NORTH BURNETT
REGIONAL COUNCIL

AGENDA

General Meeting

17 January 2018

NOTICE OF GENERAL MEETING

To: Cr RL Chambers (Mayor)
Cr FO Whelan (Deputy Mayor)
Cr PW Lobegeier
Cr PF Webster
Cr BJ Zahl
Cr WJ Bowen
Cr RP Radel

Please be advised that the General Meeting of the North Burnett Regional Council will be held at the Monto Boardroom on Wednesday, 17 January 2018 commencing at 9:00am.

An agenda is attached for your information.

Mark Pitt
Chief Executive Officer

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1 ATTENDEES

2 WELCOME/HOUSEKEEPING

3 APOLOGIES/LEAVE OF ABSENCE

4 DECLARATION OF INTEREST

5 DEPUTATIONS/PETITIONS

Council will make time available at each General Meeting for public questions/ representations. This is an opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications. Other than with approval of the Mayor, individuals will not be allowed to address Council on agenda related matters at any other time during the meeting. Public Question and Statements Time will commence at 9:30am.

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE GENERAL MEETING HELD ON 13 DECEMBER 2017

Doc Id: **851239**

Author: **Natalie Zillman, Executive Assistant**

Authoriser: **Mark Pitt, Chief Executive Officer**

Attachments: **1. Minutes of the General Meeting held on 13 December 2017**

HEADING

RECOMMENDATION

1. That the Minutes of the General Meeting held on 13 December 2017 be received and the recommendations therein be adopted.

MINUTES OF NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
HELD AT THE MT PERRY BOARDROOM
ON WEDNESDAY, 13 DECEMBER 2017 AT 9:04AM

1 ATTENDEES

COUNCILLORS: Cr Rachel Chambers (Mayor), Cr Faye Whelan (Deputy Mayor), Cr John Bowen, Cr Paul Lobegeier, Cr Peter Webster, Cr John Zahl, Cr Robert Radel

OFFICERS: Mark Pitt (Chief Executive Officer), Trevor Harvey (General Manager of Strategy, Innovation and Assets), Brad Duke (General Manager Corporate and Community Services), Natalie Zillman (Executive Assistant)

2 WELCOME/HOUSEKEEPING

The Mayor declared the meeting open and welcomed all attendees.

3 APOLOGIES/LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTEREST

Nil

5 DEPUTATION/PETITIONS

Council will make time available at each General Meeting for public questions/ representations. This is an opportunity for members of the public to make a representation on a matter in which they have an interest on an item which is before the Council for decision e.g. development applications. Other than with approval of the Mayor, individuals will not be allowed to address Council on agenda related matters at any other time during the meeting. Public Question and Statements Time will commence at 9:30am.

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE GENERAL MEETING HELD ON 15 NOVEMBER 2017

RESOLUTION 2017/1

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

1. That the Minutes of the General Meeting held on 15 November 2017 be received and the recommendations therein be adopted. **CARRIED**

6.2 MINUTES OF THE TECHNICAL SERVICES STANDING COMMITTEE MEETING HELD ON 6 DECEMBER 2017

RESOLUTION 2017/2

Moved: Cr John Zahl
Seconded: Cr Peter Webster

1. That the Minutes of the Technical Services Standing Committee Meeting held on 6 December 2017 be received and the recommendations therein be adopted. **CARRIED**

6.3 MINUTES OF THE POLICY AND PLANNING STANDING COMMITTEE MEETING HELD ON 6 DECEMBER 2017

RESOLUTION 2017/3

Moved: Cr John Bowen
Seconded: Cr John Zahl

1. That the Minutes of the Policy and Planning Standing Committee Meeting held on 6 December 2017 be received and the recommendations therein be adopted.
CARRIED

7 GOVERNANCE REPORTS

7.1 GOV FOURTH QUARTER (Q4) OPERATIONAL PLAN REPORT

RESOLUTION 2017/4

Moved: Cr John Zahl
Seconded: Cr John Bowen

That North Burnett Regional Council receives the Fourth Quarter (Q4) Operational Plan report for the 2016-2017 financial year. **CARRIED**

At 9:13 am, Cr John Zahl declared a perceived conflict of interest in agenda item 7.2 (as defined in section 173 of the Local Government Act 2009) due to his Bendigo Bank Board membership and the fact that the Bank had also been contacted for funding as well regarding item 7.2. He advised the meeting that he will exclude himself from the meeting while this matter is debated and the vote is taken. Cr John Zahl left the meeting at 9:14am.

7.2 C&K KINDERGARTEN, GAYNDAH - DEPUTATION 15 NOVEMBER 2017 - BUILDING MAINTENANCE AND COUNCIL FUNDING REQUEST

RESOLUTION 2017/5

Moved: Cr Faye Whelan
Seconded: Cr Robert Radel

That Council authorise a contribution of $5590 for C&K Kindergarten, 28 Fielding Street, Gayndah towards building improvements (deck construction) and the waiving of applicable Council fees. Further that it be referred to the Chief Executive Officer (General Manager Corporate & Community Services) to arrange this payment as soon as possible with a necessary budget review being shown in Q2 budget review.

CARRIED

At 9:17 am, Cr John Zahl returned to the meeting.

7.3 PROPOSED PURCHASE LEASED LAND - PART OF LOT 86 SP227537

RESOLUTION 2017/6

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That the report be received and further direction be provided to the Chief Executive Officer on whether this new proposal to purchase leased land Part D of Lot SP227537 is to be reconsidered. **CARRIED**

DEPUTATION / PETITIONS

1. Mr Roy and Mrs Bev Marbach

At 9:25am Mr Roy and Mrs Bev Marbach attended the meeting.

Mr Marbach congratulated the elected Councillors on their elected office and discussed the drainage of water on rural roads and the spraying of grass.

A customer request was recorded for Yarrol and Cannindah Road visibility.

At 9:23am, Mr and Mrs Marbach left the meeting.

2. Mrs Debbie Charles and Miss Rachel Charles

At 9:32am, Mrs Debbie Charles and daughter Rachel from the Mt Perry General Store attended the meeting to present to Council their concerns of the new Mt Perry footpath is having on the commercial trading of their General Store business. Colour photographs of the area in question were presented.

At 9:41am Mrs and Miss Charles left from the meeting.

It was agreed that at the morning tea break, Councillors would inspect the construction work on the footpath in close proximately to the General Store.

DEPUTATION - MT PERRY FOOTPATH AND GENERAL STORE

RESOLUTION 2017/7

Moved: Cr Paul Lobegeier
Seconded: Cr John Bowen

That the deputation from the owner of the Mt Perry General Store be received and that if be referred to the Chief Executive Officer (General Manager Corporate and Community) to investigate the claim as presented and report back to Council. **CARRIED**

At 9:51 am, Cr John Bowen left the meeting and returned at 9:52 am.

7.4 EXPRESSIONS OF INTEREST - SUPPLIERS TO PROVIDE PERFORMANCE MANAGEMENT SOFTWARE SOLUTIONS

RESOLUTION 2017/8

Moved: Cr Paul Lobegeier
Seconded: Cr Faye Whelan

1. That pursuant to section 228 of *Local Government Regulation 2012*, Council resolves that it is in the public interest to call expressions of interest from suitable suppliers for the purchase of fully integrated performance management software to improve existing strategic and operational reporting arrangements as required by the Corporate Plan and;
2. The reason behind Council's decision here is to allow suppliers to provide an expression of interest, including on-site demonstrations, without having to prepare a more detailed quotation and;
3. It be referred to the Chief Executive Officer (General Manager Corporate and Community Services) to prepare expression of interest documentation for advertising as soon as possible and report back on submissions received. **CARRIED**

7.5 PROPEL AFTER HOURS 12 MONTH REVIEW

RESOLUTION 2017/9

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That the Propel after hours 12 month review as presented be received. Further, that a comparison report also be prepared to show the cost to Council if staff provided with service out of normal hours. **CARRIED**

7.6 QUARTER ONE BUDGET REVIEW

RESOLUTION 2017/10

Moved: Cr Robert Radel
Seconded: Cr Paul Lobegeier

That the North Burnett Regional Council 2017-18 Amended Budget Statements including the following be adopted:

- Statement of Comprehensive Income & Long Term Forecast
- Balance Sheet & Long Term Forecast
- Cash Flow Statement & Long Term Forecast
- Statement of Changes in Equity & Long Term Forecast
- Financial Sustainability Ratios
- Rate & Utility Charges analysis
- Fees and Charges **CARRIED**

7.7 PROPOSAL TO ADOPT CORPORATE STYLE

RESOLUTION 2017/11

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That the North Burnett Regional Council Corporate Style report as presented be adopted and implemented Council wide with necessary training and instructions on usage. In addition, that the Chief Executive Officer be delegated to make any further alterations or additions to the style guide. **CARRIED**

7.8 FINANCE REPORT

RESOLUTION 2017/12

Moved: Cr John Bowen
Seconded: Cr John Zahl

That the Finance Report as presented be adopted. **CARRIED**

7.9 COUNCILLOR MEETING SCHEDULE 2018

RESOLUTION 2017/13

Moved: Cr John Zahl
Seconded: Cr Peter Webster

That Council conducts the following Council Meetings during 2017 commencing at 9:00am and at the Office Meeting Room of the locations nominated.

General Meeting	17-Jan-18	Monto
Standing Committee	7-Feb-18	Mundubbera
General Meeting	21-Feb-18	Eidsvold
Standing Committee	7-Mar-18	Biggenden
General Meeting	21-Mar-18	Mt Perry
Standing Committee	4-Apr-18	Gayndah
General Meeting	18-Apr-18	Mundubbera
Standing Committee	2-May-18	Monto
General Meeting	16-May-18	Biggenden
Standing Committee	6-Jun-18	Eidsvold
General Meeting	27-Jun-18	Gayndah
Standing Committee/Budget	4-Jul-18	Mt Perry
General Meeting	18-Jul-18	Monto
Standing Committee	1-Aug-18	Mundubbera
General Meeting	15-Aug-18	Biggenden
Standing Committee	5-Sep-18	Eidsvold
General Meeting	19-Sep-18	Mt Perry
Standing Committee	3-Oct-18	Gayndah
General Meeting	17-Oct-18	Eidsvold
Standing Committee	7-Nov-18	Biggenden
General Meeting	21-Nov-18	Mt Perry
Standing Committee	5-Dec-18	Monto
General Meeting	12-Dec-18	Gayndah

CARRIED

7.10 ORGANISATIONAL RESTRUCTURE

RESOLUTION 2017/14

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That the Organisational Restructure report as presented be adopted. **CARRIED**

Attachments

1 Organisational Chart by Function

The meeting adjourned for morning tea at 10:27am and resumed at 11:06am.

8 ECONOMIC REPORTS

8.1 TROP AG CONFERENCE 2017

RESOLUTION 2017/15

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That the TropAg Conference 2017 report as presented be received as information. **CARRIED**

8.2 1ST QUARTER CARAVAN AND CAMPING REPORT

RESOLUTION 2017/16

Moved: Cr Robert Radel
Seconded: Cr John Zahl

That Council receive the 1st Quarter Caravan and Camping Report as information. **CARRIED**

8.2.1 MUNDUBBERA SEASONAL WORKERS CAMP

RESOLUTION 2017/17

Moved: Cr Faye Whelan
Seconded: Cr Peter Webster

The Mundubbera Seasonal Workers Campsite be made available to Not-for-Profit organisations (registered under Council's Policy Number 113) for community activities and events (such as community BBQ's, Girl Guide Camps, Cadets, etc.) in accordance with per Quarter One Report (Doc 847354). **CARRIED**

8.3 SYSTEMATIC INSPECTION PROGRAM - EIDSVOLD

RESOLUTION 2017/18

Moved: Cr John Zahl
Seconded: Cr Paul Lobegeier

That Council approves a systematic inspection program for Eidsvold as follows:

1. Compliance Officers conduct a door to door drive by of all properties in Eidsvold to identify unregistered dogs and issue notices to register those detected (Notices to register and information leaflets to be placed in mailboxes. Information leaflets to be sent by mail to all dog owners already registered with Council in the Eidsvold area.
    - High probability of being conducted in one day.
    - Less risk of conflict as no entry to property required.
    - May miss some small breed dogs kept inside the home at time of visit however small breed dogs are determined low risk.
2. Further an information/education display board be established in Eidsvold Library (responsible dog ownership) with brochures, registration forms and other information at hand; and
3. Council's compliance officers be present at a Council information booth/display at the Eidsvold Show to be held on 06 May 2018 with the ability to answer any questions from the community, provide feedback, and discuss issues on site. **CARRIED**

8.4 THOMPSONS CROSSING BARAMBAH CREEK

RESOLUTION 2017/19

Moved: Cr John Bowen
Seconded: Cr John Zahl

That the report be received.

(An update on the recent survey and findings has been sent by post to the adjoining property land owners Jennifer and Bradley Spry; no response has yet been received. The matter has been referred to King & Co, no information or recommendations have yet been received. Any updated or received information / recommendations to be included in ongoing future reports.) **CARRIED**

8.5 DEVELOPMENT STATISTICS REPORT

RESOLUTION 2017/20

Moved: Cr Faye Whelan
Seconded: Cr Robert Radel

That the Development Statistics as presented be received and the contents noted. **CARRIED**

9 SOCIAL REPORTS

9.1 BUSINESS STREETSCAPE FUNDING

RESOLUTION 2017/21

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That Council approves Business Streetscape Funding of $1000 for Mulgildie School of Arts Inc. - $1000 in accordance with general policy 218. **CARRIED**

9.2 GRANTS TO COMMUNITY ORGANISATIONS

RESOLUTION 2017/22

Moved: Cr Robert Radel
Seconded: Cr John Zahl

1. That Council approve recommendations on Community Grant funding applications received and outlined in table for financial and in-kind assistance, under Policy 119 Lifelong Community Grants, Policy 120 Cultural and Sports Performance Grants, Policy 121 Major Events Grants, and Policy 113 Not for Profit Community Organisations and In-Kind Support; and
2. The matter be referred to the Chief Executive Officer (General Manager Corporate and Community) to advise regional Men's Shed group of Council's previous and current grant support being provided and that signage acknowledging the same be erected at individual sheds. **CARRIED**

Attachments

1 Community Grants Assessment Report

10 INFRASTRUCTURE REPORTS

10.1 SCHOOL BUS ROUTES IN NORTH BURNETT

RESOLUTION 2017/23

Moved: Cr John Bowen
Seconded: Cr Robert Radel

That the School Bus Route Report as presented be received and the contents noted;

1. The School Bus Route Report be updated and presented to Council at a frequency to be determined by Council, propose a six (6) monthly basis.
2. Council commit to condition assess the School Bus Routes on a six (6) monthly frequency, Council's other roads are currently condition assessed on a yearly basis.
3. Council consider, during future budget discussions and in line with Council's Asset Management Plan and policies, quarantine monies for the purpose of maintenance of approved current Bus Routes.
4. It be referred to Chief Executive Officer (Manager of Civil Works) to;
   (a) Seek meeting with Translink counterparts to better understand Council's obligations and vehicle specifications for rural roads and report back to Council; and
   (b) Communicate Council's obligations, and plan to meet those obligations, School Bus Route operators.

CARRIED

10.2 ENGINEERING - B DOUBLE REPORT - MILLER - 111321R1V1

RESOLUTION 2017/24

Moved: Cr John Bowen
Seconded: Cr John Zahl

That the National Heavy Vehicle Regulator be advised that Council does not endorse approval of the permit application (Case 1111321r1v1 by Miller Interstate Haulage) for 25/26 metre B-Double vehicles to travel along Ross Crossing Road south from Eidsvold – Theodore Road and across the Burnett River due to infrastructure inadequacies and network safety concerns for the vehicle identified.

CARRIED

11 ENVIRONMENTAL REPORTS

Nil

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

RESOLUTION 2017/25

Moved: Cr John Zahl
Seconded: Cr Faye Whelan

That the Councillor reports as presented be received as information and the contents noted.

CARRIED

13 CONFIDENTIAL REPORTS

12:08PM RESOLUTION 2017/26

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the Local Government Regulation 2012:

13.1 Panel of Providers for Facilities Maintenance - 2909/2017-18/QTB/16

This matter is considered to be confidential under Section 275(1) - h 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 other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.2 Pest Control Inspections and Treatment Quotation - 2909/2017-18/QTB/17

This matter is considered to be confidential under Section 275(1) - h 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 other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.3 Financial Report - Write-Off of Debtor Invoice

This matter is considered to be confidential under Section 275(1) - h 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 other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.4 Service Request Report

This matter is considered to be confidential under Section 275(1) - h 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 other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

CARRIED

12:13PM RESOLUTION 2017/27

Moved: Cr Paul Lobegeier
Seconded: Cr John Zahl

That Council moves out of Closed Council into Open Council. **CARRIED**

13.1 PANEL OF PROVIDERS FOR FACILITIES MAINTENANCE - 2909/2017-18/QTB/16

RESOLUTION 2017/28

Moved: Cr Paul Lobegeier
Seconded: Cr Peter Webster

That Council approves all applicants (as shown below) and be added to Council's Panel of Providers for Facilities Maintenance under Quotation 2909/2017-18/QTB/16 for a period of two (2) years. This excludes Direct Pest Control as Council has advertised separately for Pest Control services.

- Burnett Mini Excavation
- Biggenden Engineering Works
- Burnett Building Maintenance
- DF Electrical Services
- Gainsite Pty Ltd
- Gayndah Sparky Services
- John Hotz
- LD Baker Constructions
- John Leggett
- Mark Robertson
- J & M Stradmann Painting
- Ronald Ormston
- P & B Hickey Refrigeration
- Laurie Barnett
- Mundubbera Plumbing Services
- Monto Irrigation & Plumbing Supplies
- Kevin Maddern
- Auzzie Industries
- Kolan & District Electrical
- Murt's Plumbing Service
- DJ's Steel & Concrete
- Chalmers ESR
- B & K Day Electrical

CARRIED

13.2 PEST CONTROL INSPECTIONS AND TREATMENT QUOTATION - 2909/2017-18/QTB/17

RESOLUTION 2017/29

Moved: Cr Robert Radel

Seconded: Cr Faye Whelan

That Council award the Annual Pest control and inspections of various Council facilities under Quotation 2909/2017-18/QTB/17 for a period of two (2) years to 4LB trading as Amalgamated Pest Control Mundubbera.

CARRIED

13.3 FINANCIAL REPORT - WRITE-OFF OF DEBTOR INVOICE

RESOLUTION 2017/30

Moved: Cr John Bowen
Seconded: Cr John Zahl

That Council resolve to write off the outstanding debt of $396.00 as it is considered uncollectable.

CARRIED

13.4 CIVIL WORKS SERVICE REQUEST REPORT

RESOLUTION 2017/31

Moved: Cr Paul Lobegeier
Seconded: Cr John Bowen

That the Civil Works Service Request Report as presented be received and the contents noted

CARRIED

14 GENERAL BUSINESS

14.1 CENTRAL COAST QUEENSLAND SEVERE WEATHER EVENT 2017 - RECOVERY PLAN FOR THE CUMULATIVE IMPACTS OF DISASTERS

RESOLUTION 2017/32

Moved: Cr Paul Lobegeier
Seconded: Cr Robert Radel

That Council endorse the *Central Coast Queensland Severe Weather Event 2017 - Recovery Plan for the Cumulative Impacts of Disasters* as presented.

CARRIED

14.2 HALL HIRE WAIVER REPORT

RESOLUTION 2017/33

Moved: Cr Paul Lobegeier
Seconded: Cr Faye Whelan

That it be referred to the Chief Executive Officer (General Manager Corporate and Community) to prepare a report for Council with the outcomes of the 2017 hall waiver trial period. In addition, Council waive the Biggenden Hall hire fees for the Apex Christmas Day lunch.

CARRIED

14.3 CR WEBSTER GENERAL BUSINESS

- Eidsvold Disaster Recovery Support Group requested a flood map for the area and flood gauge boards on the bridges are faded and need replacing.
- Confirmation of Wuruma Dam meeting on Wednesday 20 December 2017.
- Replacement of the Eidsvold cemetery fence to be listed for consideration in the 2017-2018 capital works budget.

14.4 CR RADEL GENERAL BUSINESS

- Maintenance needed on Corringa Hills Road due to sharp gravel.
- Biggenden Christmas Fair, 23 December 2017 – road closure issues.
- Biggenden pool (children's) bucket not working and grandstand footings require inspection and listed on maintenance program.

14.6 CR LOBEGEIER GENERAL BUSINESS

- Monto lawn cemetery aesthetics
- Responsibility of cemetery plaques in Monto – guidelines being established.
- Acknowledgement the Monto-Mt Perry road works.

RECOMMENDED

That it be referred to the Chief Executive Officer (Manager Civil Works) to prepare an ongoing garden maintenance plan for the Monto Cemetery and it be presented to the Technical Services Standing Committee in the new year.

14.7 CR WHELAN GENERAL BUSINESS

- Investigation into limited burial plots available at the Mundubbera Cemetery and report back.
- Endorsed Council submission for Foundation for Rural and Regional Renewal (FRRR) which closed on 12 January 2018. General Manager Corporate and Community to follow-up.

15 CLOSURE OF MEETING

The Meeting closed at 12:36pm.

The minutes of this meeting were confirmed at the General Meeting held on 17 January 2018.

