as low impact facilities. ALGA stated at the time and strongly reiterates the point that bridges are complex structures and any alteration may have significant impacts on the safety and function of the structure. This proposal is again mentioned in the current consultation paper, albeit very briefly (page 8) under the theme of "providing services in line with community expectations". State and Territory Associations strongly object to any reclassification of bridges as a low impact facility. The functional integrity of bridges must be the paramount consideration.

ALGA's position over many years has been the need to find an appropriate balance between the demand for better mobile services and the deployment of modern and effective technology, with appropriate planning laws to protect public safety and limit environmental impacts, as well as to allow community input into the planning process.

While carriers' desire to speed up approval processes, reduce their costs and reduce timeframes, this needs to be balanced against planning laws which are designed to protect public safety, limit impacts on the environment and third-party infrastructure assets and to ensure that the community is consulted. Industry expressing concerns that "descriptions in the LIFD are outdated and not flexible enough to support the development of new technologies" is consistent with the push by carriers over many years to roll out infrastructure outside the planning process.

Section 3 of the consultation paper contains the proposal by carriers to meet the community's expectation of improved coverage through better facilities, where safe to do so. This statement represents an inherent conflict. Who will determine whether it is safe to do so? If left to carriers to determine safety, how can safety be assessed and assured?

ALGA believes that ensuring safety is part of the role of local government – namely to ensure public safety and structural integrity amongst other considerations. Whittling away the role of local government through ever increasing structures being classified as LIFD, will erode both public safety and community consultation. Also, it should not be assumed that improved coverage will be welcomed by communities at the expense of safety or visual amenity.

The Low Impact Facilities Determination (LIFD) should not be used to override important planning considerations and community concerns. Any new telecommunications infrastructure should be assessed and approved by Local Government. Slim poles or smart poles (also referred to as Multi-Function Poles) are a substantial piece of infrastructure and issues of visual amenity, siting, heritage concerns, safety considerations, structural integrity and potential visual interference to traffic are important reasons that this infrastructure should not be considered low impact and should be determined by the planning process. The suggestion that these structures should be considered a low impact facility raises serious concerns for local government and ALGA would strongly object to any such infrastructure being installed without council approval.

Where telecommunications infrastructure is installed without the local council represented as a key stakeholder in the planning process, it has the potential to adversely impact and compromise future development, master planning or general strategic planning that the council might be concurrently undertaking.

Councils have expressed the additional concern that over and above issues of poor engineering or poor installation, councils struggle with unacceptable contract terms and installation which occurs in a way that the councils do not want (even if good quality), but which cannot be stopped under the Telecommunications Act because it is designated a low impact facility.

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Some proposals in the Consultation Paper have caused serious concerns in the local government sector, insofar as they propose to override important planning, consultation and safety assessment provisions. Local governments have a legislative role in assessing developments and infrastructure which will impact the local community, to ensure there are no adverse impacts from a telecommunications facility. Local government's planning and assessment role involves ensuring the physical location, design and structural integrity are appropriate and that issues such as heritage and environmental protection are adhered to.

Despite these concerns, there are some very positive and welcome proposals in the paper, particularly the creation of a primary safety condition and extension of notification timeframes, requirement for engineering certification and standard notifications across industry.

In relation to specific numbered proposed amendments, ALGA makes the following comments:

1. Safety and Notification

A. Creation of a primary safety condition

ALGA fully supports the proposal that safety of telecommunications facilities is paramount, and the focus on maintaining the structural integrity of infrastructure and assets on which telecommunications equipment is installed. Ensuring the structural integrity of telecommunications infrastructure/assets has been an ongoing area of concern for local government. Local government would like to see existing safety obligations made more explicit, standards to be specified and enforceable. Increased inspection and maintenance regimes in agreements between carriers and public utilities is also supported.

Ideally this would be through regulation which is enforceable.

B. Standard notifications across industry

ALGA supports standard notifications across industry, as landowners need information which contains the appropriate amount of detail and is provided in a timely manner. This will allow better decisions to be made on the impact of proposed activities. This could also reduce the supplementary work that a council would need to undertake if inadequate information is provided, resulting in quicker decision making. Feedback by the Local Government Association of South Australia (LGASA) is that some notification information should be made available by carriers in other prevalent languages other than English, as English may not be the first spoken language by some landowners.

ALGA supports an industry code registered by the Australian Communications and Media Authority (ACMA).

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C. Withdrawal of notifications

ALGA supports the withdrawal of a notification if a proposed activity is cancelled or indefinitely delayed. A new notification should be issued when work again commences/ is rescheduled. This is good business practice and provides the community with certainty about development intent. This proposal would assist in reducing costs and inconvenience to local government.

ALGA supports an industry code registered by ACMA, rather than making it a non-regulatory responsibility of a carrier. If it were a non-regulatory requirement of carriers, there is no certainty about how this would be monitored or enforced.

D. Requirement to provide engineering certification

ALGA fully supports this requirement, as structural integrity and safety are of primary concern for local government. Certification that equipment or structures meet engineering requirements will share responsibility more fairly. If the installation is pole-mounted, pole location and pole frangibility is particularly important in road safety. Local government supports defined time limits being imposed for the lodgement of engineering certificates. Landowners have a right to know within a reasonable timeframe that equipment has been installed correctly and to Code requirements. This is particularly important in road reserves.

ALGA supports an industry code and specification of a time limit in which to lodge the engineering certificate. The Local Government Association of Queensland (LGAQ) proposes that in addition, in the interests of public safety, there should be a formal definition of "good engineering practice" encompassing national, state/ territory and local road management standards applying to works, with provision for sanctions.

E. Extending notification timeframes

ALGA fully supports the extension of the minimum notification timeframe for utilities and road authorities from 10 to 20 days and the objection period from 5 to 10 days. Local government has repeatedly expressed concerns regarding the limited time to assess proposals, particularly with availability of staff to undertake site inspections and prepare reports. The LGASA has advised that it supports the extension of timeframes to all landowners, not just public utilities and road authorities.