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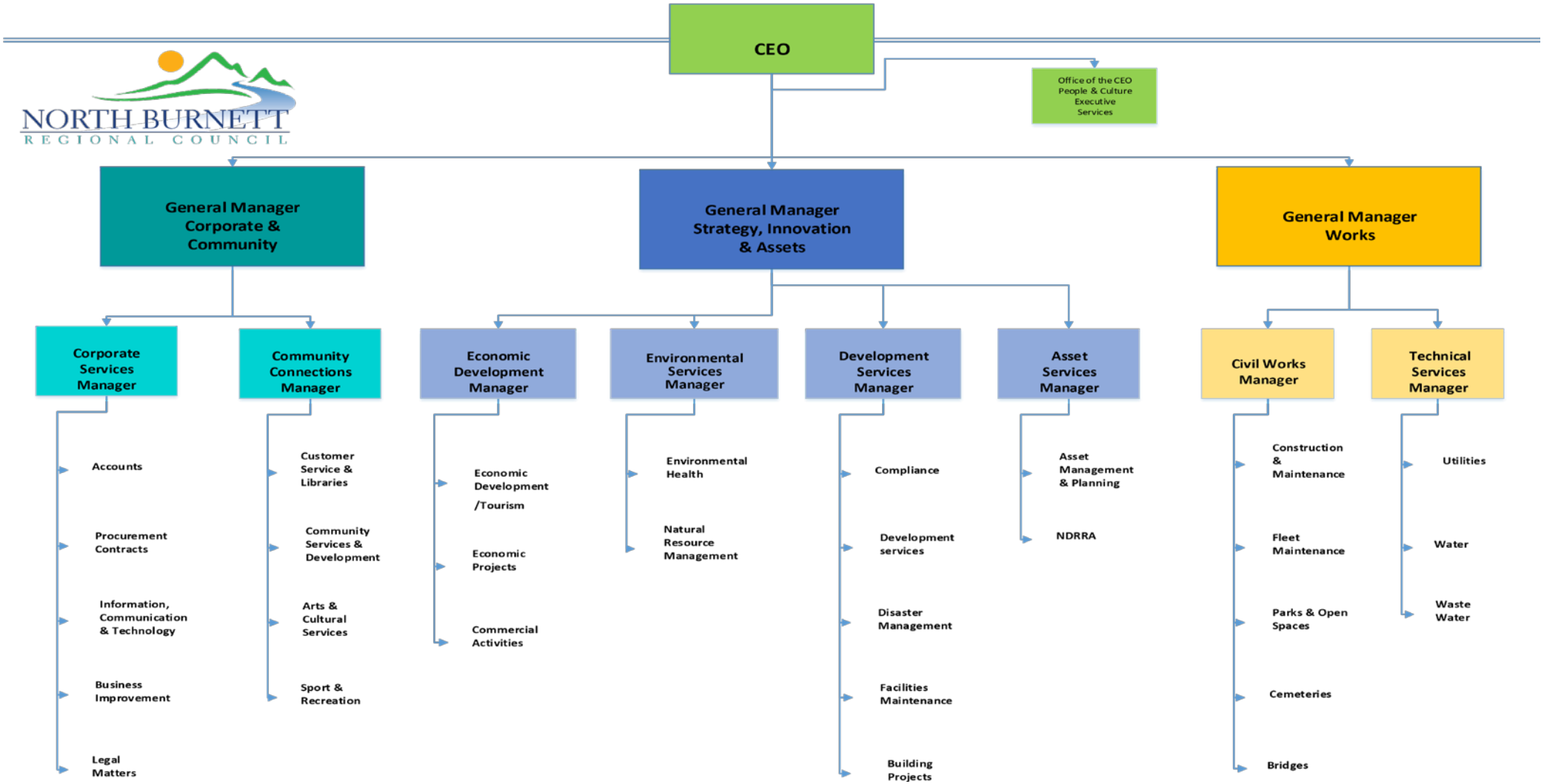
CHAIRPERSON



Version - Final Adopted 13/12/2017

ATTACHMENT B - APPLICATIONS FOR NORTH BURNETT REGIONAL COUNCIL FOR COMMUNITY GRANT FUNDING RECEIVED UNTIL 1 December 2017

Doc ID	Date Received	Organisation	Proposal Description	Event Date	Details	2016/17 Sponsorship	Requested Cash Amount	Requested In kind Estimate	Cash Donation	In kind Donation	Project Comments
845193	13/11/17	Monto Rotary Club Incorporated	Monto Rotary are requesting assistance to host the 2017 Christmas Street Party. They wish to close off Newton Street and have rides, market stalls & musical entertainment.	15/12/17	$500 cash requested is to pay for the children's rides. After recent rain events the Monto Community has suffered financial hardship. Council's contribution would allow more families to attend. "In Kind" support is requested for street closure.	0	$500	$234	$0	$234	"In kind" assistance sought to close off Newton Street- $234. Recommend Council approve "in kind" request as per Statutory Policy No 113 Not For Profit Community Organisations & In Kind Support. Recommend decline $500 cash as not in line with Statutory Policy No 102 Grants to Community Organisations.
844080	06/11/17	Eidsvold Race Club Incorporated	Eidsvold Race Club would like assistance to host its 130th race meeting, involving a full program of 5 races and various other entertainment.	17/02/18	$2000 cash requested for Fashion on the Field Event and Entertainment. In Kind assistance with bins, marquees, water truck, mowing and printing of race books.	0	$2000	$2,618	$0	$2,618	In Kind assistance sought:- 20 bins @ $11 = $220 Delivery P&G = $225 Eidsvold Marquee = $110 8 marquees @ $60 = $480 Council water truck = $990 Mowing/Whipper snipper = $343 Printing 1000 pages .25c = $250 Total "In Kind" = $2618 Recommend council approve "in kind request" as per Statutory Policy No 113 Not For Profit Community Organisations & In Kind Support. Recommend decline $2000 cash requested as not in line with Statutory Policy No 102 Grants to Community Organisations.
843986	06/11/17	Mundubbera Enterprise Association	Assistance with waiver of fees relating to building of Mundubbera Men's Shed.	31/12/17	Mundubbera Enterprise Association have recently built the Mundubbera Men's shed. They have now been charged Infrastructure charges in relation to the development, which they would like Council to waive.	$3911 16/08/17	0	$386	0	$386	An "in kind" waiver has been submitted for waiving of these fees. Council approved an "in kind" Grant to waive building & planning fees associated with this project earlier this year for $3911. Approved at GM 16/08/17.

											Council has provided significant assistance to the group this year, therefore seeking a resolution from Council in regard to waiving of these fees.
846912	24/11/17	Mt Perry Men's Shed Associaton Inc	Assistance with Building of Men's Shed	31/12/17	Mt Perry Men's Shed Assn would like council to waive the Building and Development Fees applicable to the building of the Men's Shed.	$2765 04/10/17	0	$2302	0	$2302	An "in kind" waiver has been submitted to Council for waiver of Building and Development Fees associated with the building of the Men's Shed. Earlier this year, a Community Grant was approved at the Standing Committee Meeting on 04/10/17 to provide "in kind" assistance to the group to prepare and level the site for placing of a concrete slab for the Men's Shed. Value of support was $2765. Council has provided significant assistance to the group this year, therefore seeking a resolution from Council in regard to the waiving of these fees.
846358	22/11/17	Connor Pashley	Applicant has been selected to represent Wide Bay in Under 13 Qld Junior Cricket Intrastate Champion-ships.	10/12/17	Applicant is to pay $1350 to attend- covering travel, uniforms, meals, grounds prep and umpires.	$250	$250	0	$250	0	Grant application completed in full, evidence of qualifying for event supplied. Recommend approval of $250 for State Level Events as per Statutory Policy 120 Cultural and Sports Performance Grants.

Donations Requested				
Request for Cash Donations		$2,750		
Request for In Kind Donations			$5,540	
Total Donations requested		**$2750**	**$5,540**	
GM Recommended				
Recommended Request for Cash Donations		$250		
Recommended Request for In Kind Donations			$5,540	
Total Recommended for approval		**$250**	**$5,540**	

7 GOVERNANCE REPORTS

7.1 SATURDAY TRADING TRIAL

Doc Id: **850301**

Author: **Hannah Cooke, Administration Officer**

Tracie Myles, Stream Leader Libraries and Customer Service

Authoriser: **Brad Duke, General Manager Corporate and Community Services**

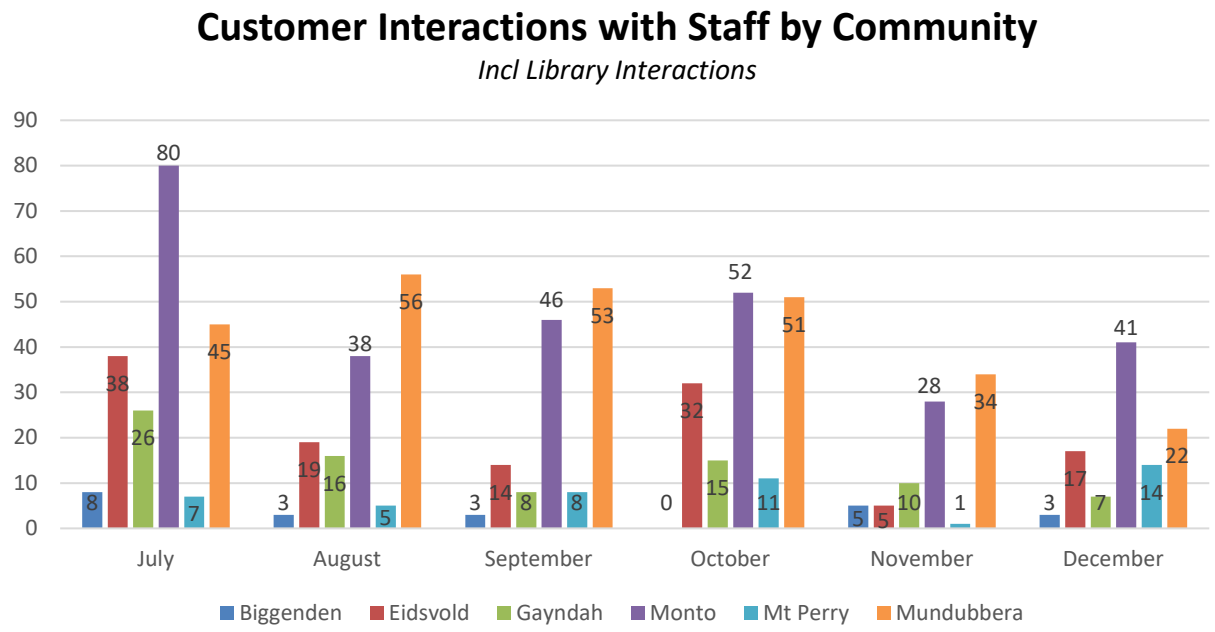
Attachments: **Nil**

INTRODUCTION/BACKGROUND

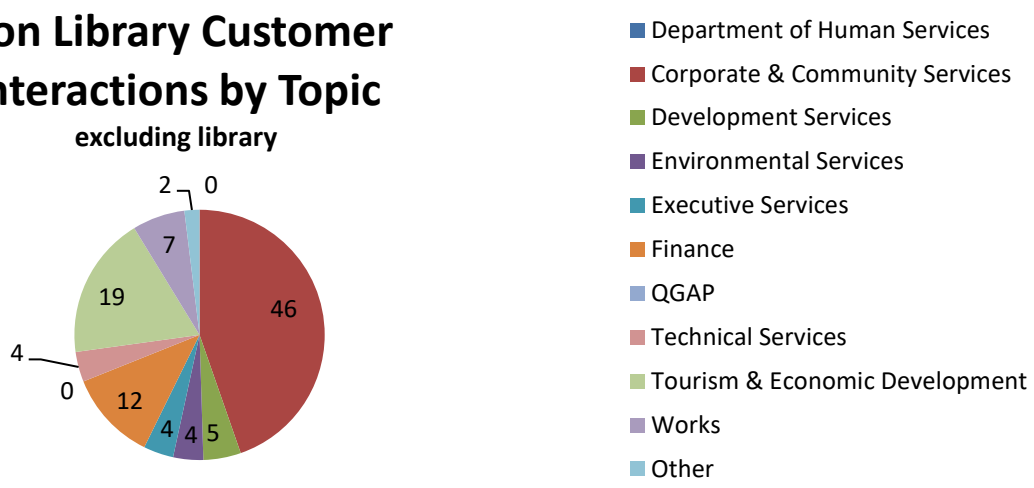
Prosper the Future, Nurture the Now: Library 2020 Strategy was adopted by Council on 17 February 2016 in order to provide North Burnett Regional Council's current and future library services with strategic direction. Feedback during the consultation period was for Council to review library hours for all branches, making them more consistent across the region.

At the General Meeting held on 19 April 2017 it was resolved that Council endorse a 6 month trial period for Eidsvold, Biggenden and Mt Perry with the operating hours extending to opening from 9:00am to 12noon every Saturday. All libraries other than Mundubbera were opened for a total of 22 Saturdays, Mundubbera operated 23 (due to a show holiday).

The below chart provides a summary of the total interactions with Staff per month and by location. Interaction with staff includes requests for information, payment of Council fees/rates, borrowing of books, visitor information, Customer Service Requests etc. During the trial period, all locations with the exception of Mundubbera, provided Library and full Council Customer Service functionality.



It is evident that the most customer interactions were recorded in Monto and Mundubbera. Eidsvold and Gayndah remained consistent with their number of customer interactions while Biggenden and Mt Perry maintained minimal customer interactions.



***NOTE**: Library interactions (708) were removed from this chart to ensure that all other interactions were visible and able to be analysed.*

People Counter Statistics

	2. July	3. August	4. September	5. October	6. November	7. December	8. Total
9. Biggenden	10. 18	11. 26	12. 7	13. 8	14. 9	15. 20	16. 88
17. Eidsvold	18. 108	19. 52	20. 106	21. 139	22. 116	23. 54	24. 575
25. Gayndah	26. 93	27. 72	28. 79	29. 62	30. 81	31. 32	32. 419
33. Monto	34. 86	35. 95	36. 60	37. 75	38. 30	39. 42	40. 388
41. Mt Perry	42. 5	43. 9	44. 16	45. 13	46. 1	47. 13	48. 57
49. Mundubbera	50. 213	51. 213	52. 113	53. 178	54. 74	55. 70	56. 861

NOTE: – Mundubbera July – This is high due to Darryl Jenkinson History Room Opening held on 29/07/2017. August-October is high due to picking season.

People counter statistics are indicative only of the total customer traffic through a centre, and may show slight inflation due to occasional staff entry and exits, as well as multiple entries and exits by customers who repeatedly enter and exit a centre. Where possible, staff utilise side/back entries into the Customer Service and Library areas to reduce inaccuracy of people counter statistics.

By analysing the people counter statistics it is apparent that Mundubbera and Eidsvold are highly trafficked centres, Gayndah and Monto are moderately trafficked and Biggenden and Mt Perry are low traffic.

When analysing the value to the community of the Saturday trading hour trial, the most accurate representation of Saturday trading uptake can be identified through the people counter statistics as library users can utilise the facilities without interacting with staff members. Customers often access Council's Library facilities for activities such as access to Wi-Fi, sitting in library not borrowing books, utilising public access computers or socialising with friends.

CORPORATE/OPERATIONAL PLAN

Theme 3: Our United Region; 3.6 United Communities; 3.6.6 Library services developed as community hubs and provide one-stop-shop for all Council services

POLICY IMPLICATIONS

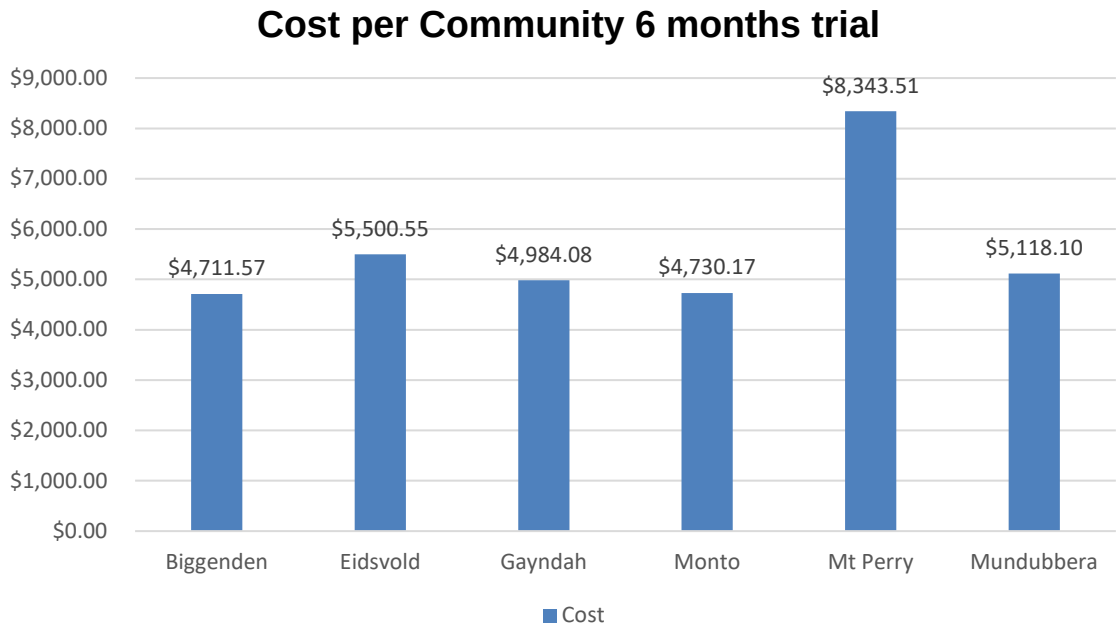
N/A

STATUTORY REQUIREMENTS

N/A

FINANCIAL REQUIREMENTS

During this trial a total of **$33,387.98** was costed to Saturday Trading. When evaluated per community it was identified that Mt Perry was most costly to open for Saturday Trading, this cost is due to staff resources and travel time from other locations.



The cost to Council of this trial period to open the additional three centres on Saturdays was **$18,555.63** (Biggenden $4,711.57, Eidsvold $5,500.55 and Mt Perry ($8,343.51).

Average Cost per Customer by Location

64.	58. BIG	59. EID	60. GAY	61. MON	62. PER	63. MUN
	65. Based on Customer Interactions					
66. Customer per day	67. 1	68. 6	69. 4	70. 13	71. 2	72. 11
73. Cost per customer	74. $214.16	75. $44.00	76. $60.78	77. $16.60	78. $181.38	79. $19.61
80.	81. Based on People Counter Statistics					
82. Customer per day	83. 4	84. 26	85. 16	86. 18	87. 3	88. 37
89. Cost per customer	90. $43.14	91. $9.57	92. $14.08	93. $12.19	94. $146.38	95. $5.94

Cost per interaction was determined by total cost per community divided by customer interaction or people counter statistics.

Note: Staffing of these centres was not only provided by administration/library staff, staff were engaged from across the organisation from different departments to assist during the trial.

RISK MANAGEMENT

N/A

CONSULTATION

Extended library hours was a direct request from all six communities, received during the Library Strategy consultation throughout 2015/2016.

Feedback received from customers in each location varied. Minimal feedback was received from Gayndah, Monto and Mundubbera due to the fact that there was no change to opening hours in these three locations.

Feedback received from Biggenden and Mt Perry was minimal, due to the low usage rates in these locations.

Feedback received from Eidsvold was positive, from both adults and the youth. Saturday usage trends for Eidsvold were both high in counter statistics (2nd highest of 6 centres) and customer interactions (3rd highest of 6 centres). Out of the six NBRC Libraries, the Eidsvold Library has the highest success rate in engaging the younger generation in library and technology facilities. This has been a great achievement for Council and the community, with the Youth being a priority focus for Council.

RECOMMENDATION

It is recommended that:

1. the Saturday Trading Trial Report be 'received'; and
2. Saturday trading hours from 9am to 12pm continue on a permanent basis in Eidsvold, Gayndah, Monto & Mundubbera.

7.2 LGAQ 2017 STATE CONFERENCE - REPLY TO RESOLUTION NO. 6

Doc Id: **851749**

Author: **Mark Pitt, Chief Executive Officer**

Authoriser: **Mark Pitt, Chief Executive Officer**

Attachments: **1. LGAQ Annual Conference Resolution.pdf [852024]**

INTRODUCTION/BACKGROUND

The LGAQ Annual Conference is an important opportunity for members to debate matters of importance to Queensland communities. The Conference not only gives councils a direct say in the policy agenda of the LGAQ, but is a coveted opportunity to network with local government peers, state and federal government representatives, and industry stakeholders.

North Burnett Regional Council submitted a number of successful motions to the conference. Attached is the follow up action from the LGAQ to the in regards to adopted resolution no.6. being:

That the Local Government Association of Queensland lobby the State and Federal Governments to include water and sewerage infrastructure as essential public assets in the NDRRA Guidelines to apply from 1 July 2018.

Attached is the original resolution and background information, the LGAQ correspondence and the reply from the Commonwealth Minister for Justice the Hon Michael Keenan MP.

OFFICER COMMENTS/CONCLUSION

That the report be received for information

LGAQ
LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND

12 December 2017

Cr Rachel Chambers
Mayor
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625
Email: Rachel.Chambers@northburnett.qld.gov.au

Dear Cr Chambers,

2017 LGAQ Annual Conference – Resolution 6

The Local Government Association of Queensland (LGAQ) held its 121st Annual Conference in Gladstone on 16 – 18 October 2017, with over 300 delegates attending from across the state.

A total of 90 motions were presented, and 85 were carried including Resolution 6 submitted by North Burnett Regional Council.

Resolution 6: Association Motions - Disaster Management – Natural Disaster Relief and Recovery Arrangements (NDRRA) – Water and Sewerage Eligibility – (Attachment 1)

Enclosed is the formal response to this resolution from the Honourable Michael Keenan MP, Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism dated 4 December 2017.

Please let me know if you wish for LGAQ to take any further action on this matter.

Yours sincerely,

Sarah Buckler
GENERAL MANAGER - ADVOCACY

c.c Mr Mark Pitt, Chief Executive Officer, North Burnett Regional Council
Email: mark.pitt@northburnett.qld.gov.au

*NB: All received responses to LGAQ Annual Conference resolutions can be found at:*http://www.lgaq.asn.au/group/guest/motions-database?p_p_id=101_INSTANCE_8BOqroUS3ipA&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-4&p_p_col_pos=2&p_p_col_count=3&p_r_p_564233524_tag=ac2016

P 1300 542 700
F 07 3252 4473
W www.lgaq.asn.au

Local Government House
25 Evelyn Street
Newstead Qld 4006

PO Box 2230
Fortitude Valley BC
Qld 4006

Local Government Association of Queensland Ltd
ABN 11 010 883 293 **ACN** 142 783 917

2017 LGAQ ANNUAL CONFERENCE
WAVES OF CHANGE OCEANS OF OPPORTUNITY
FINAL AGENDA

GLADSTONE ENTERTAINMENT CONVENTION CENTRE
56 GOONDOON ST GLADSTONE
16-18 OCTOBER 2017
#LGAQ2017

Submitting council / organisation LGAQ Policy Executive / North Burnett Regional Council (NBRC)	
Date of council / organisation resolution 16 August 2017 (NBRC)	**LGAQ Policy Executive district** District 3 - Wide Bay
Number and title of motion	**6 — Association Motions - Disaster Management – Natural Disaster Relief and Recovery Arrangements (NDRRA) – Water and Sewerage Eligibility**
Motion	That the Local Government Association of Queensland lobby the State and Federal Governments to include water and sewerage infrastructure as essential public assets in the NDRRA Guidelines to apply from 1 July 2018.
Background	Commonwealth agencies have undertaken considerable work to prepare a consultation draft – *NDRRA Disaster Recovery Funding Arrangements August 2017 V2* and related documents. The draft has been the subject of meetings convened by the Commonwealth to which State and Territory agencies and the Australian Local Government Association (ALGA) have been invited to participate and contribute. There has only been limited opportunity to review the draft and related documents, including in consultation with LGAQ's member councils, and some matters will require further research. The primary issue raised by the LGAQ was the inclusion of council water and sewerage assets in the definition of 'essential public assets', on the basis that this would be consistent with: • the definition of an essential public asset "an eligible undertaking which, the state considers and the department agrees, is a necessary part of a state's infrastructure and is integral to the normal functioning of a community; and • the definition of habitable "a residential property being fit for human habitation, possessing basic amenities in working order and not being in substantial disrepair." Like many councils, North Burnett Regional Council was severely impacted by major flooding in 2010 – 11, again from ex Tropical Cyclone Oswald in 2013, Tropical Cyclone Marcia in 2015 and Tropical Cyclone Debbie in 2017. Council is concerned with the 2017 interim decision in regards to what eligible assets are available for reconstruction funding and the removal of water and sewerage assets from this determination. It would appear that water and sewerage assets are not being considered as essential assets for the 2018 guidelines.
What is the desired outcome sought?	Reinstatement of water and sewerage infrastructure to the list of *Essential Public Assets;* as well as the views of Queensland councils considered and appropriate and workable measures included in the Commonwealth's new disaster funding model.
What are the impacts (positive or negative) on local government?	The impacts would be significant on communities as many councils would struggle to reinstate water and sewerage services without NDRRA support.