Local government has maintained that being given as much notice as possible by carriers allows councils to schedule other works to coincide with carrier works, leading to less inconvenience for the public and cost savings. It is also good business practice to engage with stakeholders in a timely manner and provide as much notice as possible. In some cases, carriers would have a forward planning schedule which would allow then to give much longer notification than 20 days.

ALGA is of the view that greater certainty would be achieved if this was a legislative requirement.

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2. Objections and protections

A. Clarifying the objections process for landowners

ALGA would support the development of factsheets to clarify the process and provide guidance to landowners. The factsheets should be developed for different audiences, such as landowners, councils and the community, and made available in a number of ways/communication channels. LGASA suggests that carriers could include a reference or link to the factsheets in the notice given to the landowner or occupier.

B. Allowing carriers to refer objections to the TIO

ALGA is comfortable with this proposal. If there is little chance of a resolution it is reasonable for a carrier to refer a matter to the TIO. As the consultation paper points out, there is already a disincentive for disputes to be referred to the TIO by carriers, as the cost to resolve disputes is borne by carriers. Resolving a dispute between the parties without reference to the TIO is preferable from both a cost and stakeholder engagement model.

B. Removal of redundant equipment

ALGA has raised the issue of removal of redundant equipment in previous submissions. If equipment no longer transmits if should be removed within a reasonable maximum timeframe to reduce the structural load on assets, and potentially allow for other equipment to be installed in its place (particularly with the larger volume of equipment which will be required for 5G). Only carriers are currently allowed to remove redundant equipment. LGASA has suggested it may be worth investigating the possibility of carriers being able to enter into an agreement with the landowner to provide rights to the landowner to remove redundant equipment, but they would have to be compensated for the cost of removing the equipment.

ALGA supports making the removal of redundant equipment a mandatory requirement in an Industry Code.

3. Facilitating services in line with community expectations and to support economic growth

- A. Improve coverage outcomes through better infrastructure, where safe
- B. Improve coverage outcomes through tower extensions
- C. Allowing deployment on poles rather than on utilities (slim poles)
- D. Encourage the co-location of facilities

ALGA reiterates the comments it made in its submission to the first consultation on possible amendments to the telecommunications powers and immunities regime, in July 2017, in relation to the proposals in this section. Each of the proposals (except the proposal on co-location of facilities) seeks to increase the current maximum permissible size of telecommunications equipment or introduce new LIFD categories.

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The proposals in this section are exactly the same proposals as those put forward in 2107. Local government objected to each of the proposals in 2017 and that position has not changed. Local government continues to have serious concerns about extending the LIFD and classifying ever larger facilities as low-impact, which are able to be constructed without being subject to planning requirements.

The increase in proliferation of telecommunications equipment with the rollout of 5G on state and local government land and infrastructure and greater levels of co-location are yet to be fully understood. Local government is of the view that this needs to be managed before it gets out of control. Local government needs to be part of the planning process in relation to the extent, form and location of this infrastructure. Installations in road corridors are of particular concern to local government from a safety perspective and should be approved by the responsible road authority.

Local government would also reiterate the need to balance the rollout of telecommunications infrastructure with planning, environmental and safety issues. Communities want telecommunications infrastructure but not when it sacrifices their community amenity. Some councils have been told by their communities that they would choose a slightly reduced broadband speed, rather than lose their visual amenity, heritage places and environment. It cannot be automatically assumed that communities are willing to accept more infrastructure to increase their broadband speeds.

In relation to tower height extension in industrial areas, a few councils have indicated that they could support this, as long as it could be ensured that there would be less telecommunications infrastructure overall — which is difficult to predict with any certainty. Other councils and State and Territory Associations have rejected this proposal outright and object to inclusion of this provision as a low impact facility. Wherever tower extensions do occur, they should be done with minimum impact.

The Local Government Association of Tasmania (LGAT) advises that it has received representations from councils who strongly object to any further extensions of the low impact facilities determination. One council gives the example of a pedestrian mall which has been designed to have all services underground except for light poles. It has been advised that in order to install a 5G antenna on one of the light poles, Optus would also need to install a cabinet (Appendix A has a photo of the light pole and the cabinet). While council does not object to the antenna, it does object to the cabinet, as it has spent considerable money to underground other services. Council maintains that the antenna can be installed without the cabinet, but for the carrier it is cheaper to install the antenna and cabinet. Council will not be able to object to the cabinet, as it falls under the LIFD. It is expected that other carriers will come along after Optus and install their own cabinets next to other mall poles, to which council will not be able to object either.

The deployment of 5G will lead to a proliferation of telecommunications equipment, which is also of concern to local government. This proliferation will occur on state and local government managed

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land and infrastructure. If amendments in this section are adopted, it is likely to result in very significant changes to the nature of our cities and the control councils can have over clutter and ugly pole development.

Advice from a Tasmanian council is that two carriers cannot share a 5G pole (this does not include a smart pole/multi-function pole which is designed for multiple uses). The council says this will lead to a proliferation of poles, regardless of council preferences for location or the undergrounding of services. If the carriers decide to install pole and cabinet at cheaper cost, council has no ability to influence or prevent the clutter of this infrastructure. Malls, footpaths, parks could see proliferation of new poles and cabinets wherever the carrier decides to put them. Additionally, council would need to gain permission to be able to use the poles for its purposes such as street lighting etc. The council has said "With 5G, antennas are located close to the ground in a mesh, each node just a few hundred metres from its neighbours. And squeezed between any two Telstra nodes, we'd expect to see an Optus antenna, a Vodafone antenna and one for anyone else who gets themselves registered as a carrier (Amazon, Google, autonomous vehicle companies... everyone who wants to have a spatial mesh over the city)."

While ALGA is cognizant of the demand for better mobile and data services, which in turn brings increased pressure to expand the number of telecommunications facilities, communities have expressed concerns through their local governments over the Low Impact Facilities Determination (LIFD) in terms of adequate community consultation and adequate remediation after works have been completed.

The proposals in this section cause considerable concern to the local government sector, and local government restates the concerns it expressed in the 2017 consultations. Structural integrity, safety, environmental protection and heritage issues are all assessed by local government through the planning process. Community consultation is an important aspect of local government's role in assessing projects. The (LIFD) should not be used to override important planning considerations and community concerns.