LGAQ comment	The LGAQ Policy Statement 2016 makes a number of references to elements of the (NDRRA) applicable at the time, however the Commonwealth is developing a new model which is due to be implemented from 1 July 2018. LGAQ's Advocacy Action Plan 2017 seeks: • #27: An upfront recovery funding model for Natural Disaster Relief and Recovery Arrangements (NDRRA) that provides certainty and does not leave councils worse off; • #28: Council ability to use their own labour, plant and equipment, including in the transition to the upfront model, and improved betterment provisions; • #29: Assistance from the Queensland Reconstruction Authority to trial and implement the NDRRA upfront model; • #30: A permanent 40:40:20 (Commonwealth:State:Local Government) mitigation fund. The LGAQ prepared preliminary comments on the *Disaster Recovery Funding Arrangements August 2017 v2 Consultation Draft* for tabling by the ALGA representative at the 30 August 2017 consultation meeting. On 22 September 2017 the QRA wrote to the CEOs of all councils with advice from the Commonwealth on its latest Natural Disaster Relief and Recovery Arrangements Determination, to apply to events from 1 July 2017. The LGAQ also published a bulletin on this communication. As a result of representations made by councils, the LGAQ and the QRA, the Commonwealth has provided the QRA with clarifications that address some common questions previously raised by councils. The key points are: • Water and sewerage infrastructure meets the definition of essential public infrastructure, and may be eligible for assistance where it provides services free of charge or at a rate that is 50 per cent or less of the cost to provide those services. • Alternate value for money treatments to restore essential public assets may continue to be approved by QRA, without case-by-case Commonwealth approval, provided they do not change the level of functionality or utility of the asset that existed prior to the disaster event. • Road transport assets including road furniture (signage traffic signals, lights, safety barriers), rock gabions and drainage structures will be considered essential public assets and eligible under NDRRA. • Marine infrastructure such as beacons and guidance buoys will be considered as meeting the definition of essential public infrastructure. • Boat ramps and jetties can no longer be assessed for eligibility by the QRA. • Queensland is required to confirm the eligibility of each asset with the Commonwealth prior to restoration works commencing. The LGAQ, in consultation with councils and the Queensland Reconstruction Authority, will continue its efforts to inform the consultation process and influence the final arrangements, which are proposed for implementation from 1 July 2018.

THE HON MICHAEL KEENAN MP
Minister for Justice
Minister Assisting the Prime Minister for Counter-Terrorism

MC17-012310

Sarah

Mr Greg Hallam PSM
Chief Executive Officer
Local Government Association of Queensland
PO Box 2230
FORTITUDE VALLEY BC QLD 4006

04 DEC 2017

Dear Mr Hallam Greg

Thank you for your letter of 3 November 2017 regarding resolutions from the recent annual conference of the Local Government Association of Queensland (LGAQ) as they relate to the *Natural Disaster Relief and Recovery Arrangements* (NDRRA).

The Australian Government recognises the importance of minimising risks to Australian communities from natural disasters, and building safer and more resilient communities for when disasters occurs.

The Attorney-General's Department (department)—on behalf of the Australian Government—has consulted extensively with senior state government officials, and the Australian Government Local Government Association (ALGA), to develop draft *Disaster Recovery Funding Arrangements* (proposed arrangements) that will improve recovery outcomes within a fiscally responsible framework.

In October 2017, I provided my state and territory counterparts with a copy of the proposed arrangements, which the department and all jurisdictions will continue to work through and refine over the 2017-18 disaster season.

I recommend LGAQ continue to work with the Queensland Reconstruction Authority—the state's representative agency for the reforms—to inform these refinements.

Should your office require any further information, the responsible adviser for this matter in my office is Jenna Priestly, who can be contacted on 02 6277 7290.

Thank you again for writing on this matter.

Yours sincerely

Michael Keenan

Parliament House Canberra ACT 2600 • Telephone: (02) 6277 7290 Facsimile: (02) 6273 7098

7.3 STRONG AND SUSTAINABLE RESOURCE COMMUNITIES ACT 2017 (SSRC ACT) AND APPLICATION TO NORTH BURNETT REGION

Doc Id: **851822**

Author: **Brad Duke, General Manager Corporate and Community Services**

Authoriser: **Mark Pitt, Chief Executive Officer**

Attachments:
1. **Letter and Maps - Coordinator General - SSRC Act 2017 []**
2. **Strong _ Sustainable Resourse Communites Act 2017.pdf [851825]**

INTRODUCTION/BACKGROUND

Mayor Chamber has received recent correspondence from the Co-ordinator General regarding the potential application of the *Strong and Sustainable Resource Communities Act 2017* (SSRC Act) to nearly regional communities with the area of North Burnett Regional Council (NBRC). The SSRC Act will commence on 30 March 2018 and prevents the use of 100% FIFO workforce arrangements on operational large resource projects which have a nearly regional community. The Co-ordinator General is seeking Council's input into the initial list of nominated large resource projects having nearby regional communities.

IS CORPORATE/OPERATIONAL PLAN

Theme 1: Our productive region

1.1 Jobs and career stimulus

1.6 Diversification of the economy through research of potential new industries

1.7 Planning to facilitate industrial, commercial and residential growth

POLICY IMPLICATIONS

This initial draft is not based on any discretionary Government decisions, it is based solely on mapping town within the 125 km radius in the SSRC Act.

STATUTORY REQUIREMENTS

Nil

FINANCIAL REQUIREMENTS

Nil

RISK MANAGEMENT

Any new large resource projects within the North Burnett will impact employment levels and capacity to service established primary industries. This has the potential to be a significant risk as job seekers consider higher paying work opportunities.

CONSULTATION

The Co-ordinator General seeking Council's input into the nominated large resource projects and having nearby regional communities by 8 February 2018.

RECOMMENDATION

That:

1. the Co-ordinator General be advised that Council would like to also include the Goondicum IImenite and Apatite Mine operated by Melior Resources, Goondicum via Monto in the initial list (large resource projects) provided on the potential application of the *Strong and Sustainable Resource Communities Act 2017* (SSRC Act) to nearly regional communities with the area of North Burnett Regional Council area; and
2. Any potential large resources projects being considered at State Government level, Council will expect to be advised as soon as possible to consider any possible regional impact.

RECEIVED (records)
File No:.....
- 2 JAN 2018
To:.....
Doc ID:.....
Retention Ref:.....

Queensland Government

Office of the **Coordinator-General**

Our ref: OUT17/8381

20 December 2017

Councillor Rachel Chambers
Mayor
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625

Email: rachel.chambers@northburnett.qld.gov.ai

Dear Councillor

I am writing regarding the potential application of the *Strong and Sustainable Resource Communities Act 2017* (SSRC Act) to nearby regional communities within the local government area of North Burnett Regional Council. The SSRC Act will commence on 30 March 2018.

The SSRC Act prevents the use of 100 per cent fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects which have a nearby regional community.

The anti-discrimination provisions of the SSRC Act, which include amendments to the *Anti-Discrimination Act 1991*, prevent discrimination against locals in the future recruitment of workers for large resource projects that have a nearby regional community.

I am required to prepare and publish a list of the large resource projects and their nearby regional community/s in accordance with section 13 of the SSRC Act.

The list must include:

(a) the name of each nearby regional community for the large resource project

(b) the name of the large resource project and the date the operational phase of the project started

(c) the name of the owner of the large resource project

(d) if the ownership of the large resource project changes, the name of the new owner, the previous owner and the date ownership changed.

The draft list that I am preparing to support the commencement of the SSRC Act will include those projects that are operational or under construction.

1 William Street
PO Box 15517 City East
Queensland 4002 Australia
Telephone +61 7 3452 7100
www.statedevelopment.qld.gov.au
ABN 29 230 178 530

Large resource projects relevant to your local government area are identified in an enclosure to this letter. I am seeking input on this initial list of large resource projects by writing to the owners of large resource projects and the local governments identified as having nearby regional communities.

A link to the maps of large resource projects and their corresponding nearby regional communities has been provided in the email with this letter for your reference. Please provide any comments by 8 February 2018 to SSRCenquiries@coordinatorgeneral.qld.gov.au.

Post commencement, the SSRC Act anti-discrimination provisions will take effect from when I publish the list. The FIFO provisions will take effect for a project six months following my publication of the project on the list. I will give priority to the publication of the list as soon as practicable following commencement of the SSRC Act.

This initial draft list is not based on any discretionary decisions I could make in the definitions of large resource project and nearby regional communities. It is based solely on mapping towns within the 125 km radius in the SSRC Act. I would consider such discretionary decisions following commencement of the Act and after I receive feedback on the initial list.

A factsheet providing further information about the SSRC Act is available at: https://www.statedevelopment.qld.gov.au/assessments-and-approvals/social-impact-assessment.html.

If you require any further information, please contact Ms Kym Calderwood, Manager, SIA, Coordinated Project Delivery, Office of the Coordinator-General, Department of State Development, Manufacturing, Infrastructure and Planning on 3452 7485 or email SSRCenquiries@coordinatorgeneral.qld.gov.au.

Yours sincerely

Barry Broe
Coordinator-General

Enc (5)

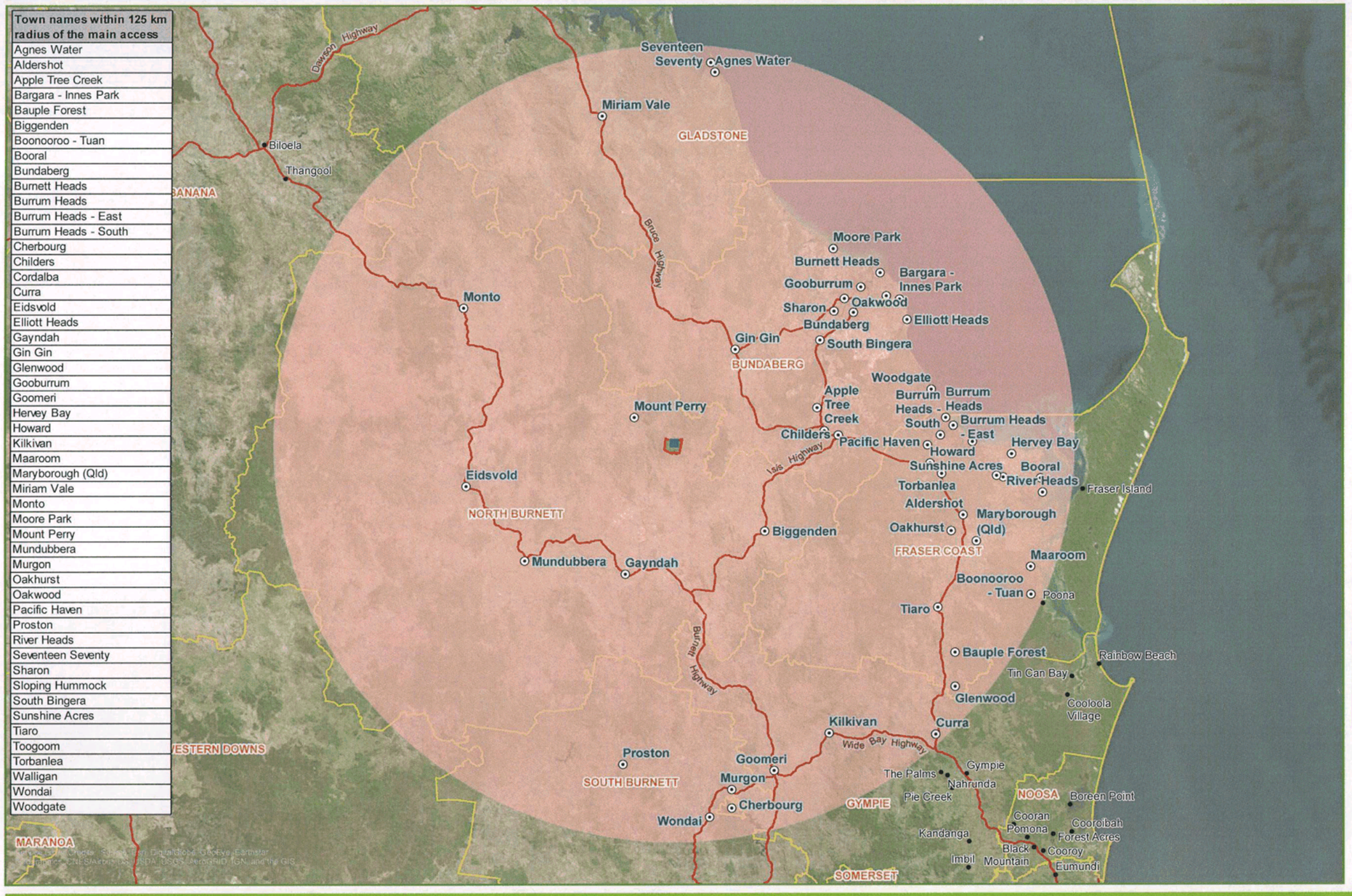
cc: Mr Mark Pitt
Chief Executive Officer
North Burnett Regional Council
Email: ceo@north.qld.gov.au

Large resource project/s:

- Callide Operations Mine
- Cracow Mine
- Dawson North and Central Mine
- Dawson South Mine
- Mount Rawdon Mine

Department of State Development

Town names within 125 km radius of the main access
Agnes Water
Aldershot
Apple Tree Creek
Bargara - Innes Park
Bauple Forest
Biggenden
Boonooroo - Tuan
Booral
Bundaberg
Burnett Heads
Burrum Heads
Burrum Heads - East
Burrum Heads - South
Cherbourg
Childers
Cordalba
Curra
Eidsvold
Elliott Heads
Gayndah
Gin Gin
Glenwood
Gooburrum
Goomeri
Hervey Bay
Howard
Kilkivan
Maaroom
Maryborough (Qld)
Miriam Vale
Monto
Moore Park
Mount Perry
Mundubbera
Murgon
Oakhurst
Oakwood
Pacific Haven
Proston
River Heads
Seventeen Seventy
Sharon
Sloping Hummock
South Bingera
Sunshine Acres
Tiaro
Toogoom
Torbanlea
Walligan
Wondai
Woodgate



Mount Rawdon Mine and surrounding towns (within 125 km)

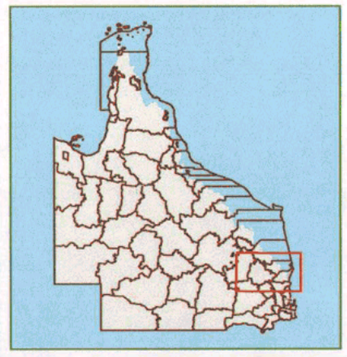
WORKING DRAFT

Legend

- Main access
- Consolidated Mining Lease area
- Area within 125 km radius of main access
- Towns (localities or urban centres with population over 200 people) within 125 km radius of main access
- Towns outside 125 km radius of main access
- Roads
- Local government area boundary

Disclaimer:

This map is preliminary and has been created for the purpose of informing an analysis of potential nearby regional community/s within 125 km of this large resource project under the *Strong and Sustainable Resource Communities Act 2017*.



0 5 10 20 30 40 50
Kilometres

Map Size: **A3**

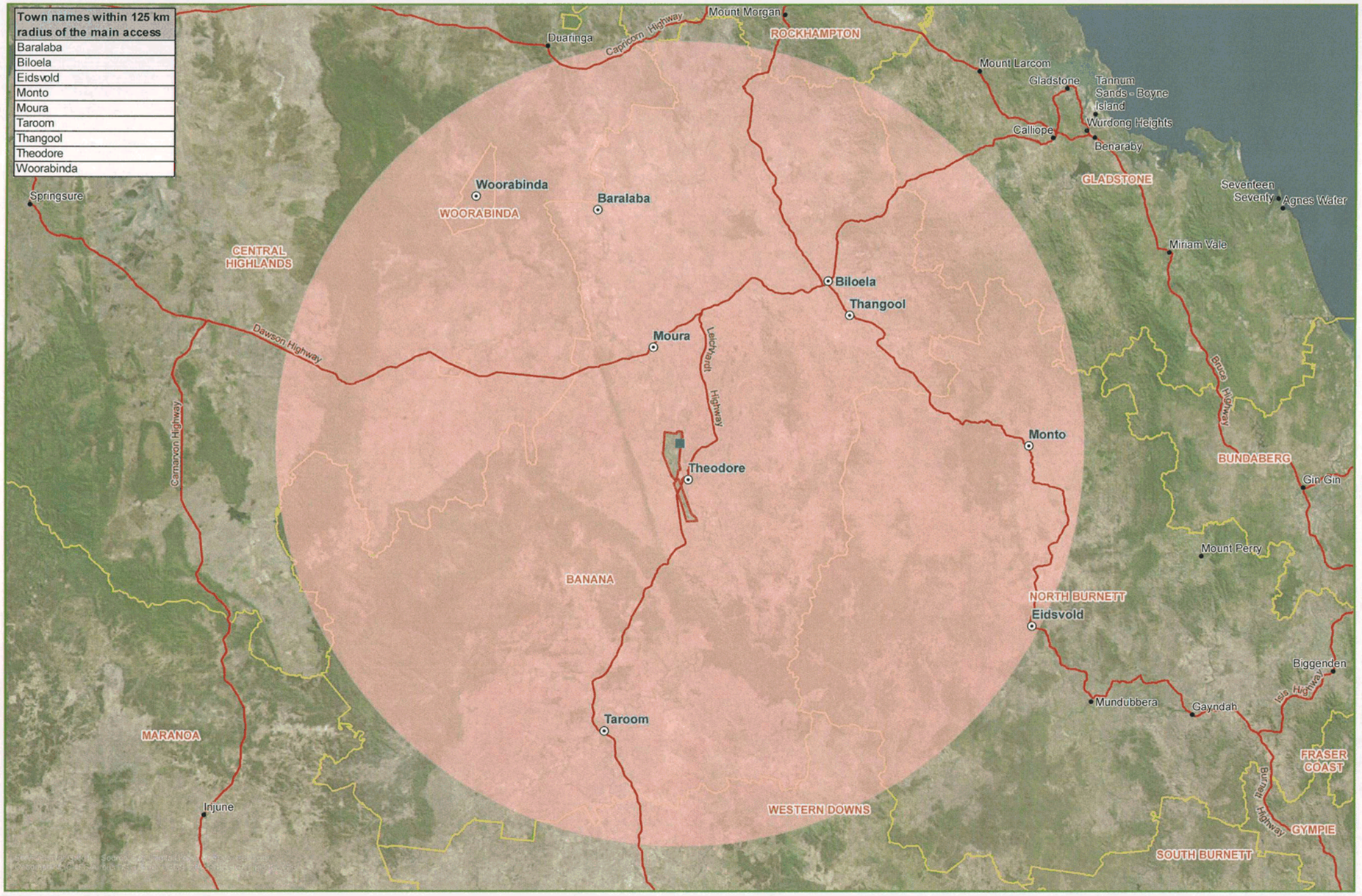
Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

Map produced by the Department of State Development
Spatial Services Unit, 30/11/2017

Queensland Government

Department of State Development

Town names within 125 km radius of the main access
Baralaba
Biloela
Eidsvold
Monto
Moura
Taroom
Thangool
Theodore
Woorabinda



Dawson South Mine and surrounding towns (within 125 km)

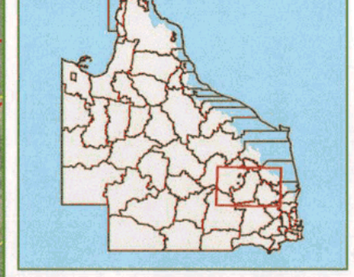
WORKING DRAFT

Legend

- Main access
- Consolidated Mining Lease area
- Area within 125 km radius of main access
- Towns (localities or urban centres with population over 200 people) within 125 km radius of main access
- Towns outside 125 km radius of main access
- Roads
- Local government area boundary

Disclaimer:

This map is preliminary and has been created for the purpose of informing an analysis of potential nearby regional community/s within 125 km of this large resource project under the *Strong and Sustainable Resource Communities Act 2017.*



0 5 10 20 30 40 50

Kilometres

Map Size: **A3**

Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

Map produced by the Department of State Development
Spatial Services Unit, 30/11/2017

Queensland Government

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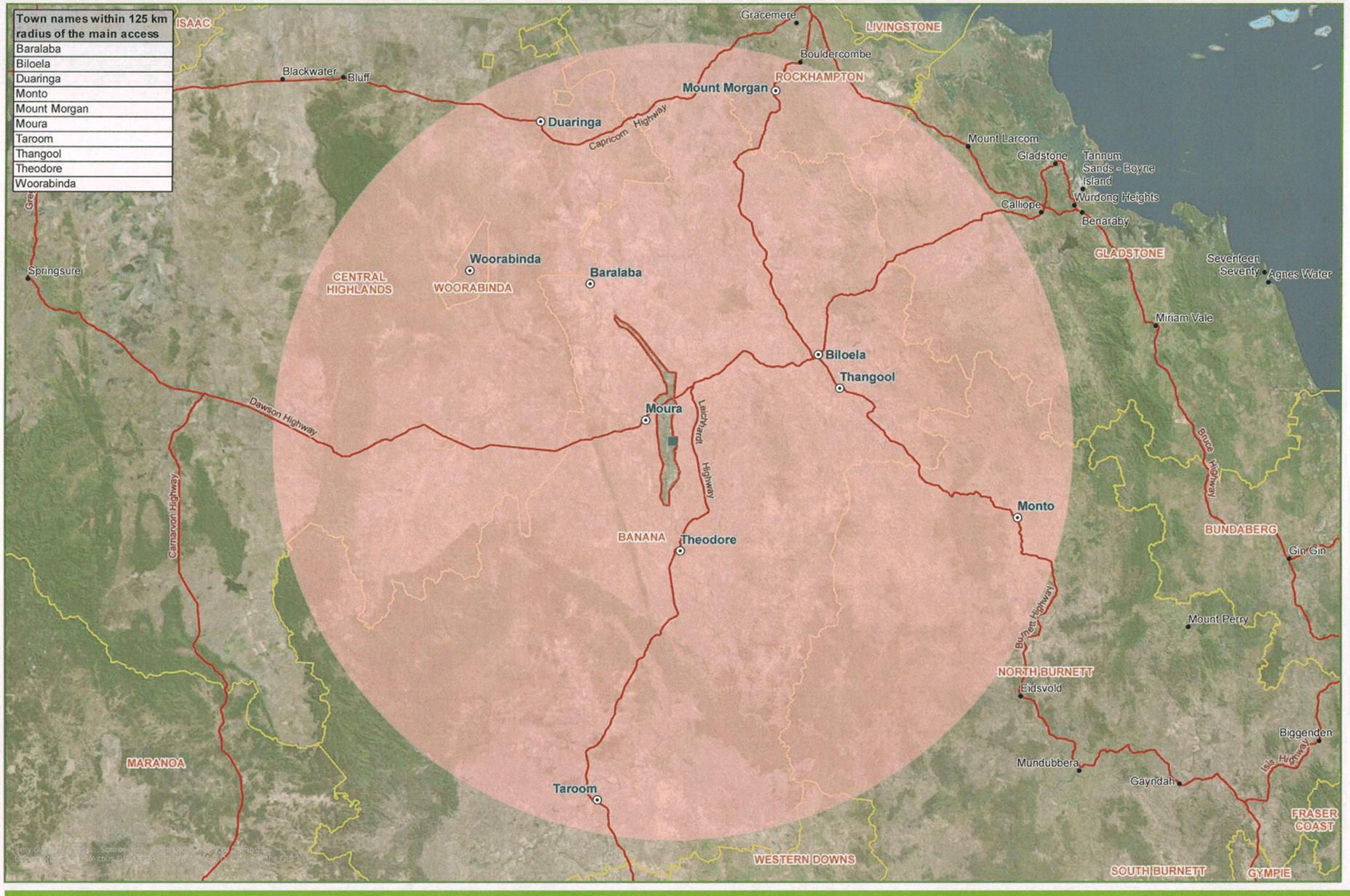
Path: S:\Projects\CPD\20171030_ResourcesProjects_125km\MXD\171128_Dawnson_South_A3L.mxd

Department of State Development

Town names within 125 km radius of the main access
Baralaba
Biloela
Duaringa
Monto
Mount Morgan
Moura
Taroom
Thangool
Theodore
Woorabinda



Dawson North and Central Mine and surrounding towns (within 125 km)

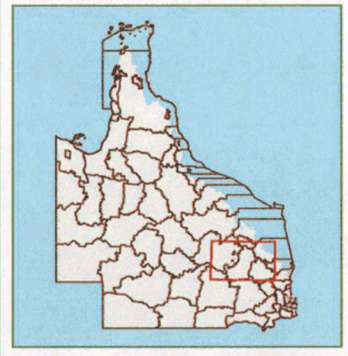
WORKING DRAFT

Legend

- Main access
- Consolidated Mining Lease area
- Area within 125 km radius of main access
- Towns (localities or urban centres with population over 200 people) within 125 km radius of main access
- Towns outside 125 km radius of main access
- Roads
- Local government area boundary

Disclaimer:

This map is preliminary and has been created for the purpose of informing an analysis of potential nearby regional community/s within 125 km of this large resource project under the *Strong and Sustainable Resource Communities Act 2017*.



0 5 10 20 30 40 50
Kilometres

Map Size: **A3**

Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

Map produced by the Department of State Development
Spatial Services Unit, 30/11/2017

Queensland Government

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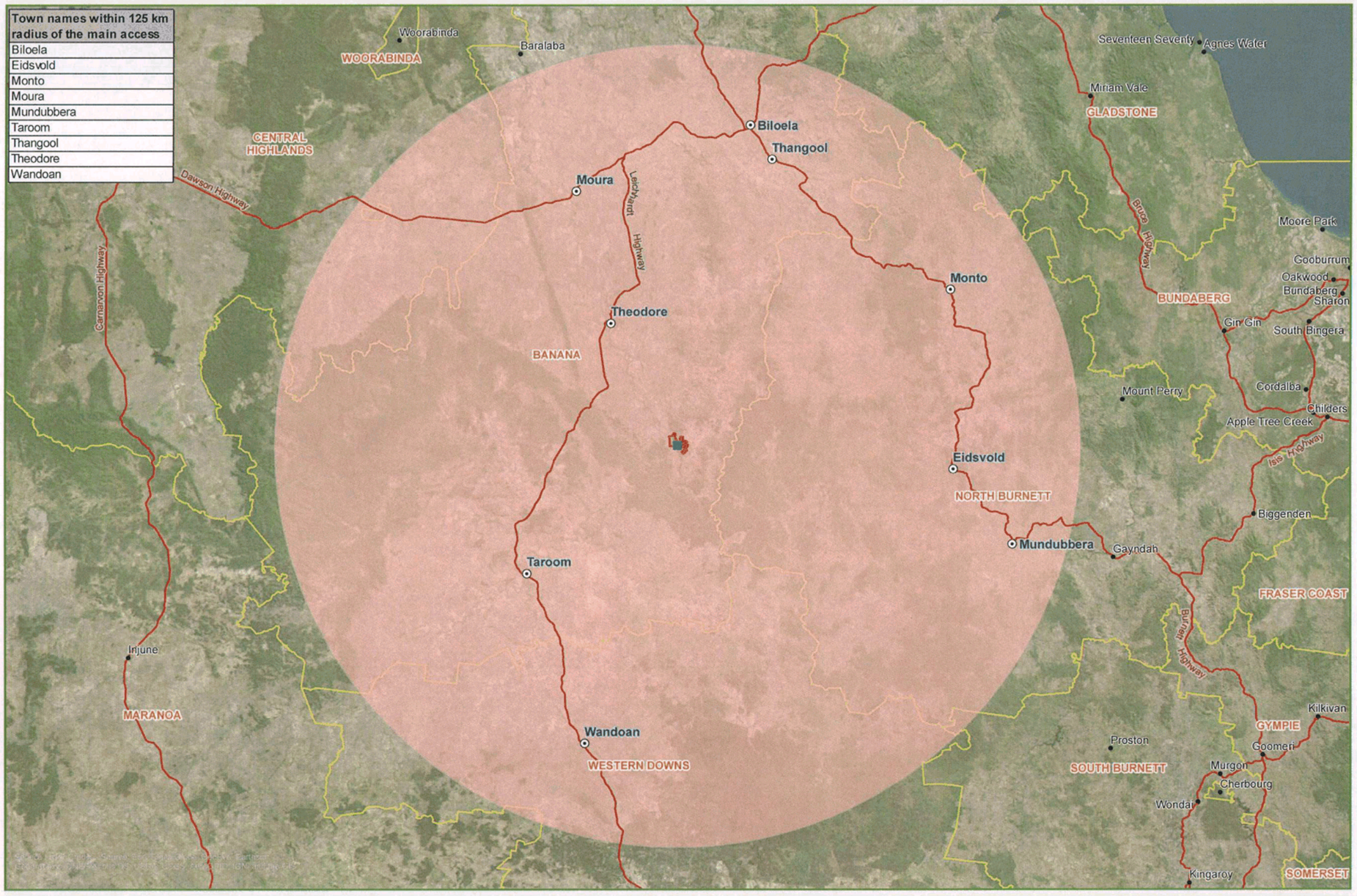
Path: S:\Projects\CPD\20171030 ResourcesProjects 125km\MXD\171128 Dawson North and Central A3L.mxd

Department of State Development

Town names within 125 km radius of the main access
Biloela
Eidsvold
Monto
Moura
Mundubbera
Taroom
Thangool
Theodore
Wandoan



Cracow Mine and surrounding towns (within 125 km)

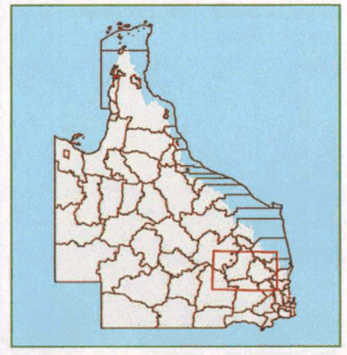
WORKING DRAFT

Legend

- Main access
- Consolidated Mining Lease area
- Area within 125 km radius of main access
- Towns (localities or urban centres with population over 200 people) within 125 km radius of main access
- Towns outside 125 km radius of main access
- Roads
- Local government area boundary

Disclaimer:

This map is preliminary and has been created for the purpose of informing an analysis of potential nearby regional community/s within 125 km of this large resource project under the *Strong and Sustainable Resource Communities Act 2017*.



0 5 10 20 30 40 50
Kilometres

Map Size: **A3**

Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

Map produced by the Department of State Development
Spatial Services Unit, 30/11/2017

Queensland Government

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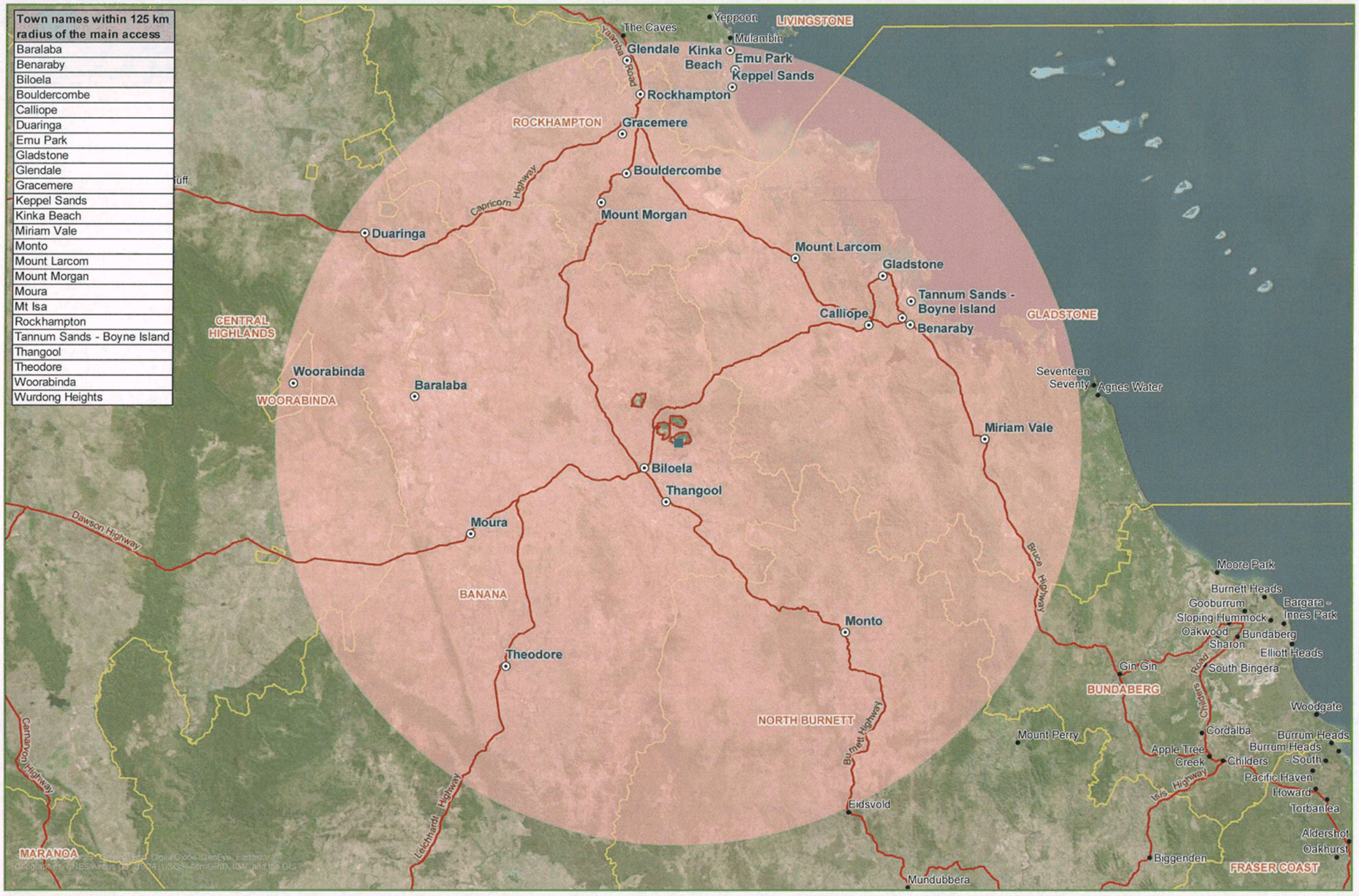
Department of State Development

Town names within 125 km radius of the main access
Baralaba
Benaraby
Biloela
Boulder combe
Calliope
Duaringa
Emu Park
Gladstone
Glendale
Gracemere
Keppel Sands
Kinka Beach
Miriam Vale
Monto
Mount Larcom
Mount Morgan
Moura
Mt Isa
Rockhampton
Tannum Sands - Boyne Island
Thangool
Theodore
Woorabinda
Wurdong Heights



Callide Operations Mine and surrounding towns (within 125 km)

WORKING DRAFT

Legend

- Main access
- Consolidated Mining Lease area
- Area within 125 km radius of main access
- Towns (localities or urban centres with population over 200 people) within 125 km radius of main access
- Towns outside 125 km radius of main access
- Roads
- Local government area boundary

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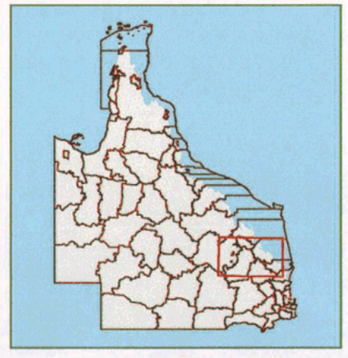

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Kilometres

Map Size: **A3**

Coordinate System: GDA 1994 MGA Zone 56
Projection: Transverse Mercator
Datum: GDA 1994

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Spatial Services Unit, 30/11/2017

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The Coordinator-General

Strong and Sustainable Resource Communities Act 2017

FACTSHEET
DECEMBER
2017

The object of the *Strong and Sustainable Resource Communities Act 2017* (the Act) is to introduce legislation to ensure residents of communities near large resource projects benefit from the construction and operation of the projects.

What will the Act do?

The Act will:

- prevent the use of 100 per cent fly-in, fly-out (FIFO) workforce arrangements on operational large resource projects
- through amendments to the *Anti-Discrimination Act 1991,* prevent discrimination against locals in the future recruitment of workers
- adopt a recruitment hierarchy prioritising recruitment from local and regional communities first then recruitment to the regional community
- make an enhanced social impact assessment (SIA) mandatory for large resource projects
- ensure SIA processes under both the *Environmental Protection Act 1994* and the *State Development and Public Works Organisation Act 1971* are the same.

The Act will apply to large resource projects that have a nearby regional community. The Coordinator-General will list the projects affected and their nearby regional community/s on the Department of State Development's website (the list).

What is a large resource project?

A large resource project is a resource project:

(a) for which an environmental impact statement (EIS) is required; or

(b) that holds a site-specific environmental authority under the *Environmental Protection Act 1994* and

  (i) has a workforce of 100 or more workers; or

  (ii) has a smaller workforce decided by the Coordinator-General.

What is a nearby regional community?

A nearby regional community, for a large resource project, is a town:

(a) any part of which is within:

  (i) a 125 km radius of the main access to the project; or

  (ii) a greater or lesser radius decided by the Coordinator-General; and

Queensland Government

(b) that has a population of more than:

(i) 200 people; or

(ii) a smaller population decided by the Coordinator-General.

How will the 100 per cent FIFO prohibition be enforced?

The Coordinator-General has investigative powers to administer and enforce the Act. In order for the Coordinator-General to determine whether an operational large resource project has a 100 per cent FIFO workforce, the Coordinator-General may require the owner to provide relevant information regarding the operational workforce arrangements.

Following an investigation, the Coordinator-General will be able to require the owner to submit an operational workforce management plan, if the project is contravening the 100 per cent FIFO prohibition.

The Coordinator-General must approve the operational workforce management plan and can set conditions on it. Monitoring and reporting by the owner will be a condition of approval attached to each operational workforce management plan. Conditions may state that the Coordinator-General may direct corrective actions where there is evidence of non-compliance or the outcomes sought by the conditions are not being achieved.

How will the anti-discrimination complaint process work?

If a person feels they have been discriminated against during the recruitment process because they are a resident of a nearby regional community, the person may lodge a complaint with the Anti-Discrimination Commission Queensland (ADCQ).

If the person is dissatisfied with the outcome of the conciliation process, the ADCQ may refer the matter to the Queensland Industrial Relations Commission.

Will the legislation apply to construction workers?

A decision on the application of the Act to the construction workforce must be made by the Coordinator-General during a SIA assessment.

What is in the enhanced SIA?

The Act requires large resource projects to prepare a social impact assessment (SIA) which is informed by stakeholder consultation. This will include the requirement to develop the following management plans:

(a) community and stakeholder engagement

(b) workforce management

(c) housing and accommodation

(d) local business and industry procurement

(e) health and community well-being.

The workforce management plan must prioritise recruitment from local and regional communities first then recruitment to the regional community.

When will the legislation commence?

The Act will commence on 30 March 2018.

The anti-discrimination provisions will apply to large resource projects following publicaton of their details on the list.

The prohibition on 100 per cent FIFO workforce arrangements will apply to large resource projects six months following publication of their details on the list.

Contact us

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7.4 DNRM REQUEST FOR COUNCIL'S VIEWS - FURTHER DEALING OVER TERM LEASE 217547 - LOT 71 RW409

Doc Id: **851904**

Author: **Linda Nicholson, Administration Officer**

Authoriser: **Brad Duke, General Manager Corporate and Community Services**

Attachments: **1. 41493 - Map - Lot 71 RW409.docx [851872]**

INTRODUCTION/BACKGROUND

The purpose of this report is to seek Council's response to a Department of Natural Resources and Mines request relating to further dealing over Term Lease 217547 over Lot 71 RW409.

The Department is commencing its investigation into future usage and tenure of the land and is seeking Council's views. It advises that, dependent on the outcome of investigations, action may entail the issuing of Permissive Occupancy, a further term lease, or a Deed of Grant (Freehold). For Council's information:

- Council is not the Trustee of this land.
- Term Lease 217547 is between the Department and four (4) Lessees (¼ shares), the Lessees being recorded as the Ratepayers for Assessment No. 41393.
- Purpose of Use is stated as Large Homesite – Vacant; area is 0.4047 hectares.
- There are no other encumbrances noted.

The Term Lease will expire 31 October 2021. The Department has not stipulated a timeframe for response.

Attached for Council's information is an aerial map showing the location of Lot 71 - Glen Valley Road, Moonford.

CORPORATE/OPERATIONAL PLAN

Corporate Plan

Theme 1 Our Productive Region

1.7 Planning to facilitate industrial, commercial and residential growth

POLICY IMPLICATIONS

No Council policies exist that specifically relate to this item.

STATUTORY REQUIREMENTS

Land Act 1994 section 420CB which states "Council has the power to make a submission in response to a notice received under the Act about a proposed application."

FINANCIAL REQUIREMENTS

There are minimal financial implications for this matter.

RISK MANAGEMENT

Consideration of alternative and/or consistent use for the site.

CONSULTATION

Council's Workflow process for 'Leases DNRM' provides the opportunity for officers to offer comment for subsequent response to the Department.

During this process, consultation has been held with Strategy Innovation and Assets, Works and Rates. The following comments have been provided:

General Manager Strategy Innovation and Assets:

- Technical Services has no requirements for this land and proposal.

Works Engineer:

- Distributed to Works Supervisor (Monto), Project Supervisor and District Supervisor - requesting any objections be submitted by 16/11/2017. No objections noted or received.

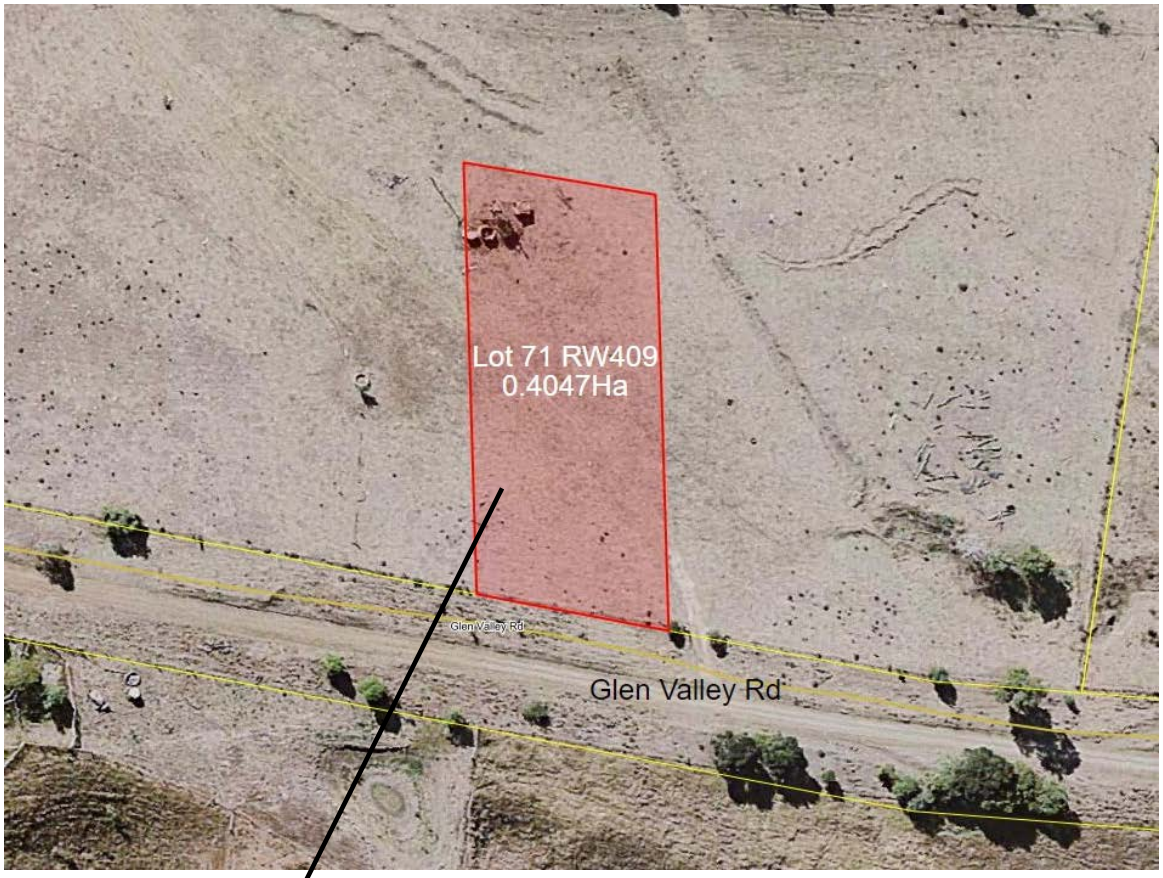
Rates Officer:

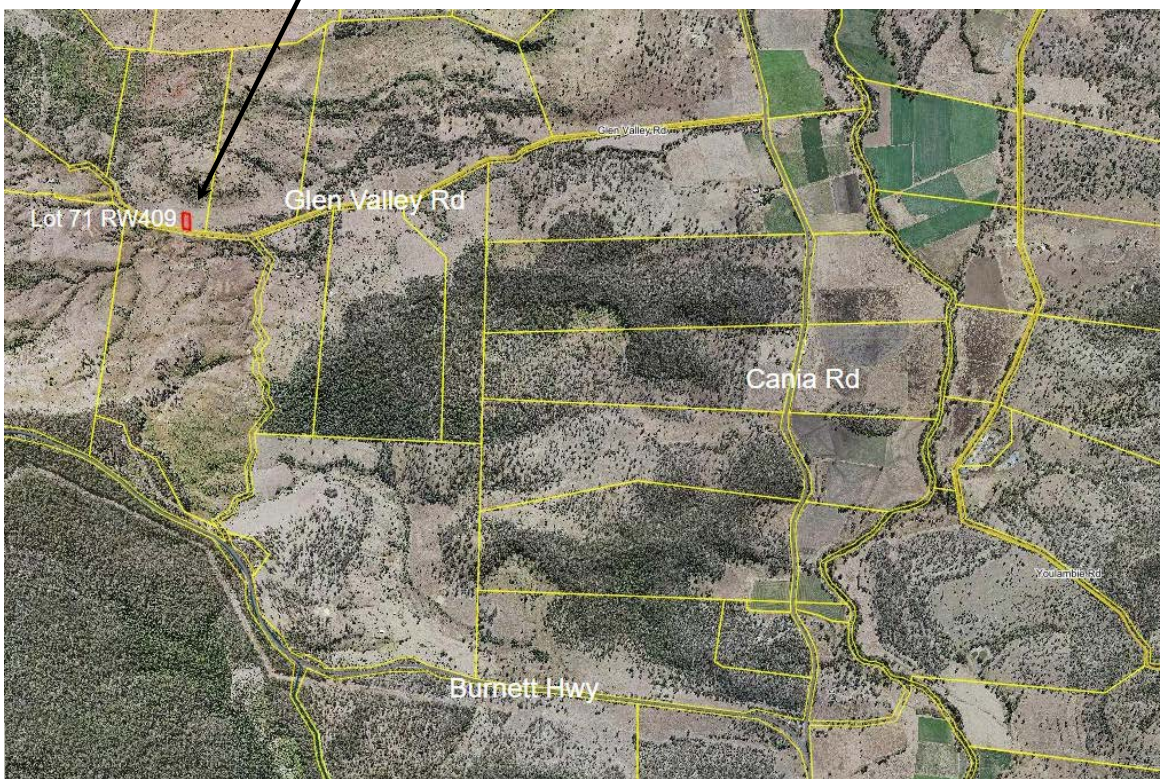
There is nothing on the Rates card for Assessment 41393 to indicate an objection against renewal of Term Lease or issue of Deed of Grant.