It is also important to note that what is considered a "minor" change to the LIFD is a subjective interpretation. ALGA and member Associations believe that some of these measures would have a significant impact, and that as a general principle, any facility or activity which has an impact on a local government structure should be assessed by local government. Whether the impact would be "minimal" or "minor" and what level of risk may be generated, can be assessed only on a case by case basis

The argument that increasing the height of existing infrastructure could reduce the visual impact because fewer antennae may need to be deployed overall would on the surface seem logical. However, there is no evidence that this will occur or any guarantee that carriers will not simply install more antennae at greater heights and the particular circumstances and site conditions in the local area may also necessitate a more locally responsive solution which the blanket standards do not account for.

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ALGA continues to have concerns about increasing antennae projections from 3 to 5 metres. Is there concrete evidence that the 3 metre antennae are inadequate?

Similarly, is there evidence that the existing 1.8 metre satellite dishes are inadequate and that the 2.4 metre dishes will substantially increase services? What percentage of improvement will there be?

Colour matching does not change the fact that these structures are larger. The issue of concern for local government is that these proposals are seeking to push larger devices into the LIFD. Dishes of 2.4 metres are not low impact.

The consultation paper argues that tower extensions, if extended to commercial areas, would also result in fewer towers being deployed overall. Local government would again postulate that there is no evidence that this will occur or any guarantee that carriers will not simply install more antennae at greater heights.

Local government would strongly suggest that evidence to show there will be significant benefit from extending tower heights and dishes needs to be provided to justify the assumption that this is the case, prior to making any changes to the LIFD.

Slim poles and smart poles (also referred to as Multi-Function Poles)

The proposal to specify slim poles/smart poles as low impact facilities is totally unacceptable to local government.

This is a 12-metre pole. All poles need to be assessed and approved, as they can potentially pose a safety hazard and interfere with future planned council works and upgrades. Slim poles are a substantive piece of infrastructure, which means they need to be carefully assessed – visual amenity, siting, heritage concerns, safety concerns, structural integrity, would all be concerns to local government. The size and width of the pole may also pose impaired visibility to traffic. Local government does not accept that significant economic benefits may be realised if these poles are specified as low impact facilities – cost would not be the primary consideration – safety and structural integrity are superior concerns from a local government perspective. In our 2017 submission we said that allowing 12 metre towers would remove any incentive for carriers to consider underground cabling as an alternative. The current proposal says that these slim poles accommodate equipment and antennae on or within the structure. Depending on how many additions there are to the pole, they will influence the structural integrity and safety of the pole.

Additionally, what is to guarantee that the 12-metre slim pole will not be increased by 5 metres in the next round of powers and immunities consultations?

The purpose of slim poles is to house multiple telecommunications and smart city technologies in the same unified construction, cleaning up street clutter and maintaining a high standard of amenity in doing this (such as a range of 4G and 5G small cells, public WiFi, CCTV, electric vehicle charging,

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general power outlets, speakers, lighting, traffic and pedestrian signals, wayfinding, dynamic signage and smart controls and sensors). Council is clearly the appropriate party to manage this diverse range of public infrastructure and should not be beholden to a carrier for each addition or modification to a slim pole. This would effectively mean local government would lose control of the future planning of "smart cities" to carriers and other third parties.

If all players act individually, there will be no long-term planning for towns and cities, it will lead to higher costs, more above ground (cheaper) structures and decreased public amenity. The situation where carriers own a pole, not share the pole with other carriers and councils need to pay to use it is a recipe for uncontrolled proliferation of telecommunications infrastructure.

Telecommunications infrastructure needs to be rolled out in a coordinated way using shared development models and be managed so that there is no duplication and a reduced risk of unnecessary and unsightly deployment of infrastructure. This needs to be enshrined in legislation and involve DA approval, not in a low-impact definition. Once a proliferation of haphazard privately owned poles and other infrastructure is installed in cities, it will be too late and too expensive to rectify.

In terms of co-location of telecommunications facilities, the ALGA position has been to support co-location where possible. We have supported open access and co-location in greenfield sites, so that they are designed and built to be capable of supporting at least two further mobile network operators.

In terms of volume restrictions on co-located facilities, while local government is supportive of adding facilities to an existing facility, if a facility is added to a Local Government structure it should be assessed by local government. Structural integrity is of utmost importance from a local government planning perspective. The LGASA is of the view that the increased limit from 25% to 50% is excessive in respect to both visual clutter and structural integrity. Any new infrastructure should be assessed and approved by local government.

Local Government New South Wales (LGNSW) has advised that it objects to any amendments to carrier powers and immunities which are likely to exacerbate existing risks posed by carrier powers to council drinking water supply infrastructure and councils' ability to provide safe drinking water at all times. The location of telecommunications equipment on the assets of water utilities, particularly on or around drinking water in reservoirs, poses a significant risk to the ability of water utilities to provide safe drinking water and to protect public health. Structural damage caused by the installation of telecommunications facilities on water assets can result in contamination by insects, rodents, birds and associated faecal matter, which can lead to water contamination. LGNSW further notes that carriers will often ignore Section 8 of Schedule 3 of the Act (do as little damage as practicable) and Section 11 (carriers enter into an agreement with a utility on how the carrier engages in that activity).

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Conclusion

While ALGA is supportive of the proposals in Sections 1 and 2 of the Consultation Paper, ALGA and the State and Territory Local Government Associations believe that many of these proposed changes in Section 3, to reduce or eliminate oversight, have the potential for adverse consequences – in terms of structural integrity, safety, urban design and interference with other infrastructure.

Strategic and local plans and planning legislation exist for a reason. Insufficient justification and evidence have been provided to support the assumption that a larger structure will mean that fewer structures overall will be built in the future.

Local government would strongly recommend that evidence to show there will be significant benefit from extending tower heights and dishes needs to be provided to justify the assumption that this is the case, prior to making any changes to the LIFD.

Allowing carriers autonomy to install "better facilities, where safe to do so", as low-impact facilities, is in local government's view, likely to lead to increased safety issues. Without an independent assessment of "where it is safe to do so", there is no guarantee that safety will be ensured. This is the role of local government under the Telecommunications Act. Extending the definitions of LIFD undermines the legislated role of local government to review telecommunications infrastructure.

Telecommunications infrastructure needs to be rolled out in a coordinated way using shared development models and be managed so that there is no duplication and a reduced risk of unnecessary and unsightly deployment of infrastructure. This needs to be enshrined in legislation and involve DA approval, not in a low-impact definition.

ALGA and member Associations believe that some of the measures proposed would have a significant impact, and that as a general principle, any facility or activity which has an impact on a Local Government structure, should be assessed by Local Government. Whether the impact would be "minimal" or "minor" and what level of risk may be generated, can be assessed only on a case by case basis.

ALGA further believes that regulation via a Code of Conduct which is enforceable is the preferable method of ensuring carrier activities are monitored and enforced.

It should not be assumed that community expectations are for more, larger infrastructure to increase their broadband speeds, at the expense of visual and community amenity.

Please contact
if you require further information.

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Specific Instances of Problems

Attachment A



Figure A: Pedestrian mall with services underground except for lights and some street furniture.



Figure B: In order to install a 5G antenna on one of the light poles (to which the council does not object) Optus have said they would also need to install a cabinet like the one below next to the pole. It is expected that the other carriers will soon arrive to put more cabinets next to the mall's other poles.



Figure C: Telecommunications overhead line installed by a telecommunications contractor in a tree.



Figure D: Telecommunications conduit installed through a water pipeline bracket.

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Figure E: Telecommunication conduit resting on a transverse stressing bar, increasing oxidization of the bar, and preventing the road authority from undertaking maintenance (replacement of the bar). This bar is critical to bridge integrity and safety.

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Improving the telecommunications powers and immunities framework— consultation outcomes paper

March 2021

Improving the telecommunications powers and immunities framework
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March 2021 Introduction

Introduction

On 16 September 2020, the Department released a consultation paper outlining 12 proposed changes to the carrier' powers and immunities framework. These changes were proposed as part of the Government's commitment to improving the existing framework to get the best out of new networks, including 5G, and to better balance the interests of landowners and carriers. We also note that some proposals go part way to meeting the recommendations made in the House of Representatives Standing Committee on Communications and the Arts' The Next Gen Future inquiry into the deployment, adoption and application of 5G in Australia.¹

This paper provides an overview of the key themes raised in submissions from stakeholders in response to the consultation paper, and an outline of the Government's intentions and next steps relating to each proposal.

The consultation period was open for six weeks, and closed on 30 October 2020. The Department received 49 submissions from a diverse range of stakeholders including: carriers and their industry representatives, telecommunications infrastructure providers, commercial property owners, councils and local governments, state government departments, energy, water, and railway utilities, and road authorities. The diversity of the responses is indicative of the many interests that must be considered to ensure the powers and immunities framework is appropriately balanced.

Submissions from landowners demonstrate a desire for the powers and immunities framework to be modernised and reflect a better balance between the commercial interests of landowners and carriers. Landowners believe the framework is excessively burdensome given the short timeframes, insufficient technical detail in carrier notifications, and fails to address transactional issues regarding payment of rent and power for the equipment. Landowners also argue the framework offers minimal means of objection or recourse for owners and occupiers. Carriers raised concerns that some proposals will carry administrative and cost burdens, while also supporting proposals to expand the *Telecommunications (Low-impact Facilities) Determination 2018* (the LIFD) to improve coverage of existing telecommunications services and further assist the roll out of new 5G services.

At this time, the Government will consult further on all 12 of the proposals included in the paper. The responses set out in the following sections have been informed by the views of all stakeholders. The proposed amendments are not intended to solely benefit or burden a single sector—balancing the framework will require compromise from everyone.

It should also be noted that while the immediate focus is on the proposals that were consulted on, the consultation identified a number of additional policy matters for Government consideration. In some cases, the Department has already met with industry peak bodies to discuss matters raised in submissions, and expects to meet with other peak bodies over time to inform the development of advice to Government.

The majority of submissions preferred changes to the framework to be included in primary or subordinate legislation rather than in an industry code. While it is proposed that amendments be considered to the LIFD, the *Telecommunications Code of Practice 2018* (the Code of Practice) and Schedule 3 to the *Telecommunications Act 1997* (Schedule 3), the Government also recognises that

¹ Information about the 5G inquiry, submissions and the final report can be accessed on the <u>Inquiry into 5G in Australia webpage</u>.

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benefits associated with some amendments can be realised earlier if implemented outside of the regulatory framework.

For example, implementing a standard notice for use across industry would require amendment to Schedule 3 which is a lengthy process. However, developing a standard notice and making the template available for use in the short term would demonstrate what the Government expects best practice to look like.

Amendments relating to the proposals from the September 2020 consultation paper have been separated into two categories and subsequent proposed work plans, for further consultation:

- amendments that can proceed quickly, subject to the outcomes of consultation on exposure draft instruments, as they would be simple to implement (Tranche One), and
- amendments which would require further policy consideration before implementation (Tranche Two).

Further consultation on both tranches of work will commence in Quarter 1, 2021 and will have different completion milestones. A proposed high-level work plan of Tranches One and Two is provided in the section 'Next steps and conclusion'.

1. Safety and notification

A. Creation of a primary safety condition

Aim of Proposal

Landowners have previously argued conditions that inform the way carriers are to safely undertake proposed activities are spread across three different pieces of legislation in a manner which is confusing for parties unfamiliar with the legislation supporting the framework. The consultation paper proposed the inclusion of a 'primary safety condition' that would have the effect of drawing together all existing conditions that carriers must comply with when using their powers and immunities into one centralised Part to the Code of Practice. The proposal would not expand existing conditions, nor establish new grounds of objection relating to safety concerns.

What you told us

Item 16.3 - Attachment 5

- Landowners informed us that the existing safety obligations and requirements placed on carriers are not clearly described, and many are left frustrated when interpreting the current framework.
- Carriers believed that existing safety requirements are fit-for-purpose and do not require
 amendment.
- Some specific industry sectors also expressed a desire to expand the existing safety conditions to include reference to their own industry requirements and standards.