RECOMMENDATION

That the Department of Natural Resources and Mines be advised that Council has no objection to the further dealing of Term Lease 217547 on land described as Lot 71 RW409 located at Glen Valley Road, Moonford.

Associated with *ID 844853*





7.5 FINANCE REPORT

Doc Id: **852699**

Author: **Lisa Benham, Corporate Services Manager**

Authoriser: **Brad Duke, General Manager Corporate and Community**

Attachments: **1. December Financial Report.docx [852697]**

INTRODUCTION/BACKGROUND

In accordance with Section 204 of the Local Government Regulation 2012, a financial report summarising the progress of Council's actual performance against budgeted performance is to be presented to Council. This report provides a summary of Council's financial performance against budget for the financial year to **31 December 2017.**

At Council's Budget Meeting on 5 July 2017, Council adopted the Operational and Capital budget for the financial period 01 July 2017 to 30 June 2018. In the month of December the First Quarter Review was adopted. This budget is compared to the first quarter review.

The Income Statement outlines the result of Council's day to day operations. The Balance Sheet outlines the impact of those operations and capital expenditure.

CORPORATE/OPERATIONAL PLAN

In accordance with Outcome

5 – Good Governance, Section:

5.6.1 Commit to open and accountable governance to ensure community confidence and trust in Council and our democratic values

POLICY IMPLICATIONS

There appear to be no policy implications.

STATUTORY REQUIREMENTS

Local Government Regulation 2012 requires that Council be given statements made up to as near as practical to the end of the preceding month.

FINANCIAL REQUIREMENTS

Monitoring of budgets and actuals will remain important if Council is to achieve the financial results adopted as part of the 2017-18 budget, and any variations or anomalies will need to be investigated and action taken as appropriate.

RISK MANAGEMENT

There appear to be no risk management implications.

CONSULTATION

Monthly Reports are sent to Executive Leadership Team for them to analyse and assess

RECOMMENDATION

That the Finance Report as presented be adopted.

OFFICER COMMENTS

PLEASE NOTE:- YEAR TO DATE (YTD) BUDGET IS BASED ON THE 2017-18 Q1 REVIEW

FINANCIAL POSITION

As at 31 December 2017 council has an operating deficit of $5,622,549 compared to a forecasted annual operating deficit of $12,654,009.

OPERATING REVENUE – Target $27.862 million Actual $13,718,477 –49.20%

Income revenue for the month of December is tracking slightly below YTD forecast, however is within expectation.
Sales Revenue is tracking low at 34% of YTD Budget (RMPC & RPC) due to progress payments not being submitted at this point in time.

OPERATING EXPENDITURE - Target $40.516 million Actual $19,341,026– 4%

Employee costs are tracking slightly under budget at 43%, however will start to align with the budget as positions are filled after Christmas. Materials and Services are tracking above budget and this is because of increased spending on Rural Road maintenance, Insurance, plant registrations. Plant Recoveries are tracking under budget and this is contributing to the overspend in Materials and services.

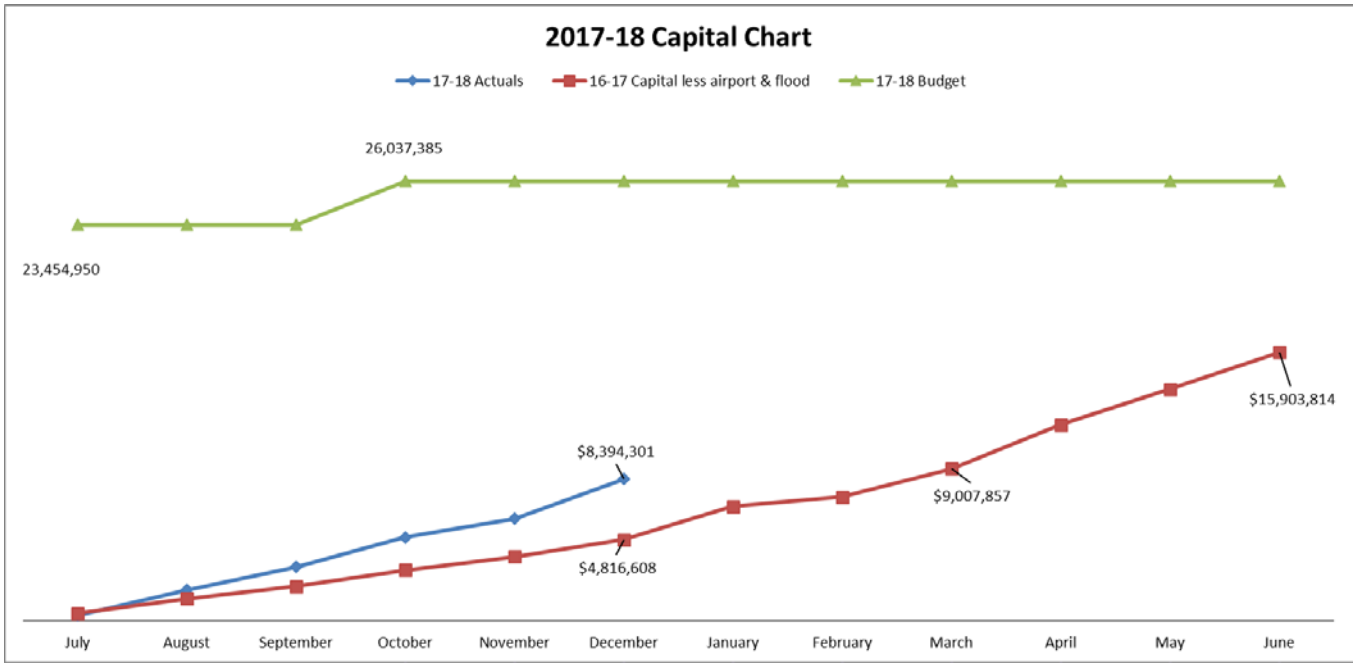
Depreciation has been applied based on 6/12th of the budget for the month of December.

CAPITAL INCOME – TARGET $17,046,604 MILLION ACTUAL $7,096,161 – 42%

Capital Income Analysis

Full Code	2016/17 Actua	2017/18 Budg	2017/18 Actua	Comments
Capital Revenue				
105157000. CAP Grant - Early Warning Flood Network Enhancement Project	4,500.00	10,500.00	10,500.00	
226160000. CAP - Insurance Income	-	70,000.00	70,000.00	
413160000. NDRRA-Restoration (Marcia)		336,665.00	467,870.00	
414160000. NDRRA-Restoration Rain Event Feb 16		2,000,000.00	757,279.00	
415160000. NDRRA - Restoration Works 2017 (Debbie)	-	2,000,000.00	2,187,158.00	
5001600212. CAP - Passenger Transport Facilities	6,389.00	15,000.00	-	
5001600223. CAP Grant - Power Enhancement Project Generators	13,500.00	31,500.00	30,717.00	
5001600224. CAP Grant - RM Williams Tourism Enhancement Project	81,000.00	189,000.00	-	
5001600230. Grant - Walkways		220,000.00	-	
5001600227. GRANT – Mingo Crossing Enhancement Project		1,272,820.00	637,000.00	
5001600226. Grant Works for QLD 2016/17	948,000.00	632,000.00	474,000.00	
500160027. Contribution – Children's Pool Works Biggenden		20,000.00	20,000.00	
5001600228. Grant Works for Qld 2017-19	-	1,610,000.00	805,000.00	
700120000. CAP GRANT - TIDS		1,093,330.00	284,235.00	
700125000. CAP - Bridge Renewal Program Deep Creek Bridge	-	2,200,000.00	-	
700130000. Royalities for th Region (Capital)	2,825,077.00	1,344,901.00	1,344,901.00	Final payment received.
700135000. CAP - R4R - Deep Creek Bridge	440,000.00	1,760,000.00	-	
700140000. CAP GRANT - Roads to Recovery		2,146,488.00	-	
700150000. CAP - Contributions Roads & Streets		21,900.00	-	
706120500. GRANT - Bus Stops	-	7,500.00	7,500.00	
740160000. CAP Grant - Disaster Communication Enh. Initiative	163,586.00	65,000.00	-	
Total Capital Revenue	**4,482,052.00**	**17,046,604.00**	**7,096,160.00**	

CAPITAL EXPENDITURE – TARGET $26,037,385 MILLION ACTUAL $8,394,301 MILLION – 32.24%

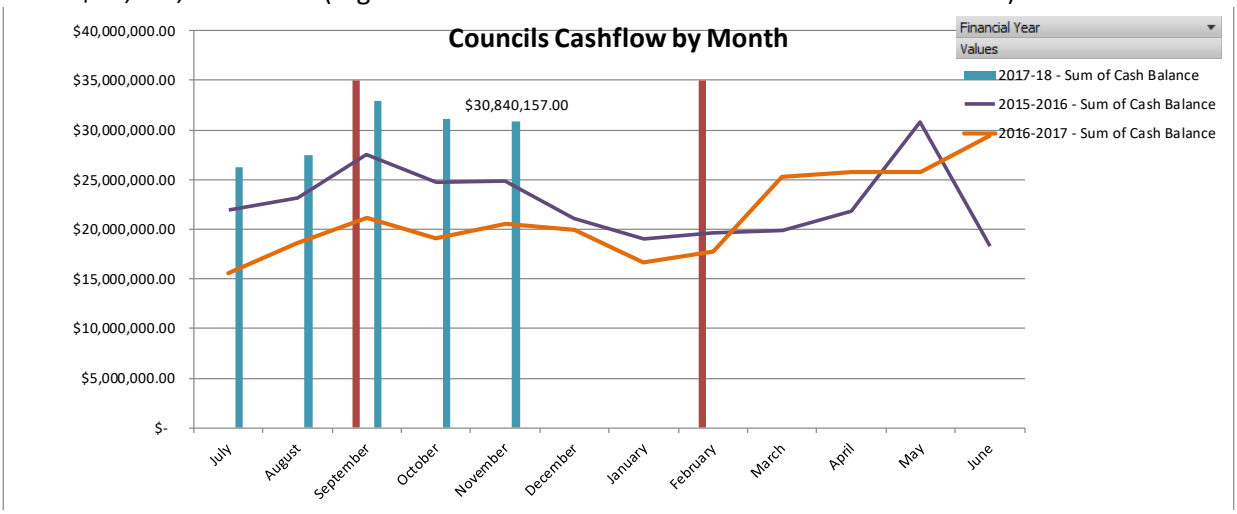


STATEMENT OF FINANCIAL POSITION

The Statement of Financial Position provides information on the breakdown of Council's assets and liabilities at a point in time. At 31 December 2017, Council had $31,417,164 in current assets compared to $5226,094 in current liabilities with a current ratio of 6.01:1. The ideal ration is 3:1.

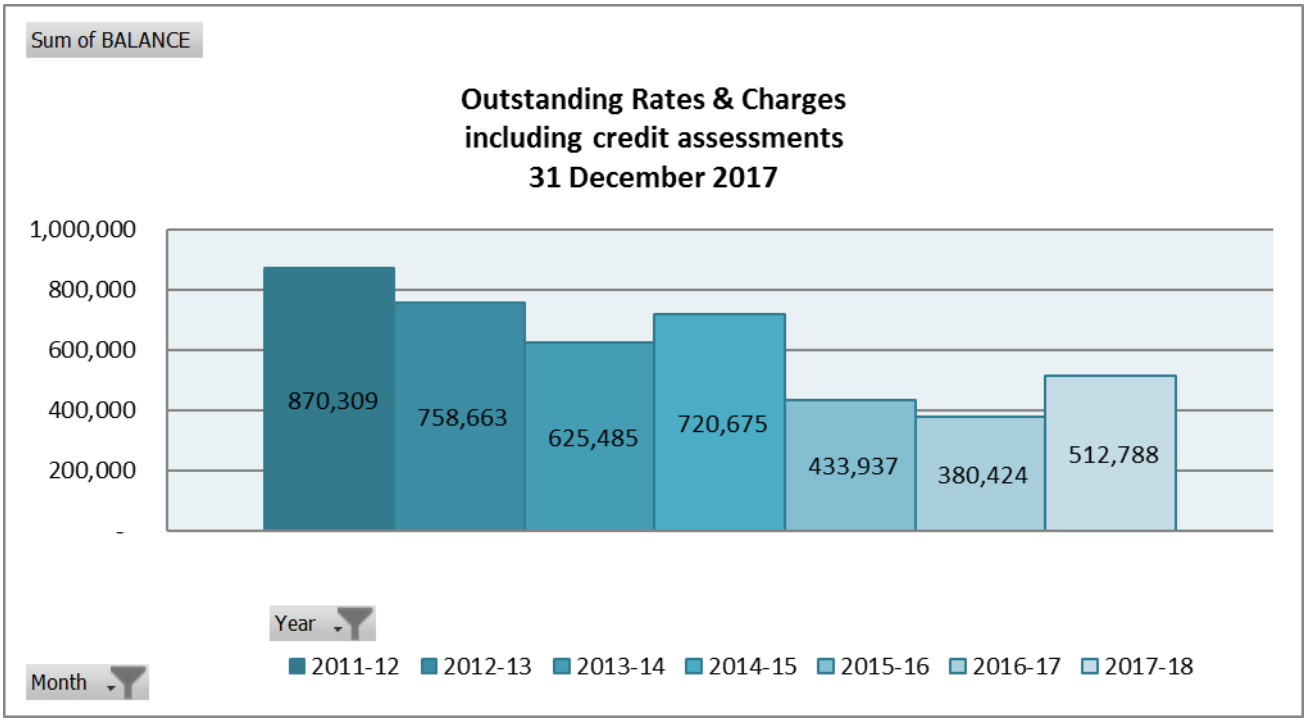
CASH FLOW

The Statement of Cash Flows is important as it shows the real movement in Council's cash balances, as opposed to the accounting movements shown in the Statement of Income and Expenditure. In order to maintain adequate working capital, it is estimated that Council needs around $15.00 million cash at any one time, at 31 December 2017, the cash balance was $28,980,943 million (slight reduction from November which was 30.84 million).



RATES RECOVERY

At the end of December outstanding rates were $512,788. This balance is higher than the same point in time last year.

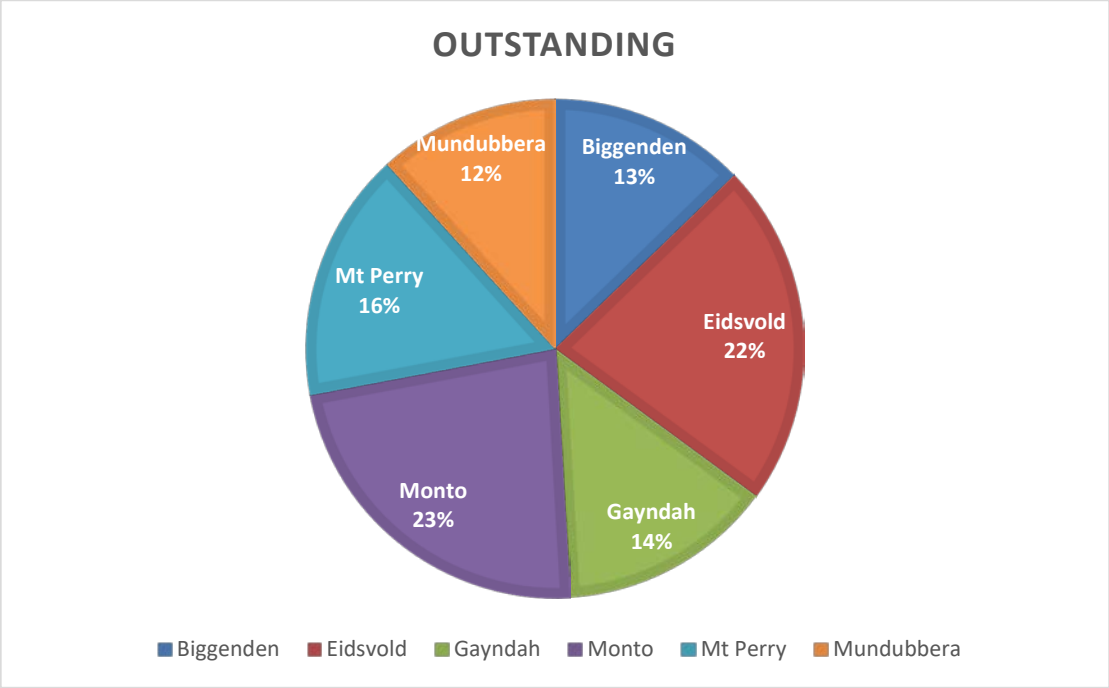


Break up of Rates as at 11 January 2018

Differential Rating	Biggenden	Eidsvold	Gayndah	Monto	Mt Perry	Mundubbera	Grand Total
Residential	60,225	108,016	94,757	124,441	13,810	73,084	474,333
Caravan <15				0	201		201
Commercial	9,462	1,194	1,109	13,152		3,959	28,876
Commercial Non-Profit	1,580	25	2,868	2	1	2	4,479
Feedlot 2001-3000	3						3
Hotel >15			119				119
Industrial	440		4,102	12,042	844	6	17,433
Mining Lease <200Ha <15 Emp		5,214				9,276	14,490
Motel >15			7				7
Multi Units		76,077	2,407				78,484
Orchards			3,444			1,092	4,537
Residential - Large	12,279	4,604	10,347	6,055	5,975	7,547	46,807
Rural >100 ha	19,395	864	1,377	23,994	11,267	9,351	66,248
Rural Cropping	1,727		39	12,669		1,887	16,322
Rural Exclusions				0			0
Small Rural <100 ha	8,573	126	3,383	4,741	10,035	1,274	28,133
Transformers	1	9		3			13
Vacant	5,736	21,986	11,646	21,897	94,124	4,888	160,276
Vacant - Large	5,301	16	1,444	5,610	22,305	2,649	37,326
Quarry <5k Tonnes					2		2
Grand Total	**124,721**	**218,130**	**137,050**	**224,607**	**158,563**	**115,016**	**978,087**

Count of Balance Location	Credit Outstanding	Credits
Biggenden	110.00	161.00
Eidsvold	71.00	57.00
Gayndah	133.00	168.00
Monto	124.00	209.00
Mt Perry	85.00	75.00
Mundubbera	86.00	132.00
Grand Total	**609.00**	**802.00**

Location	Outstanding	Credits	Grand Total
Biggenden	124,720.63	- 110,484.73	14,235.90
Eidsvold	218,129.86	- 37,937.79	180,192.07
Gayndah	137,050.33	- 104,092.45	32,957.88
Monto	224,606.85	- 145,141.52	79,465.33
Mt Perry	158,563.41	- 38,475.42	120,087.99
Mundubbera	115,016.27	- 84,829.23	30,187.04
Grand Total	**978,087.35**	**- 520,961.14**	**457,126.21**



Location	Values greater - 3y	3y Category	2y category	1y category	Sum of Current	Int & Penalities	Sum of Balance
Biggenden	1,157	3,606	11,450	38,705	59,283	10,518	124,721
Edisvold	-	7,326	56,140	88,007	53,885	12,772	218,130
Gayndah	3,730	5,736	12,842	34,317	70,587	9,838	137,050
Monto	2,507	9,215	20,575	82,099	92,356	17,856	224,607
Mt Perry	12,775	8,619	16,756	70,342	38,167	11,904	158,563
Mundubbera	2,757	4,014	11,875	32,038	52,239	12,094	115,016
Grand Total	**22,927**	**38,516**	**129,639**	**345,508**	**366,516**	**74,982**	**978,087**

Attachment 1

NORTH BURNETT REGIONAL COUNCIL
Statement of Comprehensive Income
For the Period ended 31 December 2017

	2018 Actual	2018 Budget	
Income			
Revenue			
Recurrent revenue			
Rates, levies and charges	7,381,200	16,250,217	45%
Fees and charges	596,020	1,222,833	49%
Rental income	230,023	491,000	47%
Interest received	349,324	507,299	69%
Sales revenue	791,775	2,309,800	34%
Other income	321,880	591,006	54%
Grants, subsidies, contributions and donations	4,061,111	6,465,662	63%
Flood Grant Non Capital Income	(12,856)	24,710	-52%
Total recurrent revenue	**13,718,477**	**27,862,527**	**49.2%**
Expenses			
Recurrent expenses			
Employee benefits	(6,308,063)	(14,621,500)	43%
Materials and services	(5,988,917)	(11,541,822)	52%
Finance costs	(73,219)	(411,560)	18%
Depreciation and amortisation	(6,970,827)	(13,941,654)	50%
Total recurrent expenses	**(19,341,026)**	**(40,516,536)**	**47.74%**
Operating Result before Capital Items	**(5,622,549)**	**(12,654,009)**	**44%**
Total Capital income			
Grants, subsidies, contributions and donations	4,232,224	13,046,604	32%
Flood Grant Capital Income	2,863,937	4,000,000	72%
Provision for Landfill	0	0	#DIV/0!
Gain/(Loss) on sale of assets	0	0	#DIV/0!
Total Capital income	**7,096,161**	**17,046,604**	**42%**
Net Result after Capital Items	**1,473,612**	**4,392,595**	**34%**
Other comprehensive income			
Increase / (decrease) in asset revaluation surplus	0	0	
Total other comprehensive income for the year	**0**	**0**	
Total comprehensive income for the year (exc Flood)	**1,473,612**	**4,392,595**	**34%**