Addressing your responses

 The Government is proposing changes to the Code of Practice to more clearly represent and reinforce the requirements carriers must comply with when undertaking activities under Schedule 3.

^{5.} Improving the telecommunications powers and immunities framework



Next steps

The Government will seek comments on a proposal to amend the Code of Practice to create a primary safety condition, as part of Tranche One of the reforms. The exposure draft of the amended Code of Practice will be released for consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

B. Standard notifications across industry

Aim of Proposal

Notices given by carriers seeking to undertake an activity authorised by Schedule 3 that are of high-quality and include timely and accurate information are an integral element of the powers and immunities framework. It was proposed to introduce standard notices for carriers to use that would have the benefit of helping landowners better understand what works are being proposed by carriers on their land, as well as facilitate better engagement between carriers and landowners regarding proposed works.

What you told us

- Landowners expressed a strong desire for notices to be standardised. Many landowners included extensive examples of poor quality notices being received in their submissions.
- Some carriers raised concerns that transferring to a standardised notice will impose administrative and cost burdens as they would need to reconfigure online systems to implement a new notice template.

Addressing your responses

- It is recognised that, in most cases, notices provided by carriers already include the majority of necessary information prescribed in clause 17 of Schedule 3. To implement a standardised notice framework, Schedule 3 would need to be amended. This is a lengthy process and would mean that any immediate benefit from a standard notice could not be realised.
- There would be benefit in implementing a standardised notice template outside of the regulatory framework to help improve operational relationships between carriers and landowners.
- Making a template notice available for use by carriers will clearly set out how the Government
 expects carriers to engage with landowners about the use of their powers and immunities. The
 template notice will be recognised as best practice in providing information about proposed
 activities to landowners and occupiers.

Next steps

The Government expects the standard notice template to be completed as part of the Tranche One reforms. The Department will work with the Australian Communications and Media Authority (ACMA) and the Telecommunications Industry Ombudsman (TIO) to develop a draft notice that will be consulted on with industry before being implemented. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

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C. Withdrawal of notifications

Aim of Proposal

The consultation paper outlined a proposal that would require carriers to withdraw a notice when the proposed activity is cancelled or indefinitely delayed to provide certainty and transparency for landowners. Currently, carriers are not required to withdraw notifications they give to landowners when proposed works do not proceed, and this can be a source of confusion and frustration with larger landowners, such as public utilities, local councils, road authorities or commercial property owners, who may have undertaken their own preparations regarding the proposed works. This proposal is intended to encourage greater engagement from carriers with landowners.

What you told us

- In response to this proposal, landowners provided examples of numerous problems arising due to the lack of a withdrawal requirement, including multiple notices being issued for the same project with no clear advice as to what had changed between notices.
- Carriers were receptive to introducing a withdrawal requirement, provided that the requirement would be limited to cancelled projects, and is implemented through an industry code.

Addressing your responses

- It is recognised that, in many cases, carriers use informal methods to advise landowners of potential changes, delays or cancellation of proposed work. Implementing a requirement for carriers to formally withdraw a notice in certain circumstances will help provide a necessary exchange of information between carriers and landowners, as well as clarity and certainty about proposed works in all cases.
- The Government proposes to develop a requirement to withdraw notices where proposed works are cancelled.
- Although landowners supported applying the requirement to changed circumstances, such as where proposed works are substantially delayed, there was insufficient evidence at this time of the extent of project delays.

Next steps

The Government will seek comments on a proposal to implement the change to the Code of Practice to require a carrier to withdraw a notice in certain circumstances in Tranche One of the reforms. The exposure draft of the amended Code of Practice will be released for further consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

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D. Requirement to provide engineering certification

Aim of Proposal

The powers and immunities framework requires carriers, when undertaking an activity under Schedule 3 of the Act, to do so in accordance with good engineering practice. Stakeholders advised the Department in 2017 and in the Powers and Immunities Reference Group that landowners continue to bear the risk of the land, asset or infrastructure that telecommunications equipment may be affixed to. The proposal outlined in the consultation paper would require carriers to provide landowners with an engineering certificate about the installation of facilities on their land or infrastructure as a means of demonstrating "good engineering practice". This proposal would provide certainty to all parties that facilities are compliant with the conditions set out in Schedule 3.

What you told us

- Landowners have strongly requested that more information and documentation be provided by carriers about proposed works to help address concerns about the safety and quality of facility installations.
- Stakeholder responses have indicated that any new requirement should clearly outline the information that must be included in a certification, and (where possible) reflect updated state or territory legislation about professional engineering requirements for signing off certificates.
- Carriers have advised that such a requirement should not apply uniformly, as not all facilities
 present the same risk and subsequent need for certification, due to differences in location, type,
 and size.
- Carriers have also advised that introducing such requirements will apply additional cost and administrative burdens, and potentially delay the roll out of facilities and services.

Addressing your responses

- Mutual benefit can be realised from the introduction of an engineering certification requirement. The certification from a suitably qualified engineer would provide certainty and reassurance for both landowners and carriers that work is completed in accordance with relevant industry standards and reflects good engineering practice. The requirement could be introduced in the Code of Practice.
- Further work will be undertaken to determine the certain types of facilities, and the
 circumstances to which engineering certification will apply. It is possible that the types of
 facilities that the engineering certification requirement would apply to could be listed in the
 LIFD.

Next steps

The Government will seek comments on a proposal to amend the Code of Practice to apply a new requirement for engineering certificates to be provided to a landowner for certain types of facilities. The implementation of the requirement will be subject to further consultation in Tranche One of the reforms. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

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E. Extending notification timeframes

Aim of Proposal

Extending the minimum notification timeframe from 10 business days to 20 business days is intended to better afford landowners adequate time to assess proposed works, and request additional information where necessary. It is intended to encourage greater interaction and collaboration between carriers and landowners about proposed works removing the need for landowners to immediately object to a notice.

What you told us

- Public utilities strongly supported the proposed change to extend notification timeframes to 20 business days.
- Other landowners and occupiers requested that this extension apply to all landowners, and not be limited to public utilities.
- Stakeholders told us that the current notification timeframe is frustrated and reduced by postage delays, internal staffing co-ordination requirements, and delays in carriers providing further information when requested.
- Carriers expressed a strong concern that increasing minimum notification timeframes will cause cost and administrative burdens, and could delay roll out of facilities and services.
- Carriers also noted in their submissions they rely on the current 10 day timeframe for the majority of activities undertaken using the powers and immunities framework.

Addressing your responses

- Clause 6 of Schedule 3 provides that 10 business days is the "minimum" timeframe for carriers to provide a notice to a landowner about proposed activities. While there are circumstances where the current timeframe is useful, the lead time for many activities is likely to be known in advance as time is needed to plan for equipment availability and resource assignment. Relying on the minimum timeframe in these circumstances does not afford sufficient time for larger landowners to appropriately consider proposals and leads to automatic objections to proposals as a means of "stopping the clock".
- Submissions noted that notification timeframes that some utility providers are required to adhere to for their proposed activities can be as long as 30 days.
- It is proposed that notification timeframes are extended from 10 to 20 business days and that this extension will go some way to providing balance in the operation of the powers and immunities framework.
- It is expected that the amendment will apply to notices given to all landowners.

Next steps

This change would require an amendment to primary legislation in Schedule 3. As amendments to Schedule 3 are not considered in Tranche One of the proposed work plan, the Government proposes to take steps to implement this change in Tranche Two. The proposed changes in Tranche Two will be subject to further consultation. Further information about Tranches One and Two is set out in the section 'Next steps and conclusion'.

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March 2021 Objections and protections

2. Objections and protections

A. Clarifying the objections process for landowners

Aim of Proposal

The consultation paper discussed the need for a factsheet to be provided to help landowners better understand their rights to object, the grounds available for an objection, and the process and timeframes to be followed for an objection to be made.

What you told us

- Landowners agreed that the current framework is difficult to understand, and the development of a plain English factsheet outlining landowner rights and carrier obligations would be useful.
- Carriers provided a mix of responses to the proposal, with most believing the framework and process are already clearly described within the existing legislation.

Addressing your responses

The Department is preparing a factsheet that will be made available on its website. The
factsheet will be included as a link in notices provided by carriers to landowners under
Schedule 3 of the Act.

Next steps

The Government expects the factsheet to be made available as part of the Tranche One reforms. The Department will work with the ACMA and the TIO to develop a factsheet. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

B. Allowing carriers to refer objections to the TIO

Aim of Proposal

Currently, a carrier may only refer an objection to the TIO where requested to do so by the landowner. This proposal would amend the existing provisions of the Code of Practice to allow carriers to refer landowner objections, without needing a request by a landowner.

Further to the suggestions made by the TIO in the 2017 consultation process, the consultation paper also sought comment on the introduction of a deadline for carriers to refer objections to the TIO, where requested by the landowner.

What you told us

Carrier Referral Right

- Landowners are concerned about the risk that carriers may game the provision to effectively "skip" negotiations, and instead immediately refer matters to the TIO to expedite the process.
- Landowners requested this referral right be subject to a condition on carriers having engaged in good faith to resolve objections with landowners.
- Carriers supported the implementation of the new referral right.

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March 2021 Objections and protections

Deadline for Referrals

- Landowners supported introducing a deadline for carriers to refer landowner-requested objections to the TIO.
- Carriers object to the proposal on grounds of administrative burden.

Addressing your responses

- The Government proposes to amend the Code of Practice to include provisions to allow carriers to also refer objections to the TIO. The provisions would make it clear that referral can occur only after carriers having first made genuine attempts to resolve any issues with landowners.
- The Government also proposes to amend the current TIO referral provisions to introduce a deadline for carriers to refer landowner-requested objections.

Next steps

The Government will seek comments on proposals to implement the changes to the Code of Practice allowing a carrier to refer objections to the TIO and including a deadline for carriers to refer objections to the TIO after a landowner request in Tranche One of the reforms. The exposure draft of the amended Code of Practice will be released for further consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

C. Removal of redundant equipment

Aim of Proposal

The consultation paper sought information from stakeholders on the prevalence of redundant equipment, and how such redundant equipment negatively impacted landowner operations, to assist Government consideration of options for the treatment of redundant equipment.

What you told us

- Submissions from landowners confirmed the continued presence of redundant equipment on land or infrastructure is of ongoing concern. Landowner concerns relate to increased safety risks in deteriorating equipment, diminished visual amenity, impairment of landowner usage of land, and preventing deployment of newer technologies.
- Landowners strongly support the introduction of a legislative requirement for carriers to remove redundant equipment.
- Carriers indicated they are willing to support this proposal if its application is limited to: specific
 types of facilities; for specific classes of landowners; only on request; where removal is
 reasonable; and the equipment is not capable of being repurposed. Carriers are also concerned
 this new requirement will substantially increase administrative and costs burdens.
- Some carriers indicated that any requirement for removing redundant equipment should be implemented through an industry code, rather than a legislative instrument.

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Facilitating services in line with community expectations and to support economic growth

Addressing your responses

- The feedback we have received confirms that the management of redundant facilities is a key concern for landowners. This concern was also recognised in the Standing Committee on Communications and the Arts 'Next Gen Future' 5G inquiry, which recommended the Australian Government facilitate discussion between carriers and landowners for managing redundant and ageing telecommunications equipment.²
- The extent of the problem that redundant equipment is causing is yet to be established. None
 of the submissions provided data or quantitative analysis of the extent of the problem on
 existing assets of infrastructure. The Department would welcome further information and
 evidence from stakeholders on this issue.

Next steps

The Government supported the recommendation from the 5G inquiry to consider the treatment of redundant and ageing telecommunications equipment. The Government proposes to implement a framework for carriers to remove redundant equipment and will consult on the parameters of any new requirement as part of the Tranche Two reforms. Further information about Tranches One and Two is set out in the section 'Next steps and conclusion'.

3. Facilitating services in line with community expectations and to support economic growth

A. Improve coverage outcomes through better infrastructure, where safe

Aim of Proposal

A number of changes to the LIFD were proposed that would change the dimensions of existing items and introduce a new item to the Schedule to improve the coverage footprints of existing and future telecommunications services. These proposed amendments would increase the maximum size of two existing items in the LIFD regarding antennae protrusion and satellite dishes, and would introduce radiocommunications lens antennae as a new type of low-impact facility. While these amendments are intended to improve coverage, they also help minimise impact on visual amenity as the need for new, standalone facilities in the same area would be reduced.