Attachment 2

NORTH BURNETT REGIONAL COUNCIL
Balance Sheet
For the Period ended 31 December 2017

	2018 Actual	2018 Budget
Current Assets		
Cash and cash equivalents	28,980,943	21,753,047
Trade and other receivables	1,924,481	3,737,096
Inventories	511,740	581,665
Total current assets	**31,417,164**	**26,071,808**
Non-current Assets		
Receivables	0	0
Property, plant and equipment	852,368,996	863,041,254
Intangible assets	0	0
Total non-current assets	**852,368,996**	**863,041,254**
TOTAL ASSETS	**883,786,160**	**889,113,062**
Current Liabilities		
Trade and other payables	2,399,128	4,561,021
Borrowings	456,492	601,605
Provisions	2,010,918	2,071,245
Other	359,556	359,555
Total current liabilities	**5,226,094**	**7,593,426**
Non-current Liabilities		
Interest bearing liabilities	3,618,233	3,618,233
Provisions	4,665,312	4,805,271
Total non-current liabilities	**8,283,545**	**8,423,504**
TOTAL LIABILITIES	**13,509,639**	**16,016,930**
NET COMMUNITY ASSETS	**870,276,521**	**873,096,132**
Community Equity		
Shire capital	736,137,309	746,556,839
Asset revaluation reserve	111,158,468	126,539,293
Retained surplus/(deficiency)	22,980,744	
TOTAL COMMUNITY EQUITY	**870,276,521**	**873,096,132**

Attachment 3

NORTH BURNETT REGIONAL COUNCIL
Statement of Cash Flow
For the Period ended 31 December 2017

	2018 Actual	2018 Budget
Cash flows from operating activities:		
Receipts from customers	10,757,256	20,332,076
Payments to suppliers and employees	(14,466,193)	(25,996,322)
	(3,708,937)	**(5,664,246)**
Interest received	349,324	507,299
Rental income	230,023	491,000
Non-capital grants and contributions	4,048,255	6,490,372
Borrowing costs	(72,376)	(244,560)
Net cash inflow (outflow) from operating activities	**846,289**	**1,579,865**
Cash flows from investing activities:		
Payments for property, plant and equipment	(8,394,301)	(26,037,385)
Net movement on loans and advances	0	0
Proceeds from sale of property, plant and Equipment	134,798	310,000
Grants, subsidies, contributions and donations	7,096,161	17,046,604
Net cash inflow (outflow) from investing activities	**(1,163,342)**	**(8,680,781)**
Cash flows from financing activities		
Proceeds from borrowings	0	0
Repayment of borrowings	(145,113)	(589,146)
Net cash inflow (outflow) from financing activities	**(145,113)**	**(589,146)**
Net increase (decrease) in cash and cash equivalents held	(462,166)	(7,690,062)
Cash and cash equivalents at beginning of reporting period	29,443,109	29,443,109
Cash and cash equivalents at end of reporting period	**28,980,943**	**21,753,047**

8 ECONOMIC REPORTS

8.1 2ND QUARTER CARAVAN AND CAMPING REPORT

Doc Id: **850652**

Author: **Melinda Jones, Community Development Officer**

Authoriser: **Trisha Hansen, Community Connections Manager**

Attachments: **1. CCS - Report to Jan General Mtg - Q2 Caravan and Camping Report.docx [850654]**

INTRODUCTION/BACKGROUND

Council currently maintains and contracts four (4) caravan parks. Council temporarily ceased operations on the Mundubbera Seasonal Workers Campsite and will review the use of the site in February 2018.

CORPORATE/OPERATIONAL PLAN

In accordance with 2017-2022 Corporate Plan:

THEME 1: OUR PRODUCTIVE REGION

1.5 Implementation of Tourism Strategy

1.5.3 Undertake Council owned caravan parks with appropriate business and entrepreneurial acumen

THEME 4: OUR VIBRANT AND NATURALLY BEAUTIFUL REGION

4.2.2 Promote major tourism assets include water storage sites

THEME 5: OUR EFFICIENT AND EFFECTIVE COUNCIL

5.2 Asset management

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil

FINANCIAL REQUIREMENTS

Caravan Park operations are adopted in Council's Operational Budget and is reconciled by Councils financial department on a monthly basis.

RISK MANAGEMENT

Risk assessments conducted on a regular basis to ensure that facilities provided comply with Council's Workplace Health and Safety standards.

Financial management processes implemented to ensure the operation of Council's Caravan Parks adhere to the adopted budget.

CONSULTATION

Caravan Park contractors undertake an annual review and assist in the development of quarterly reports.

RECOMMENDATION

That Council receive the 2nd Quarter Caravan and Camping Report as information

96. PARADISE DAM

Operation of facility:
Operation of facility maintained and opportunities for expansion explored.
Hazard inspection completed 7th December 2017
IT infrastructure and eftpos services reviewed and completed.

Development:
12 powered sites have been fully instated in the top camping area.
Identifiable increase in revenue since introduction of powered sites.
Successful Annual Review completed 29th November 2017.
Next review due 22nd November 2018 – option to renew for an additional 3 years

Number of visitor for Q2:
Oct: 61 – Average per night: 2.0
Nov: 64 – Average per night: 2.1
Dec: 113 – Average per night: 3.6
Total: 238 – Average per night for Q2: 2.6

YTD Average
Total: 625 – Average per night: 3.4

PARADISE DAM PARK STATISTICS July to June										Financial Year				2017 to 2018				
	Singles	Couples	Extra	1 night	2 nights	3 nights	4 plus	Powered	Unpowered	Fees Collected	NSW	QLD	TAS	VIC	SA	WA	NT	OTHER
JULY	18	74	0	38	26	7	12	0	0	$ 3,330.00	18	55	1	5	1	2	0	0
AUGUST	32	114	9	55	48	9	21	0	0	$ 5,550.00	17	79	6	15	10	0	0	9
SEPTEMBER	35	114	43	49	46	24	10	3	116	$ 6,035.00	12	97	4	9	1	1	0	6
OCTOBER	4	57	8	31	13	11	2	5	56	$ 2,240.00	1	58	0	1	1	0	0	1
NOVEMBER	11	53	13	49	14	6	7	6	53	$ 2,415.00	2	55	0	0	0	0	0	0
DECEMBER	22	91	48	34	34	10	10	14	70	$ 4,885.00	2	156	0	0	0	0	0	0
JANUARY	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
FEBRUARY	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
MARCH	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
APRIL	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
JUNE	0	0	0	0	0	0	0	0	0	$-	0	0	0	0	0	0	0	0
Accumulative Total	122	503	121	256	181	67	62	28	295	$ 24,455.00	52	500	11	30	13	3	0	16
*NOTE: Recorded data taken from actual information and receipts given																		

97. EIDSVOLD CARAVAN PARK

Operation of facility:
Successful Annual Review completed 14th of November 2017.
Next review due 5th November 2018 - Contract option to renew for an additional 3 years after annual review on 5th November 2019.
Hazard inspection completed 14th of November 2017.
Rental increase notification provided to long-term residents on the 17th of November 2017. Increase will commence on the 19th of January 2018 and will result in long-term resident's payments being in line with Councils current fees and charges.
Wind event in November resulted in a number of branches falling. No damage sustained to facilities or visitors. Parks and Gardens crew assisted with clearing of debris.

Development:
Nil to date

Number of visitor for Q2:
Oct: 163 – Average per night: 5.3
Nov: 146 – Average per night: 4.9
Dec: 182 – Average per night: 5.9
Total: 491 – Average per night for Q2: 5.3

YTD Average
Total: 1695 – Average per night: 4.6

EIDSVOLD CARAVAN PARK STATISTICS July to June												Financial Year	2017	to	2018				
	Single	Couples	Single	1 night	2 nights	3 nights	4 plus	Cabins	Powered	Unpowered	Fees Collected	NSW	QLD	TAS	VIC	SA	WA	NT	OTHER
JULY	222	208	5	321	175	40	161	135	213	20	$ 16,343.00	102	440	8	49	24	4	0	10
AUGUST	107	207	10	285	102	32	105	94	188	27	$ 10,780.05	65	306	24	64	22	12	6	14
SEPTEMBER	70	296	9	240	63	32	40	70	139	9	$ 12,462.00	41	292	2	22	6	2	2	8
OCTOBER	95	63	5	118	42	13	70	57	91	2	$ 7,924.00	11	191	0	6	4	4	4	6
NOVEMBER	101	45	0	65	20	12	97	58	69	10	$ 5,707.00	0	190	2	2	0	0	0	0
DECEMBER	133	49	0	119	37	29	45	73	69	5	$ 8,544.00	2	216	0	0	2	1	0	2
JANUARY	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
FEBRUARY	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
MARCH	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
APRIL	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
JUNE	0	0	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
Accumulative Total	728	868	29	1148	439	158	518	487	769	73	$ 61,760.05	221	1635	36	143	58	23	12	40
*NOTE: Recorded data taken from actual information and receipts given																			

98. MINGO CROSSING CARAVAN PARK AND RECREATIONAL AREA

Operation of facility:
Caretakers participated in the Hay Bale decorations over Christmas.
Hazard inspection completed 29th of November 2017.

Development:
Building our Regions and Building Better Regions funding successful.
Regional Jobs and Investment Packages – Local Infrastructure application completed – awaiting outcome.

McMertries engaged as external project managers for Mingo Crossing Development plans.
Tenders finalised at commencement of 2018.

Annual Review due 26th of May 2018.
Contract option to renew for an additional 3 years after annual review on 26th May 2019.

Number of visitor for Q2:
Oct: 357 – Average per night: 11.5
Nov: 401 – Average per night: 13.3
Dec: 394 – Average per night: 12.7
Total: 1152 – Average per night for Q2: 12.6

YTD Average
Total: 3217 – Average per night: 8.8

MINGO CROSSING CARAVAN PARK STATISTICS July to June												Financial Year	2017	to	2018				
	Singles	Couples	Extra	1 night	2 nights	3 nights	4 plus	Cabin	Powered	Unpowered	Fees Collected		NSW	QLD	TAS	VIC	SA	WA	NT	OTHER
JULY	6	217	25	70	64	34	55	0	85	139	$	16,602.80	27	172	5	15	0	2	0	2
AUGUST	44	420	0	127	151	70	111	0	98	366	$	30,547.00	44	363	4	29	19	0	0	6
SEPTEMBER	20	348	0	106	120	62	81	0	83	287	$	26,018.00	32	316	1	11	1	2	1	4
OCTOBER	13	172	0	54	72	21	38	0	64	121	$	12,004.50	2	182	0	1	0	0	0	0
NOVEMBER	9	196	0	59	78	30	38	0	64	142	$	13,511.50	7	198	0	0	0	0	0	1
DECEMBER	4	195	0	41	62	19	78	0	42	156	$	19,808.00	1	197	0	1	0	0	0	0
JANUARY	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
FEBRUARY	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
MARCH	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
APRIL	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
JUNE	0	0	0	0	0	0	0	0	0	0	$	-	0	0	0	0	0	0	0	0
Accumulative Total	96	1548	25	457	547	236	401	0	436	1211	$	118,491.80	113	1428	10	57	20	4	1	13
*NOTE: Recorded data taken from actual information and receipts given																				

99. MOUNTAIN VIEW CARAVAN PARK

Operation of facility:
Rental increase notification provided to long-term residents on the 17th of November 2017. Increase will commence on the 19th of January 2018 and will result in long-term resident's payments being in line with Councils current fees and charges.
Hazard inspection completed 27th November 2017

Development:
Contractor amendment to their current contract for them to supply consumables at cost commenced on the 13th of November 2017.
Please note the following inclusions in the amendment:

Part 4 Insurance: Item 4.4
The Contractor, if applicable, must take up a valid and enforceable Worker's Compensation Insurance Policy, which complies with the provisions of the Worker's Compensation and Injury Management Act 1981 in respect of all his/her employees supplying the Services under the Contract.

Part 5 Contractor Responsibilities:
Consumables:
The Contractor will provide all council approved and quality assured consumables, as may reasonably be required, at the Contractor's cost, to be used by the Contractor for servicing, maintenance and cleaning of amenities and facilities, in particular;

a) Hand soap, toilet paper and paper towel;
b) Consumables and other stationery required to operate the Caravan Park.
The Contractor will fuel, store and keep in a clean and working condition the following equipment:
(a) A push mower, supplied by Council, which will be fully serviced and maintained by the Council

Contract expires: 9th July 2018 – Nil option to renew. Contract must go out to tender

Number of visitor for Q2:
Oct: 841 – Average per night: 27 **YTD Average**
Nov: 706 – Average per night: 23.5 Total: 5837 – Average per night: 16
Dec: 545 – Average per night: 17.5
Total: 2092 – Average per night for Q2: 22.7

MOUNTAIN VIEW CARAVAN PARK STATISTICS July to June										Financial Year	2017	to	2018					
	Singles	Couples	1 night	2 nights	3 nights	Powered	non powered	Cabins	Fees Collected	NSW	QLD	TAS	VIC	SA	WA	NT	OTHER
JULY	0	0	0	0	0	1193	170	106	$ -	0	0	0	0	0	0	0	0
AUGUST	0	0	0	0	0	1108	95	73	$ -	0	0	0	0	0	0	0	0
SEPTEMBER	0	0	0	0	0	861	73	66	$ -	0	0	0	0	0	0	0	0
OCTOBER	0	0	0	0	0	720	49	72	$ -	0	0	0	0	0	0	0	0
NOVEMBER	0	0	0	0	0	612	26	68	$ -	0	0	0	0	0	0	0	0
DECEMBER	0	0	0	0	0	460	31	54	$ -	0	0	0	0	0	0	0	0
JANUARY	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
FEBRUARY	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
MARCH	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
APRIL	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
MAY	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
JUNE	0	0	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0
Accumulative Total	0	0	0	0	0	4954	444	439	$ -	0	0	0	0	0	0	0	0
*NOTE: Recorded data taken from actual information and receipts given																	

100. MT PERRY CARAVAN PARK

Lessee: Maclean Parks Pty Ltd
Expires: 30th of June 2028
Site managers: Kristy Lane.
Hazard inspection conducted.
The number of park users remains very low, the average stay is two nights, over the last 12 months occupancy is around 40%. The single men's quarters has 17 rooms, over the last 12 months occupancy is around 50%.

Recommendation:
Review of lease

101. CANIA GORGE CARAVAN PARK – BIG 4

Lessee: Rankin Bailey Investments
Expires: 28th November 2036

102. MUNDUBBERA SEASONAL WORKERS CAMPSITE

Operation of facility: The Mundubbera Seasonal Workers Campsite is currently not operational with review of the use of the site in February 2018.
Development: Nil Development

8.2 ED - REPORT TO JAN GENERAL MEETING - Q1 & Q2 COMMUNITY PARTNERSHIP - 201217

Doc Id: **850691**

Author: **Melinda Jones, Community Development Officer**

Authoriser: **Trisha Hansen, Community Connections Manager**

Attachments: **1. CCS - Report to Jan General Mtg - Q1 _ Q2 Community partnership report.docx [850690]**

INTRODUCTION/BACKGROUND

Council has established Community Partnerships between various community groups and the State Government Department of Transport and Main Roads to preserve rail corridors throughout the North Burnett.

CORPORATE/OPERATIONAL PLAN

In accordance with 2017-2022 Corporate Plan:

THEME 1: OUR PRODUCTIVE REGION

1.5 Implementation of Tourism Strategy

1.5.1 Plan, design and develop a sustainable Tourism Strategy that services and encourages economic growth within the region

THEME 3: OUR UNITED REGION

3.6 United communities

3.6.7 Support and promote our villages and small communities

3.7 Global and regional relationships

3.7.2 Partnerships at local, regional, state and national levels maintained and improved

THEME 4: OUR VIBRANT AND NATURALLY BEAUTIFUL REGION

4.5 Protection of cultural heritage

THEME 5: OUR EFFICIENT AND EFFECTIVE COUNCIL

5.8 Productive partnerships

5.8.1 Encourage partnerships for the benefit of the region, our community and economy

POLICY IMPLICATIONS

Nil

STATUTORY REQUIREMENTS

Nil

FINANCIAL REQUIREMENTS

Lease agreements are in place between various community groups.

Responsibility of financial contributions and facility maintenance lies with the Lessees of the sites.

RISK MANAGEMENT

Hazzard Inspections conducted on a regular basis to ensure that facilities provided comply with Council's Workplace Health and Safety standards.

CONSULTATION

Community groups consulted in the development of this report. Council's Community Development Officers provide liaison services and assist where necessary.

RECOMMENDATION

That Council receive the 1st and 2nd Quarter Community Partnerships Report as information.

RAILWAY STATION CONVERTS

MONTO RV STOP OVER

Operation of facility:
Lessee: Monto Magic Tourism Action Group (MMTAG)
Expires: 4th June 2019

Development:
Caretakers Jim and Robyn commenced on the 4th of October 2017
Jim successfully completed his induction on the 4th of October 2017

Number of visitor for Q1:
July: 315 – Average per night: 10
Aug: 342 – Average per night: 11
Sept: 123 – Average per night: 4
Total: 780 – Average per night for Q1: 8.5

YTD Average
Total: 970 – Average per night: 5

Oct: 92 – Average per night: 3
Nov: 67 – Average per night: 2
Dec: 31 – Average per night: 1
Total: 190 – Average per night for Q2: 2

Total visitor spend captured
YTD: $ 27,810.44

MONTO STOPOVER STATISTICS July to June										Financial Year			2017		to	2018
	Singles	Couples	1 night	2 nights	3 nights	Units	Fees Collected	NSW	QLD	TAS	VIC	SA	WA	NT	OTHER	Spend
JULY	17	298	136	22	6	165	$ 1,000.00	58	66	14	20	5	1	0	1	$ 4,877.14
AUGUST	22	320	152	25	5	182	$ 1,085.00	41	85	7	39	10	0	0	0	$ 7,699.70
SEPTEMBER	29	94	95	21	7	123	$ 790.00	27	55	10	25	3	3	0	0	$ 5,847.35
OCTOBER	19	73	74	12	5	92	$ 570.00	11	57	7	8	2	2	0	5	$ 4,186.00
NOVEMBER	21	46	50	15	1	67	$ 420.00	7	59	0	0	0	0	0	1	$ 3,477.03
DECEMBER	9	22	25	5	1	31	$ 190.00	0	28	0	1	0	1	1	0	$ 1,723.22
JANUARY	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0	$ -
FEBRUARY	0	0	0	0	0	0	$ -	0	0	0	0	0	0	0	0	$ -
MARCH																
APRIL																
MAY																
JUNE																
Accumulative Total	117	853	532	100	25	660	$ 4,055.00	144	350	38	93	20	7	1	7	$ 27,810.44

*NOTE: Recorded data taken from actual information and receipts given

BIGGENDEN RV STOP OVER

Operation of facility:
Lessee: Biggenden Chamber of Commerce
Expires: 30th June 2019

Development:
Nil

Number of visitor for Q1:
July: 180 – Average per night: 5.8
Aug: 224 – Average per night: 7.2
Sept: 110 – Average per night: 2.6
Total: 514 – Average per night for Q1: 5.6

YTD Average
Total: 665 – Average per night: 3.6

Oct: 82 – Average per night: 2.6
Nov: 52 – Average per night: 1.7
Dec: 17 – Average per night: 0.5
Total: 151 – Average per night for Q2: 1.6

Total visitor spend captured
YTD: $18,671.60

BIGGENDEN RV STOPOVER STATISTICS July to June									Financial Year					2017			to			2018
	Singles	Couples	More than 2	1 night	2 nights	3 nights	4 nights	more than 4	Fees Collected	NSW	QLD	TAS	VIC	SA	ACT	NT	WA	OS	Actual RV's	Local Spend
JULY	10	85	0	69	22	4	1	1	$ 796.00	21	34	4	21	3	5	0	2	3	95	$ 5,956.57
AUGUST	19	102	1	86	27	9	0	0	$ 1,004.00	28	43	7	24	10	3	3	0	2	121	$ 5,798.95
SEPTEMBER	11	48	3	49	9	4	0	0	$ 509.00	7	34	6	10	0	0	0	0	0	62	$ 2,515.80
OCTOBER	6	38	0	29	8	5	0	0	$ 487.00	5	19	2	5	2	0	2	1	1	44	$ 2,291.24
NOVEMBER	0	26	0	20	5	4	0	0	$ 240.00	1	19	1	1	0	0	0	2	1	26	$ 1,822.52
DECEMBER	1	8	0	6	2	0	1	0	$ 110.00	0	9	0	0	0	0	0	0	0	9	$ 286.52
JANUARY																				
FEBRUARY																				
MARCH																				
APRIL																				
MAY																				
JUNE																				
Accumulative Total	47	307	4	259	73	26	2	1	$ 3,146.00	62	158	20	61	15	8	5	5	7	357	$ 18,671.60
*NOTE: Recorded data taken from actual information and receipts given																				

GAYNDAH RAILWAY

Operation of facility:

Lessee: Gayndah Heritage Railway Rail Trial Inc
Expires: 17th August 2020

Development:

Gayndah Heritage Railway Rail Trial Inc has secured access to the railway corridor from Gayndah to Mundubbera.

MUNDUBBERA RAILWAY

Operation of facility:

Lessee: Mundubbera Enterprise Association Inc
Expires: 31st March 2026

Development:

9 SOCIAL REPORTS

9.1 THREE MOON HISTORICAL AND CULTURAL COMPLEX ADVISORY COMMITTEE MINUTES

Doc Id: **850482**

Author: **Melinda Jones, Community Development Officer**

Suzie Keune, Stream Leader Community Development

Authoriser: **Brad Duke, General Manager Corporate and Community**

Attachments:
1. **3MHCC - October 2017 - Minutes - 111017.docx [845011]**
2. **3MHCC - December 2017 - Minutes - 051217.docx [850481]**

INTRODUCTION/BACKGROUND

The purpose of this report is to update Council on the outcomes from the meetings of the Three Moon Historical and Cultural Complex Advisory Committee held on 9th October and 5th December 2017.

The advisory committee aims to update Council regarding the progress of the Three Moon Historical and Cultural complex and to forward any recommendations, maintenance or other issues.

CORPORATE/OPERATIONAL PLAN

In accordance with 2017-2022 Corporate Plan:

THEME 1: OUR PRODUCTIVE REGION

1.4.1 Proactively engage with community and other partners to promote activities and events that support community well-being and economic outcomes.

THEME 3: OUR UNITED REGION

3.4.3 Encourage and support community sport and recreational groups.

THEME 4: OUR VIBRANT AND NATURALLY BEAUTIFUL REGION

4.5 Protection of cultural heritage.

THEME 5: OUR EFFICIENT AND EFFECTIVE COUNCIL

5.2.2 Ensure that the assets maintained and constructed are appropriate to the current and future needs of the region.

POLICY IMPLICATIONS

The workings of the Three Moon Historical & Cultural Complex fall within the guidelines of Council's Arts and Cultural Policy and Strategy.