What you told us

- Landowners expressed concerns with the proposals, on the grounds of diminished visual amenity and the structural integrity of expanded facilities.
- Some landowners expressed fundamental concerns with the LIFD, noting its purpose and content should be holistically reviewed.
- Carriers expressed strong support for this proposal as these amendments will improve coverage footprints and the quality of services used by all Australians.

² The Committee's report of its inquiry into 5G in Australia can be accessed on the <u>Next Gen Future</u> <u>webpage</u>.

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Facilitating services in line with community expectations and to support economic growth

 The proposal enables greater co-location of carrier infrastructure and reduces the need for new, standalone facilities. A reduced infrastructure footprint can be achieved by expanding the size of existing infrastructure, and this helps balance the impact on visual amenity.

Addressing your responses

- Statements that communities are prepared to accept a lesser quality of service in order to
 maintain visual amenity in their suburbs are acknowledged, however the traffic volume of data
 and telecommunications usage in response to the COVID-19 pandemic also indicates significant
 community demand for high-quality telecommunications services.
- The benefit of these proposals in expanding coverage footprints or providing greater backhaul capability for existing telecommunications services is needed in the current environment to assist in Australia's recovery from the pandemic, and to support ongoing, changed arrangements to the way we work, study and connect.
- The concerns raised by landowners about the safety and structural integrity of expanded
 facilities are able to be addressed by the implementation of other proposals in Tranche One
 such as reinforcing the safety conditions carriers must comply with, along with the new
 requirement for engineering certification of facilities to be provided to landowners.

Next steps

The Government recognises the economic and social benefits that improved communications infrastructure provides to the Australian community and proposes to implement these changes to the LIFD in Tranche One of the reforms. The exposure draft of the amended LIFD will be released for further consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

B. Improve coverage outcomes through tower extensions

Aim of Proposal

The consultation paper sought stakeholder feedback on classifying tower extensions up to 5 metres in commercial areas as a low-impact activity. Currently, extensions of up to 5 metres are permitted on existing towers only in rural and industrial areas. Permitting tower extensions facilitates improved coverage and the co-located deployment of new telecommunication technologies, while reducing the need for new facilities to be installed.

What you told us

- Responses from landowners showed primary concerns relating to safety of the larger infrastructure and visual amenity impacts.
- There were some misconceptions amongst some non-carrier stakeholders about this proposal. Some stakeholders believed this was a proposal to encourage greater tower deployment while others assumed this was an increase to the maximum height of new towers.
- Carriers advised that tower extensions will be necessary to facilitate the co-location of telecommunications infrastructure in areas of higher density usage and will improve coverage while again reducing the need for new, standalone facilities to be deployed.

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Facilitating services in line with community expectations and to support economic growth

Addressing your responses

- Towers and poles are unable to be specified as low-impact facilities and require development approval from local government to be installed. However, once installed the LIFD provides that carriers can extend the height of a tower using their powers and immunities if they meet certain conditions about the maximum height of the extension and the location of the tower. For example, the LIFD currently provides a maximum extension to the height of a tower located in industrial and rural areas of no greater than 5 metres. The proposal in the consultation paper sought to extend the current provision to commercial areas.
- Allowing tower extensions in commercial areas will have the benefit of increasing coverage in areas where there is a higher density of telecommunications usage. Concerns about diminished visual amenity are acknowledged and are largely balanced against the reduced need for additional infrastructure to be installed.
- The concerns raised by landowners about the safety and structural integrity of expanded
 facilities are able to be addressed by the implementation of other proposals in Tranche One
 such as reinforcing the safety conditions carriers must comply with, along with the new
 requirement for engineering certification of facilities to be provided to landowners.

Next steps

The Government recognises the benefit that this proposal would provide to the Australian community and proposes to implement the changes to the LIFD in Tranche One of the reforms. The exposure draft of the amended LIFD will be released for further consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

C. Allowing deployment on poles rather than on utilities

Aim of Proposal

The deployment of 5G, particularly millimetre wave technology, will require telecommunications infrastructure to be deployed in a higher density than what is currently observed in our metropolitan and suburban environments. The consultation paper tested whether smart poles could be specified as a low-impact facility to help make 5G available to the community in a more efficient way, such as removing the need for a protracted development approval process, while minimising the impact on local visual amenity.

What you told us

- Landowners expressed concern about specifying smart poles as a low-impact facility. These
 concerns extend to the dimensions of smart poles, visual design, costs arrangements,
 determining pole locations, and ownership matters.
- Carriers confirmed that the rollout of 5G will require higher density deployment and that a
 development approval process for each smart pole renders deployment uneconomic. Carriers
 argue that smart poles would improve coverage and quality of service, while utilising a more
 discrete design.

Addressing your responses

• It is recognised that smart poles, or a variant thereof, will be integral to the effective roll out of 5G and millimetre wave technologies and the development of a policy that would enable smart poles to be deployed as low-impact facilities must necessarily address the concerns raised by landowners.

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Facilitating services in line with community expectations and to support economic growth

Next steps

The Government's strategy is to support the timely rollout of 5G to enable Australia's economic productivity and growth. Balancing the interests of carriers and landowners is necessary for this proposal to be able to be implemented. An amendment to Schedule 3 would be needed in order to give effect to any proposal that would see smart poles able to be specified by the Minister as a low-impact facility. The Department will consider the matters raised in submissions and will consult further on a proposed framework as part of the Tranche Two reforms. Further information about Tranches One and Two is set out in the section 'Next steps and conclusion'.

D. Encourage the co-location of facilities

Aim of Proposal

To help improve coverage and enable the deployment of 5G in high-use areas, it was proposed that the co-location volume limits set out in the LIFD be increased. Two options were proposed: increasing the volume limits in residential and commercial areas to 50 per cent, or increasing residential limits to 50 per cent and removing limits in commercial areas entirely.

What you told us

- Responses from landowners highlighted the need for a standard methodology to determine colocation volume be set out in the LIFD. While there was some support for increasing commercial area limits from 25 per cent to 50 per cent, there was little support for any increases to residential limits.
- Some landowners were concerned about the safety and structural integrity of infrastructure that may have additional equipment attached as a result of increased co-location volume limits.
- Carriers strongly support increasing residential limits to 50 per cent and removing limits in commercial areas, arguing that increased co-location will improve coverage, reduce costs, and shorten deployment timeframes.

Addressing your responses

- It is recognised that increased co-location of telecommunications equipment on existing public infrastructure offers benefits such as improved local coverage and enables the deployment of new technologies, while minimising the impact that larger, standalone infrastructure has on visual amenity
- The need for a standardised methodology is acknowledged and would provide carriers, landowners and the community with certainty about what and how much equipment can be attached to infrastructure.
- Taking into account the information provided in submissions, the existing co-location volume limits in commercial areas will be increased from 25 per cent to 50 per cent.
- The concerns raised by landowners about the safety and structural integrity of expanded
 facilities are able to be addressed by the implementation of other proposals in Tranche One
 such as reinforcing the safety conditions carriers must comply with, along with the new
 requirement for engineering certification of facilities to be provided to landowners.

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March 2021 Next steps and conclusion

Next steps

The Government recognises the benefit of co-locating telecommunications equipment on public infrastructure, when it is safe to do so. The Department will continue to explore options to create a standardised co-location volume methodology with industry input. This methodology would give certainty to all stakeholders on the amount of equipment that can be attached to infrastructure. The exposure draft of the amended LIFD will be released for further consultation. Further information about Tranche One is set out in the section 'Next steps and conclusion'.

Next steps and conclusion

The Department thanks stakeholders for their insightful submissions on the consultation paper, and their interest and commitment to a modernised and streamlined legislative framework. The feedback received will allow the Department to better determine the best means of modernising, improving and balancing the powers and immunities framework, with respect to the diverse range of relevant stakeholder interests.

Tranche One

Consultation on matters included in Tranche One is proposed to occur in early 2021 as the matters included in this tranche of work involve changes to subordinate legislation, such as the Code of Practice and the LIFD, or administrative processes, such as developing a factsheet to be made available on the Department's website. The consultation process will involve consideration of exposure drafts of proposed amendments to the Code of Practice and the LIFD. An outline of the matters is provided in the table below.

Tranche One—Outline of matters for consideration

| Proposal from consultation | Detail |
|----------------------------------|---|
| Primary safety condition | Amendment to Telecommunications Code of Practice 2018 |
| Standard notifications | Development of template notice for best practice guidance, to be made available on the Department's website |
| Withdrawal of notifications | Amendment to Telecommunications Code of Practice 2018 |
| Engineering certification | Amendment to Telecommunications Code of Practice 2018 |
| Clarifying objections process | To be made available on the Department's website |
| Carrier referral to TIO | Amendment to Telecommunications Code of Practice 2018 |
| Extension to antenna protrusions | Amendment to the <i>Telecommunications (Low-impact Facilities) Determination 2018</i> |
| Larger satellite dishes | Amendment to the <i>Telecommunications (Low-impact Facilities)</i> Determination 2018 |
| Radiocommunications lens antenna | Amendment to the <i>Telecommunications (Low-impact Facilities)</i> Determination 2018 |
| Tower extensions | Amendment to the <i>Telecommunications (Low-impact Facilities)</i> Determination 2018 |
| Co-location volume limits | Amendment to the <i>Telecommunications (Low-impact Facilities)</i> Determination 2018 |

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March 2021 Next steps and conclusion

Tranche Two

Consultation on matters included in Tranche Two is proposed to commence in the first half of 2021 allowing the Department time to further refine the proposals and address the issues raised in submissions to the consultation paper. Consultation is likely to focus on the detail of the policy proposals to inform Government consideration in advance of the legislative drafting process. It should be noted that further consultation will occur on the content of any draft legislation.

The following table identifies the three proposals from the consultation paper that will be considered in Tranche Two.

Tranche Two—Outline of matters for consideration

| | onsideration | |
|-----------------------------------|---|--|
| Proposal from consultation | Detail | |
| Extending notification timeframes | Amendment to Schedule 3, Telecommunications Act 1997 | |
| | Subsequent amendment to: | |
| | Telecommunications Code of Practice 2018 | |
| Smart poles | Subject to additional policy development and consultation: | |
| | Amendment to Schedule 3, Telecommunications Act 1997 | |
| | Subsequent amendment to: | |
| | Telecommunications Code of Practice 2018 | |
| | • Telecommunications (Low-impact Facilities) Determination 2018 | |
| Removal of redundant equipment | Subject to additional policy development and consultation: | |
| | Amendment to Schedule 3, Telecommunications Act 1997 | |
| | Subsequent amendment to: | |
| | Telecommunications Code of Practice 2018 | |

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March 2021 Glossary

Glossary

Glossary of terms

| Terms | Meaning |
|------------------|---|
| The Act | Telecommunications Act 1997 |
| Carrier | The owner of a network unit used to supply carriage services—such as telephony or internet—to the public. Must hold a carrier licence from the ACMA in accordance with the Act. |
| Code of Practice | Telecommunications Code of Practice 2018 |
| The Department | The Department of Infrastructure, Transport, Regional Development and Communications. |
| Notice | Land Access Activity Notice—a notice issued by telecommunications carriers seeking entry to land to conduct activities authorised by Schedule 3 to the Act. |
| Landowners | The owner of a site or an asset where a telecommunications facility is proposed to be deployed. There are many types of landowners including government, utilities, road authorities, commercial entities and homeowners. |
| LIFD | Telecommunications (Low-impact Facilities) Determination 2018. |
| PIRG | The Powers and Immunities Reference Group |
| Schedule 3 | Schedule 3 to the Telecommunications Act 1997, which sets out the carriers' powers and immunities framework. |
| TIO | Telecommunications Industry Ombudsman—the independent dispute resolution service for telecommunications consumers, which also covers some powers and immunities issues (www.tio.com.au). |

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