STATUTORY REQUIREMENTS

Nil

FINANCIAL REQUIREMENTS

3MHCC allocated budget:

DATE	Job Cost No	Description	Amount
	3470-4002-0001	Annual Allocation	$2,000.00
Balance			**$2,000.00**

RISK MANAGEMENT

Appropriate governance processes have been implemented to ensure the Committee are supported.

Facility and hazard inspections are conducted on a regular basis by a Council Officer.

CONSULTATION

A North Burnett Regional Council Officer attends monthly meetings at the complex and liaises between the Committee and Council.

RECOMMENDATION

That Council receives the Three Moon Historical and Cultural Complex report and the minutes from the meetings held on 9 October and 5 December 2017 as presented be adopted. Further Council endorses the committees request to meet quarterly instead of monthly.

Flinders Street,
Monto QLD 4630
(07) 4166 3576

THREE MOON HISTORICAL & CULTURAL COMPLEX
COMMITTEE MEETING – Minutes
9th October 2017 10am

PRESENT: Liz Robertson, Lyn Tucker, Harold 'Spook' Ware, Melinda Jones

APOLOGIES: Cr Paul Lobegeier

MINUTES: Minutes held on the 7th of August 2017 tabled for reading.
Moved: Liz Robertson
Seconded: Harold 'Spook' Ware

BUSINESS ARISING:

1. **Alarm system:** Ongoing
   [Action: Melinda to follow up with facilities**]**
2. **Maintenance:** Works will be undertaken for the veranda this financial year.
   [Action: Melinda to follow up with facilities**]**
3. **MOU:** Ongoing. It was noted that Joyce Peterson had passed away.
   [Action: Lyn to follow up with family regarding collection**]**
4. **Complex Enhancement:**
   [Action: Request to Council to use Council Contribution for exhibitions to purchase paint for the walls.

Treasurer's Report:
Council Contribution:

DATE	Job Cost No	Description	Amount
	3470-4002-0001	Annual Allocation	$2,000.00
		Paint	
Balance			**$2,000.00**

Correspondence:
Inward: Nil
Outward: Nil

General Business:

1. Door not always locked. Sign to be placed on door to double check if door is locked.

2. Timber display with old shears in it requires a timber base. More information required.

Upcoming Events:

- **Sport & Rec meeting** – October 10 Combined Sports Complex – 5:30pm
- **Mungungo Dance** – October 7 – Mungungo Hall – 7pm
- **Legends & the Locals Concert** – October 14 – Monto Community Hall – 8am

Next meeting: 6th November commencing at 10am
To be held over until December.
Meeting Closed: 11am

Flinders Street,
Monto QLD 4630
(07) 4166 3576

THREE MOON HISTORICAL & CULTURAL COMPLEX
COMMITTEE MEETING – Minutes
5th December 2017 10am

PRESENT: Cr Paul Lobegeier, Coralie Keiler, Carolyn Cupitt, Mary Herbison, Rosemary Hall, Bruce Burnham & Melinda Jones

APOLOGIES: Liz Robertson, Lyn Tucker, Harold 'Spook' Ware

MINUTES: Minutes held on the 9th of October 2017 tabled for reading.
Moved: Melinda Jones
Seconded: Mary Herbison

BUSINESS ARISING:

1. **Alarm system:** Ongoing. A discussion was held around the need for the alarm if the Fob system was introduced. More discussion and information from Facilities required.
   [Action: Waiting on OPEX approval from Facilities.**]**

2. **Maintenance:** Works will be undertaken for the veranda this financial year. Tenders for veranda repairs has commenced.
   Storage room light needs replacing.
   A discussion was held around the mowing of the Complex grounds. It was noted that the Historical Society went to mow but was instructed by NBRC parks and garden staff that Council was responsible to mow. Historical Society are happy to mow, provided they are compensated with fuel for the mower.
   [Action: Service request for light to be completed, Mowing information to be passed to Park & Garden crew for consideration**]**

3. **MOU:** Ongoing. It was noted that Joyce Peterson has passed away – additional discussion regarding Joyce's collection is held over to general business.
   It was identified that Harold "Spook' Ware's items are not listed on an MOU. Art Group offered to follow up with completing MOU's for collections at the Complex.
   [Action: Melinda to drop copies of MOU to centre for other collections to be finalised early in the New Year.**]**

4. **Complex Enhancement:**
   The art group have requested that council consider replacing/removing the green carpet that is on the walls as it clashes with exhibitions. They have requested a natural off white board be considered. A working bee for the painting is planned for the 20th and 21st of January 2018.
   [Action: Melinda to purchase paint and equipment for the walls. OPEX budget to remove carpet on walls to be considered for Council.**]**

5. **Door not always locked:**
   A sign has been placed on door to double check if door is locked. It was noted that the door was left unlocked after the high school event.

6. **Timber display with old shears:**
   Work being completed by Peter Pownall.

Treasurer's Report:
Council Contribution:

DATE	Job Cost No	Description	Amount
	3470-4002-0001	Annual Allocation	$2,000.00
		Paint	
Balance			**$2,000.00**

Correspondence:
Inward: Nil
Outward: Nil

General Business:

1. Joyce Peterson – Joyce's last will and testament was tabled for discussion [Action: Melinda to follow up with family regarding the significance of the egg collection and dolls. An assessment and images are to be obtain for the committee for further discussion at the next meeting.]

2. Art Group member Rosemary Hall is happy to open the centre 5 days per week.

3. Motion: Carolyn Cupitt moved that the 3MHCC Meeting be changed from monthly to quarterly. This was seconded by Carolie Keiler, All in Favour.

Next meeting: 5th February 2018 commencing at 10am

Planned meeting dates for 2018
5th February 2018
7th May 2018
6th August 2018
5th November 2018

Meeting Closed: 11:30am

9.2 COMBINED SOCIAL COHESION STEERING COMMITTEE MEETING

Doc Id: **850593**

Author: **Melinda Jones, Community Development Officer**

Suzie Keune, Stream Leader Community Development

Authoriser: **Brad Duke, General Manager Corporate and Community Services**

Attachments: **1. SCSC - Meeting Minutes - Combined meeting - 041217.docx [852910]**

INTRODUCTION/BACKGROUND

The Social Cohesion Steering Committees (SCSC) focus on enhancing community capacity in Council's jurisdiction and develop and utilise networks for community cohesion and acceptance of Culturally and Linguistically Divers (CALD) residents.

CORPORATE/OPERATIONAL PLAN

In accordance with 2017-2022 Corporate Plan:

THEME 1: OUR PRODUCTIVE REGION

1.4 Events

1.4.1 Proactively engage with community and other partners to promote activities and events that support community well-being and economic outcomes

THEME 3: OUR UNITED REGION

3.1 A region for all ages

3.1.4 Community services meets community needs

3.6.1 Develop and implement a social cohesion/multicultural strategy

3.6.2 Work in partnership with Indigenous communities

3.6.5 Seasonal workers strategy which addresses social issues and supports and encourages cultural diversity

In accordance with North Burnett Regional Council Camping Strategy

POLICY IMPLICATIONS

Policy 118 - Information Privacy

Policy 207 - Arts and Cultural

Policy 208 - Tourism

Policy 227 - Community Diversity and Social Cohesion

STATUTORY REQUIREMENTS

Racial Discrimination Act 1975

Racial Hatred Act 1995

Queensland Anti-Discrimination Act 1991

Equal Employment Opportunity Act 1987

Australian Humans Rights Commission Act 1986

Disability Discrimination Act 1992

Age Discrimination Act 2004

Queensland Information Privacy Act 2009

Work Health and Safety Act 2011

Workplace Gender Equality Act 2012

Multicultural Recognition Act 2016

Fair Work (Commonwealth Powers) and Other Provisions Act 2009

FINANCIAL REQUIREMENTS

SCSC Meetings are held as a committee of Council and administered by Council's Community Development Team.

RISK MANAGEMENT

Appropriate Governance processes have been implemented to ensure the Committee are supported.

Adopted Terms of Reference are presented at each meeting and Conflict/Confidentiality terms are signed by all new participants.

CONSULTATION

The SCSC comprises of representatives from identified stakeholder groups and individuals that have a significant contribution to Social Cohesion within the North Burnett. The Membership Listing Register is attached to the Terms of Reference to ensure that regular amendments can be made without requiring the document to be re-adopted.

Other government and non-government agencies, special representatives and consultants may be called upon by the SCSC to provide advice and assistance as required.

RECOMMENDATION

That the Social Cohesion Steering Committee report be received; and

1. The minutes from the combined meeting held on 4 December 2017 as presented be adopted; and
2. The action items identified at the meeting be endorsed and tasked to the Community Development Team; and
3. Council endorse the Living in the North Burnett Booklet.

NORTH BURNETT REGIONAL COUNCIL
SOCIAL COHESION STEERING COMMITTEE MEETING
MINUTES – GAYNDAH/MONTO/MUNDUBBERA
04.12.2017 **Doc Id: 848205**

Agenda Item No.	Item	Action
1	**Attendees**	
	Name	Organisation/**Business**
	Cr Faye Whelan	NBRC
	Cr Paul Lobegeier	NBRC
	Cr John Zahl	NBRC
	Susan Jenkin	Iron Bark Citrus
	Lynette Kerle	Golden Mile Farms
	Moe Turaga	Salvation Army
	Alison Rahill	Salvation Army
	Greg Watkins	NBRC
	Gavin Ford	Gavin Ford Mobile
	Jade Pieters	Boyne View Citrus
	Sherrie Breitkopf	Three Rivers Tourist Park
	Kimberley Pearsall	National Farmers Federation
	Susie Cunningham	GrowCom
	Mele Cross	Weslyan Methodist Church
	Hamatefua	Mundubbera Tongan Community
	Palueta Pomale	Members
	Telesion Tuitupou	
	Siuea Maile	
	Ati Tuipulotu	
	Sione Maile (John)	Mundubbera Minister
	Melinda Jones	NBRC
	Trisha Hansen	NBRC
	Nadine Smith	Excel Care
	Temeka Priest	Monto Youth Group
	Mick Bazzo	QPS
	Jenni Toogood	IWC
	Peter Huth	Sarina Russo Job Access
	Michael Higginson	Pickers and Packers
2	**Welcome by Cr Whelan**	**Time: 1.10pm**
	Welcome and introductions	
3	**Apologies**	
	Name	**Organisation/Business**
	Mayor Rachel Chambers	NBRC
	Suzie Keune	NBRC
	Bonnie Trevanion	Mundubbera Combined Churches
	Anne Koster	Sarina Russo Job Access
	Julie MacKenizie	Smart Berries
	Hugh Tully	Iron Bark Citrus
	Barbara	Three Rivers
	Mark Pitt	NBRC
	Amanda Luani	Community Rep

	Tracey Pattie Kelly Low	DON – Monto Hospital Mulgildie State School
4	**Declaration – Conflict of Interest and Confidentiality** Signed	All attendees to sign (renewal with Terms of Reference).
5	**Confirmation of Minutes** Gayndah Meeting held on the 26th June 2017 Monto Meeting held on the 1st of March 2017 Mundubbera Meeting held on the 5th of June 2017	**Gayndah** Confirmed by Peter Huth Seconded by Jenni Toogood **Monto** Confirmed by Nadine Smith Seconded by Cr Paul Lobegeier **Mundubbera** Confirmed by Sherrie Breitkopf Seconded by Gavin Ford
6	**Terms of Reference** Terms of reference adopted as is Moved Cr Paul Lobegeier Second Nadine Smith AIF	**Adopted Date: 04.12.2017** **Review Date: 04.12.2018**
7	**General Business** **1. Register of Attendees** **2. Guest speaker** a. Alison Rahill – The Salvation Army – National Network Coordinator Spoke about funding received from QLD Government – Freedom Links workshops with Fair Work, Growcom, Legal humanitarian, traffic police, etc. Freedom Partnership program and partnerships with support seasonal workers to stop slavery. Quarterly newsletters are available for those who would like to keep updated on any current changes to the legislation. Alison provided an update on the Government roll out of a workshop to help keep employers and community groups updated with changes to legislation, award conditions and worker rights. Alison also mentioned how important it was as a community committee to ensure that we keep our finger on the pulse regarding related issues. b. Sue Jenkin from Ironbark Citrus – local citrus farmer discuss the Pacific Seasonal Workers Employer – Ironbark Citrus was a key employer who has been involved with the seasonal workers program since	**Contact Detail** Alison Rahill National Networks Coordinator - The Salvation Army The Freedom Partnership- to End Modern Slavery Phone 02 9466 3559 Mobile 0429 517 157 Email: alison.rahill@aue.salvationarmy.org

	commencement. Sue spoke on the benefits of the Pacific workers program for her business and the long term workers (7 – 8 years repeat workers). Three farms with various accommodation plus the local caravan park. Sue spoke of the benefit to local community and economy and the Pacific Island communities resulting from the PSWS. Sue identified issues with Fair work not supporting the worker even when the employer connects them. c. Kimberly Pearsall – Senior Advisor, Policy and Legal at National Farmers Federation and Susie Cunningham – Senior Communications Officer – Growcom NFF is the peak advocacy organisation for the farmers. Members are from state organisations. Kimberley main role is in regards to work place relations and legal affairs – farm safety and legislation. Kimberley is wanting to raise awareness of their programs and what they do such as advocating for the dedicated Ag Visa ad Labour hire certification scheme with a national approach. Growcom – Represent fruit and vegetable growers. Fair farmer's initiative – education program to help growers go through their business and look at what they are doing and how they can do better. Both Speakers provided an update on new Government initiatives to help build on the agricultural labour needs. 3. **Priority Areas** Review of attached committee priority areas – reviewed. 4. **Accommodation** A comment was made in the media that some of the accommodation in Mundubbera not to standard.	**Contact Detail** Kimberly Pearsall Senior Advisor, Policy and Legal - National Farmers Federation Email: KPearsall@nff.org.au **Contact Detail** Susie Cunningham Senior Communications Officer - Growcom Phone: 07 3620 3844 Mobile: 0403 693 155 Email: scunningham@growcom.com.au **Action:** Connect with QFES to conduct random checks on accommodation. **Investigate:** Voluntary code of accommodation for workers. Outlining what is expected in the North Burnett for employers, contactors and workers.

	Cr Whelan wanted to know if there is any substandard accommodation in our region. From time to time over crowding in accommodation has been identified. Gayndah members reported that housing was ok, overcrowding from time to time but generally is was good. No complaints regarding sewerage and dirty water. Mundubbera members reported that it was ok, although there was report of some accommodation being overcrowded from time to time and accommodation becoming a profit margin for contractors. Concerns were raised that there have been situations reported of workers not being allowed to contact family/friends while working in Australia. Also that some workers were fearful that if they raised these issues, their chances of return work would be jeopardised. Local churches encouraged visiting workers to seek support if they were concerned. Council also provides an opportunity to link to other agencies. The maximum people per accommodation is about 4 – 5 people max. Some Labour hirers are not based in the North Burnett which creates issues with workers that are engaged through them. General discussions were held around accommodation issues in our region. **5. Entertainment/Activities** a. Welcome/Inductions Events Trisha spoke about welcome/induction events that were held in the past and tabled a suggestion to introduce this again. Council used to be involved with inductions when the pacific islanders program commences. Events were held such as the harvest kick off. Council is wanting to look at running these events again. It was suggested to hold an induction event with employers in February and another with Employees at the end of April. Employers Induction to be held on Wednesday the 21st of February 2018 – day time event – suggestion was to have it over lunch. Employee's event was suggested to have a talent quest. **6. Education**	**Ask QPS to look at inspections of vehicles to make sure that vehicles are road worthy.** **Action:** NBRC Communities team – to put together a proposal **Outcome:** The committee is keen to re-establish Welcome Events at the start of each citrus season, and also a combined workers' induction process to introduce local services and community groups to our visitors. Employers Induction to be held on Wednesday the 21st of February 2018 – day time event – suggestion was to have it over lunch. **Motion:** Moved by Cr Paul Lobegeier

	'Living in the North Burnett Booklet' version 2 adopted by the committee. This booklet is designed to help those visiting our region from overseas and those moving house for the first time	Seconded Sue Jenkins
	7. Identified cultures – Cultural Awareness Education Proposal Project overview put forward.	**Action:** Committee to send feedback to Melinda via email by the end of January 2018.
	8. Welcome Hub – Mundubbera facility update Hamatefua spoke about the Welcome Hub and fundraising. It was identified that the current location is not suitable. They are happy to fundraise for the hub but only if it was in a suitable location with amenities. It was agreed that the hub be closed due to be being run down and lack of housekeeping of the users. Equipment needs to be rehoused. Hugh was not able to gain support from growers unless there were greater management around look after the facility. There is already enough facilities that council makes available for people to use so it was agreed by the committee that the hub was not needed.	**Resolution:** It was resolved to leave the hub closed and discussions to be held at the next meeting in regards to items in the hub.
	9. Round Table Monto – Suggested that there was an opportunity to work more closely with the LGBTQI (Lesbian, Gay, Bisexual, Transgender, Queer and Intersex) community Gayndah – Nil to add Mundubbera – Sione Maile (John) – introduced himself - new minister in Mundubbera Gavin Ford spoke about the Tongan community and their involvement in the community. Boyne View Citrus – Value our seasonal workers. Happy workers means that they are productive. Sherrie Breitkopf – Asked if immigration was part of the conversation with the Salvation Army program. Alison advised that they are not involved but the QPS was. Moe Turaga – Spoke about NDIS as well Sue Jenkins – As employers we need back packers and seasonal workers. We are keen to do the right thing. Lynette Kerle – Nil to add Siuea Maile – Talked about Tongans playing rugby and that they don't want to play.	**Comment:** The committee look forward to exploring this opportunity further and developing some initiatives that may help address and cohesion issues. **Comment:** Employers to encourage workers to join in other community events.

8	**Closure of Meeting**	**Time:** 3.45pm
9	**Next Meeting:** **2018 Dates to be confirmed** **Suggestion:** **Combined meetings via skype.** **Each council boardroom respectively**	**Suggested Date:** **5th of February 2018 1pm** **7th of May 2018 1pm** **6th of August 2018 5pm** **5th of November 2018 1pm**

GAYNDAH SOCIAL COHESION STEERING COMMITTEE PRIORITIES				
Priority Areas	**Action**	**Responsible**	**Completion Date**	**Update**
Welcome Nights	Hosting a soccer game and look at having music/dance (Tongan).	NBRC Councillor		Event Scheduled for 2018

MONTO SOCIAL COHESION STEERING COMMITTEE PRIORITY				
Priority Areas	**Action**	**Responsible**	**Completion Date**	**Update**

MUNDUBBERA SOCIAL COHESION STEERING COMMITTEE PRIORITY				
Priority Areas	**Action**	**Responsible**	**Completion Date**	**Update**
Survey	Itinerant workers - Survey to be conducted twice a year. Orchards to provide employment data (total numbers not details) monthly to Council to capture seasonal workers population in the region.	NBRC SCSC Growers NBRC SCSC Employees	Ongoing Ongoing	Completed Resend survey to committee members Priority 2018
'Living in the North Burnett Booklet' Version 2	Nil action required	NBRC	Completed	**Motion:** Moved by Cr Paul Lobegeier Seconded Sue Jenkins
Accommodation	Conduct a Bed Audit by end of March to assess the accommodation capacity in the community.	NBRC	Ongoing	Priority 2018
Adverse Social Media	Use Mundubbera Seasonal Workers Campsite Facebook page. Barb to change administrator to NBRC.	NBRC	March 2017	To be completed
Community Garden	Council is providing land opportunities to the local Mundubbera Tongan community for the establishment of community garden	NBRC Community members	2018	Letter was drafted from churches requesting use of land
Welcome Hubs	It was resolved to leave the hub closed and discussions to be held at the next meeting in regards to items in the hub.	NBRC	June 2017	**Resolution:** It was resolved to leave the hub closed and discussions to be held at the next meeting in regards to items in the hub.

North Burnett Regional Council

CULTURAL AWARENESS EDUCATION

2018 – 2020

Project Scope

Project Specific Plan

Major Project:	Cultural Awareness Education
Key Project Objectives:	Community education o Highlighting the regionals already established multicultural diversity and history o Showcasing individuals and their stories o Hosting opportunities to meet a culture 1-on-1 to ask questions about them as an individual and community member Leadership & consistent messages: • Leading the community and NGO's to promote multiculturalism, harmony and social diversity from Council to the community o Creating and promoting welcome zones o Engaging ethnic communities in everyday activities (ie. Festivals, events, volunteering) and in creating spaces that value add to the community (ie. Parklands) o Working closely with State & Federal Governments to ensure structured and successful multicultural communities • Consistently delivering messages of multiculturalism, harmony and social diversity from Council to the community o Connecting the regions Social Cohesion Steering Committees through information sharing and support
Key Project Benefits:	- Promote our cultural diversity - Instilling sense of cultural pride amongst North Burnett residents - Encouraging North Burnett residents to explore and discover the various cultures in their own backyard and neighbouring townships - Community awareness about the diversity and benefits of multiculturalism in the North Burnett Region. - Appreciation of local and diverse cultures and history as well as the wider community Social Cohesion – integration of diverse cultures into local community
Key Community Impacts of the project:	- Increased cultural awareness and increase local community engagement with other cultures - Create strong networks and links to diverse cultures and the wider community to ensure that all other project goals are managed, delivered and sustainable - Work collaboratively and actively engage with stakeholders to ensure the best possible outcomes for the project
Consultation Objectives:	To provide the North Burnett Communities and stakeholders with: - Timely information about the planned project, project delivery timeframes and key outcomes of the project; - An opportunity to provide information and feedback to Council regarding requirements for consideration as part of this project; - An opportunity to contribute towards the key objectives and benefits of this project; and - An opportunity to value-add to the project by helping realise some of the non-infrastructure benefits;

Key Stakeholders:	- NBRC Mayor and Councillors - NBRC Community Development Officers - Mundubbera, Gayndah & Monto Social Cohesion Steering Committee members - Identified cultural leaders in each community - North Burnett Regional Schools
Proposed Time frame	2 - 3 years
Proposed Activities	**Our Region, Our Story, Our Culture, Our Future** **Our Region** Medium: NBRC Newsletter stories - Each Town History (x6) – information gathered from Historical Centres and local historians. - Location (ie: Chinese Garden, Stone pitched bridges, walls/markers) (x6) – information gathered from Historical Centres and local historians. - Gold Rush (x1) Media outlet: A4 printed stories for display at Libraries and RM Williams Centre, NBRC Newsletter **Our Story** ➢ Individual Stories (x24) Medium: Video Interviews Standard questions such as: Name Place of Birth (if outside Australian when did you move to Australia) Where do you live in the North Burnett? How long have you lived in the North Burnett? Family demographics Ancestry Partners ancestry (if applicable) Brief story/memory of your own or family members cultural heritage (eg: story from life in other country, my grand/parent/s schooling experience as a foreign child in an Australia School, etc) How you contribute to your community (work, school, volunteer, sports, arts, etc) Media outlet: Libraries, Social Media, Disc for distribution in schools, RM Williams Centre, etc ➢ 'Share Our Stories' library display Utilising each library community's members will be able to share their stories by completing a hard version of the above questions, along with a bio of the project and disclaimers. The display period would run from July 2018 until March 2019 – leading up to Harmony Day. The captured stories, along with an image will be sent to the CDO team for inclusion in the 'Our Story' display. ➢ Library and RM Williams Centre display Launch: Harmony Day 21st March 2019 Library display period from 21st March until the 20th of April (1 month) RM Williams Centre display period from the 1st of April until the 30th of June (3 months) Medium: A4 Printed Stories Outlet: Select a few stories for NBRC newsletter (x12) Display ALL stories in print at Libraries on Harmony Day and RM Williams Centre Display (x24)

	Our Culture Flyers - Regional v's World Map Flyers - Multiculturalism in the Australian context, include ABS figures Media outlet: Libraries and social media, NBRC Newsletter, schools, RM Williams Centre. **Our Future** Harmony week activity: Ask the school students to draw/write what the future will be Medium: Draw/Write response to a set question 'What does the faces of the future look like you?' Outlet: Put on display in library for Harmony Day

Identified cultures

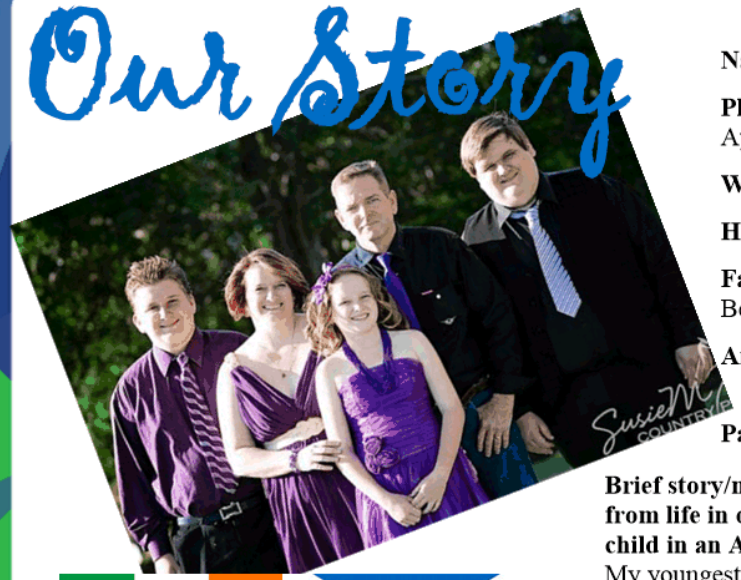
Permanent

Tongan
Filipino
Indian
South African
New Zealand
Aboriginals
Korean
Irish
Pakistani
South African
French
Russian
German
New Zealander
English
East Timorese
Chinese
Indonesian
Sudanese
French
Italian
Sri Lanka
Nepalese
Pacific Islanders
Swedish
Dutch
Taiwanese

Transient

French
Italian
Korean

Our Story



Name: Melinda Jones

Place of Birth (if outside Australian when did you move to Australia): Ayr, QLD

Where do you live in the North Burnett? Monto

How long have you lived in the North Burnett? 13 years

Family demographics: Married to Wayne Jones and have three children, Ben (21), Sam (18) and Temeka (16).

Ancestry: On my father's side there is Irish, Scottish and Welsh
On my mother's side there is English and Welsh

Partner's ancestry (if applicable):

Brief story/memory of your own or family member's cultural heritage (eg: story from life in other country, my grand/parent/s schooling experience as a foreign child in an Australia School, etc)
My youngest brother researched our family's Scottish heritage and was married in the family's tartan.

How do you contribute to your community (work, school, volunteer, sports, arts, etc):
I am currently employed by the North Burnett Regional Council as a Community Development Officer – Tourism, Economics and Camping. I currently volunteer as the Secretary for the Monto Dairy Festival and help various community groups with funding applications.

Our Story

Name: Misty Green

Place of Birth (if outside Australian when did you move to Australia): Brisbane

Where do you live in the North Burnett? Monto

How long have you lived in the North Burnett? 7 years. Connected for 23 years

Family demographics: Single mum of three children, Emily-Jade (17), Liam (13) and Isaac (10).

Ancestry: Father's side – Scandinavian, Italian, English (some of which were convicts & penal colony wardens), Irish & German Mother's side – German, English, Chinese & Indigenous (My 2 x Great Grandmother later married an Indian man who owned a large portion of Mt Gravatt & Howsans for Holden, now known as Zupps)

Brief story/memory of your own or family member's cultural heritage (eg: story from life in other country, my grand/parent/s schooling experience as a foreign child in an Australia School, etc)

My Nana endured a lot of abusive bullying (both physical & verbal) as a child and was known as a '*Diego Bastard*' because she was Italian. Something she has never forgiven or forgotten. Some of my family were sent to an Australian concentration camp in Liverpool (West of Sydney) during WWII because they were of German decent and owned a piano. Some of these were never released and died there despite their siblings fighting against Hitler in Her Majesty's Army.

How do you contribute to your community (work, school, volunteer, sports, arts, etc):

I am employed by the North Burnett Regional Council as a Community Development Officer. I previously owned and operated Community Services & Child Care businesses in SE Qld. I have worked for universities contributing to local and surrounding regions Ag & Enviro research and have volunteered for Landcare & sporting groups.

9.3 MUNDUBBERA REGIONAL ART GALLERY ADVISORY COMMITTEE - INFORMATION ONLY

Doc Id: **851588**

Author: **Leah McKinnon, Administration Officer**

Authoriser: **Brad Duke, General Manager Corporate and Community Services**

Attachments:
1. **Mundubbera Regional Art Gallery Minutes - 111217.docx [851583]**
2. **Copy of 2017-18 Art Gallery Financials - 111217.xlsx [851585]**

INTRODUCTION/BACKGROUND

The advisory committee aims to update Council regarding the progress of the Mundubbera Regional Art Gallery and to forward any recommendations for actioning to Council.

CORPORATE/OPERATIONAL PLAN

In accordance with Corporate Plan Outcomes:

Theme 3.4 – Art and Culture

POLICY IMPLICATIONS

North Burnett Regional Council Arts and Cultural Strategy

STATUTORY REQUIREMENTS

Nil

FINANCIAL REQUIREMENTS

North Burnett Regional Council's Finance Officers provide the Mundubbera Regional Art Gallery with a quarterly financial report. The financial report for this meeting is attached to this report (Refer to Attachment 2).

RISK MANAGEMENT

Appropriate governance processes have been implemented to ensure the Committee are supported.

CONSULTATION

North Burnett Regional Council's Administration Officer attends meetings and provides liaison support to the Committee. The minutes of the last meeting provided by the committee are attached to this report (Refer to Attachment 1).

RECOMMENDATION

That Council receives the Mundubbera Regional Art Gallery report as information and the minutes from the Meeting held on 11th December 2017 as presented be adopted.

Mundubbera Regional Art Gallery

Minutes of meeting held 11th December 2017

PRESENT: Faye Whelan, Denise Edwards, Lean McKinnon, Loris Doessel, Neville Hastings, , Sue Crofts, June Mededith, Glenice Robertson

APOLOGIES: Cameron Zipf, Sue Allan, Chenelle Allan, Pat Cluff, Barb van Elst, Marg Kelly,

G Robertson moved that apologies be accepted. Seconded S Crofts. Carried

MINUTES OF PREVIOUS MEETING held 9th October accepted as read. Moved G Robertson, seconded D Edwards. Carried

BUSINESS ARISING FROM MINUTES:

Plinths are in Mundubbera Gallery storeroom.

Leah has not received answer from QAGOMA re light bulbs – will follow up.

COORDINATORS REPORT: Not available due to Coordinators illness.

FINANCIAL REPORT: As previous report.

GENERAL BUSINESS:

Kids Craft: L Doessel moved and J Meredith seconded that the gallery liaise with MCDA to host a Craft for Kids day. D Edwards (Gallery) & L Doessel (MCDA) to organise in 2018. carried

10th anniversary for Gallery next year. Plans for function to be discussed at next meeting. All ideas welcome. Leah doing invite for occasion.

Barry Janke (carrier) agreed to move Flying Art exhibitions from drop off point to Gallery.

L Doessel moved, G Robertson seconded that Leah contact TOLL to ascertain if their Flying Arts Exhibitions are supposed to be delivered door to door. carried

Volunteer concerned about unruly children unattended by parent in Gallery and would like guidelines on how to react. If there is a problem it should be reported to the Librarian. Leah to do sign for door requesting children be supervised at all times.

Next exhibition opens 11th January and features Malcolm Browns art and others.

All volunteers wish to thank Leah for her help work during the year.

There being no further business the meeting closed at 11 pm

Next meeting Monday 12th February 2018 at 3 PM.

Mundubbera Art Gallery
2017-18 Account Details
as at 11/12/17

2520-2000-0000	Mundubbera Art Gallery Maintenance	
GL Number	**Details**	**Amount**
	AP RECHENBERG PTY 706746/01 Monthly Alarm monitoring fee for 30 Lyon Stre	
1/07/2017	and call out alarm not working	$ 181.96
11/08/2017	AP P & B HICKEY RE 707262/06 Quarterly service of the a/c in Mundubbera Ar	$ 21.64
4/09/2017	Charge from Rates 6001900000000	$ 477.99
5/12/2017	Cleaning for Art Gallery to 5/12/17	$ 1,549.66
30/11/2017	AP DF ELECTRICAL S 709352/01 Check lights not working at Mundubbera Art Ga	$ 70.00
18/10/2017	AP ERGON ENERGY CO 18/10/17 CONSOLIDATED POWER A/C	$ 2,090.93
	Total Operating Costs - 29/9/17	**4,392.18**
	Budget	25,000.00
	Remaining	20,607.82
		17.57%

2520-2100-0000	Mundubbera Art Gallery -Discretionary Expenditure		
	Supplier	**Details**	**Amount**
	AP DISPLAYS 2 GO	707521/01 I: MRAG - Plinths	$ 1,458.00
	VISTAPRINT	JDK 08/17 to 09/17 - VISTAPR*VISTAPRINT.AUTote Bags & DL Postcards	$ 337.02
		Total Expenditure - Discretionary	**1,795.02**
		Budget	5,500.00
		Remaining	3,704.98
			32.64%

Trust Fund Account		
	Opening Balance 1/7/16	**$ 5,354.99**
	(Rev) - Wages back to Operating	$ (314.37)
	(Rev) - Tear Drop Flag Graphic Design to Discretionary	$ (657.50)
	(Rev) - Plinth Berthelsen to Operating	$ (254.20)
	14/2/2017 - McGilverys - TCL 32" TV	$ 326.36
	2016-17 - Recognition of Income from Art Gallery	$ (870.78)
	Closing Balance 30/6/17	**$ 7,125.48**
	Opening Balance 1/7/16	**$ 7,125.48**
	Nil Transactions	
	Closing Balance 29/9/17	**$ 7,125.48**

Reconciliation of Income transferred to the Trust Account

Income as reported on the closing report dated 30/6/2017	$ 1,549.70
Less Sale of Art work income to be paid to Artists	
AP Queensland Wild 14/3-19/5/17 INQUISITIVE AND MERCHANDISE	678.92
Total to be Transferred to the Trust Account	**870.78**

Mundubbera Art Gallery
2016-17 Income Transaction Details
as at 11/12/17

Sum of Amount			
Details	**Date**	**Further Description**	**Total**
⊟**Sale of Art**	⊟**17/08/2017**	TABLE DOILEY ADVENTURES IN CREA	$ 14.40
	⊟**20/09/2017**	AP Duffey T 15/08/17 TABLE DOILEY ADVENTURES IN CREA	$ (14.40)
Sale of Art Total			$ -
⊟**Commission**	⊟**17/08/2017**	TABLE DOILEY ADVENTURES IN CREA	$ 3.27
Commission Total			**$ 3.27**
⊟**Exhibition Booking Fee**	⊟**31/10/2017**	Exhibition Booking Fee	$ (90.90)
Exhibition Booking Fee Total			**$ (90.90)**
Grand Total			**$ (87.63)**

9.4 SOCIAL COHESION - MUNDUBBERA - LEICHHARDT STREET COMMUNITY GARDEN PROPOSAL

Doc Id: **852287**

Author: **Greg Watkins, Community Development Officer**

Authoriser: **Brad Duke, General Manager Corporate and Community**

Attachments:
1. **MUN - Wesleyan Methodist Church - Offer of land for community garden - Leichhardt Street - 041217.pdf [848263]**
2. **Leichhardt Street Map and Photos.docx [852281]**

INTRODUCTION/BACKGROUND

The purpose of this report is to make Council aware of the potential for a Community Garden utilising unused vacant Council property (Lots 45, 46 and 48RP28436 – 13, 11 and 7 Leichhardt Street, Mundubbera). Council is in possession of the three blocks due to the resumption of flood-affected land in Leichhardt Street, Mundubbera. The Mundubbera Wesleyan Methodist Church group have submitted an Expression of Interest (EOI) to lease the land from Council to establish a community garden for the Tongan community. The garden will give the Tongan people a chance to socialise and grow vegetables to give them a sense of familiarity while they live in our region.

CORPORATE/OPERATIONAL PLAN

In accordance with the 2017-2022 Corporate Plan:

Theme 1: Our Productive Region
1.7.1 Review land supply and uses as required to meet community and business needs

Theme 3: Our United Region
3.1 A region for all ages
3.1.1 Build a community for all ages
3.1.4 Community services meets community needs
3.6 United communities
3.6.1 Develop and implement a social cohesion/multicultural strategy
3.6.5 Seasonal workers Strategy which addresses social issues and supports and encourages
3.6.7 Support and promote our villages and small communities' cultural diversity

Theme 5: Our Efficient and Effective Council
5.8 Productive partnerships
5.8.1 Encourage partnerships for the benefit of the region, our community and economy

POLICY IMPLICATIONS

Policy 213 - Risk Management

Policy 223 - Environmental

Policy 227 - Community Diversity and Social Cohesion

STATUTORY REQUIREMENTS

Local Government Act 2009 & Local Government Regulation 2012

FINANCIAL REQUIREMENTS

Cost to Council to maintain these unusable vacant properties equates to $4,000 per year ($1,500 grounds maintenance, $2,500 rates) for all three blocks.

Should Council choose to grant permission to local community groups to use the land for approved activities, Council would see a reduction in the cost to maintain these vacant properties.

It is proposed that an agreement be established between Council and the interested parties to the following effect:

- Full maintenance will be the responsibility of the community group (therefore reducing cost to Council by $1,500 per year);
- The community group will be responsible for full payment of any water usage;
- The community group will be responsible for full weed management control therefore further reducing the cost to Council; and
- In exchange for the use of the land resulting in reduction in maintenance cost to Council, Council may choose to apply a peppercorn charge ($1 per year) to the agreement.

RISK MANAGEMENT

The risk to Council and the community resulting from areas of resumed land deemed unsuitable for further development or construction is a deterioration to the social fabric of the surrounding residents. Allowing community groups to make use of the vacant blocks will help build social morale in the community, prevent further devaluation of property and help build social cohesion.
To ensure the blocks are fit for purpose, Council will inspect the properties and deliver them in a slashed condition.
Proposed terms and conditions in the agreement will include:

- The community group will be fully responsible for any insurances, liabilities, injuries to people and/or damaged property once a permit to occupy has been signed;
- The community group accepts the permit to occupy in full knowing, that the premises are located in a flood-affected area and are prone to re-flooding, and that Council will not be held responsible for any damage caused due to natural events;
- The community group accepts full responsibility to keep the grounds maintained to acceptable level i-e. not overgrown;
- The community group will observe any local law conditions pertaining to the area, for example noise levels; keeping of animals;
- The community group agrees to return use of the land to Council in an agreed acceptable condition upon finalisation of the agreed period;
- The community group will not grow illegal plants and substances;
- The community group will not keep, capture or kill any livestock animals on the premises;
- The community group will not build structures on the property (e.g. sheds, houses, shanties);
- The community group will not use any other vacant blocks without prior approval from Council

The community group agrees to the terms being fully aware that it is a vacant block of land with water access only, no amenities provided.

CONSULTATION

NBRC Rates

NBRC Parks and Gardens

NBRC Community Development

SCSC (Social Cohesion Steering Committee)

RECOMMENDATION

That:

1. The Chief Executive Officer (via Community Connection Manager) advise the Mundubbera Wesleyan Methodist Church that it will grant:

(i) A permit to occupy land located at Lot 45RP28436 for purposes of establishing a community garden;

(ii) For an initial period of 2 years;

(iii) Subject to review at the expiry of this period and the acceptance of conditions contained in this report; and

2. The Chief Executive Officer (via Community Connection Manager) to call expression of interests for permit to occupy Lot 46 and 48RP28436 from not for profit organisations subject to the conditions stated above.

The Wesleyan Methodist Church – Mundubbera
Hamatefua
69 Burnett Street
MUNDUBBERA Q 4626
Monday, 4th December 2017

Mr Mark Pitt – CEO
North Burnett Regional Council
PO Box 390
GAYNDAH Q 4625

Dear Mr Pitt,

RE – OFFER OF LAND FOR USE FOR COMMUNITY GARDEN – LEICHHARDT STREET MUNDUBBERA

We would like to thank you for your offer to use the land at the bottom end of Leichhardt Street Mundubbera for a Community Garden.

I have discussed this with the other Tongan Elders and we together would like to accept your kind offer.

We would like to use the land to grow vegetable and fruit found in Tonga for our community to enjoy and to provide a place where the community can interact and socialise. We would also like to share skills with other community members.

We look forward to starting this project, please contact me to progress this arrangement. I can be contacted on 0497 681 699 and/or by email at tevitamoala59@gmail.com.

With Kind Regards,

Hamatefua.

Leichhardt Street Map and Photos

Lot 45RP28436: 20.2 metres width, 50.6 metres length

Lot 46RP28436: 20.2 metres width, 50.7 metres length

Lot 48RP28436: 19.6 metres width, 50.8 metres length

Photos are as listed below;

Lot 45

Lot 45

Lot 46

Lot 46

Lot 46

Lot 48

Lot 48

Lot 48

10 INFRASTRUCTURE REPORTS

Nil

11 ENVIRONMENTAL REPORTS

11.1 LOCAL LAW NO.6 (WASTE MANAGEMENT) 2017

Doc Id: **852346**

Author: **Jeff Miles, Environmental Services Manager**

Authoriser: **Trevor Harvey, General Manager of Strategy, Innovation and Assets**

Attachments:
1. **Local Law No 6 Version C - 231017.docx [841940]**
2. **Public Interest Test Report.doc [851395]**
3. **Schedule of Anti-competitive Provisions.doc [852232]**

INTRODUCTION/BACKGROUND

The purpose of this report is for Council to resolve to implement the recommendations of a public interest test report about Local Law No. 6 (Waste Management) 2017 ("the proposed local law"); and complete the local law making process by resolving to make the proposed local law as previously presented to Council.

Council resolved to make the proposed local law at its Technical Standing Committee meeting of 4 October 2017.

North Burnett Regional Council officers have progressed the making of the law in accordance with Council's adopted process. To date this has included consultation with the State government and the community and undertaking public interest testing of the proposed local law and any possible anti-competitive provisions.

Consultation and public interest test results are as follows:

Results of Consultation with the relevant State entities

The proposed local law has been reviewed by the relevant State government agencies as part of the State-interest check process required under the *Local Government Act 2009*. One (1) State government submission was received from the Department of Environment and Heritage Protection providing comments that have been reviewed and if necessary, appropriately addressed. A summary of the comments received from the State and officers' recommended actions are tabled below.

Department of Environment and Heritage Protection			
LL Section	**Comment**	**Suggested Action**	**Council Response**
General	Part 2A of the Waste Reduction and Recycling Regulation 2011 (Waste Regulation) and chapter 5A of the Environmental Protection Regulation 2008 (EP Regulation) were amended in June 2017 so that provisions are now due to expire on 1 July 2018.	It is suggested that council notes that Part 2A of Regulation and chapter 5A of the EP Regulation are now due to expire on 1 July 2018.	Noted. Council is aware of the relevant sunset clause.
Section 9(1)(b) – other requirements for storing general waste at particular serviced premises	Section 9(1) of the proposed local law appears to condense 81ZI(1)(b) and (c) of the EP Regulation into one subsection. It is not clear whether condensing of this subsection changes or limits the definition of who is a prescribed persons.	Ensure that condensing subsections 81ZI(1)(b) and (c) of the EP Regulation in section 9(1)(b) of the proposed local law does not change or limit the definition of a prescribed person.	It is Council's opinion that proposed section 9(1)(b) does not change or limit the intent of the definition of who is a prescribed person.
Section 13(a)(ii) and (b) – Requirements to treat industrial waste for disposal	The requirement for the treatment of waste to a standard approved by the local government, "*for*	Ensure that s13(a)(ii) and (b) of the proposed local law are not inconsistent with State requirements for	Section 13 enables the treatment of industrial waste, e.g. interceptor waste, to be modified to

	transport to, and disposal of the waste at, a waste facility" is not a requirement under the existing chapter 5A (EP Regulation) provisions (s81ZM).	the treatment and transportation of waste to a facility.	enable acceptance at a waste facility. The provision does not conflict with State interests.
18(a) Subordinate local laws	These proposed provisions will allow council to prescribe in a subordinate local law what is considered to be a waste. The state definition for waste is quite broad and it is not clear why wastes would need to be defined further.	Ensure that the ability to prescribe wastes under a subordinate local law is not inconsistent with the current state definitions of waste.	Noted. Section 27 of the Local Government Act 2009 provides that any inconstancy between a local law and a law made by the State, the law made by the State will prevail to the extent of any inconsistency.
14(1)(h) – Unlawful disposal of waste at a waste facility; 18(h), (i), and (j) – Subordinate local laws	The proposed provisions will allow council to prescribe requirements in a subordinate local law about the supply at premises of industrial waste containers for storing industrial waste; about the treatment of industrial waste; and about the wastes a person must not deposit at a waste facility. Methods of storage and treatment may already be prescribed for an ERA; under an existing Environmental Authority; or in a Regulation or guideline.	Ensure that anything to be prescribed in a subordinate local law is consistent with the current state law.	Noted. Section 27 of the Local Government Act 2009 provides that any inconstancy between a local law and a law made by the State, the law made by the State will prevail to the extent of any inconsistency.
Dictionary – premises	The definition of relevant premises in the EP Regulation is only referred to as premises in the proposed local law. Premises is defined in the proposed local law to also include industrial premises and this is inconsistent with the current state provisions. This may duplicate some requirements for industrial premises and change the application of the provisions from that of the current State laws.	Ensure that the inclusion of industrial premises in the definition of premises in the proposed local law is not inconsistent with current state laws.	The inclusion of industrial premises in the definition of premises in the proposed local law is not inconsistent with the definition of relevant premises in the EP Regulation but rather enhances it by clarifying community understanding of terms commonly used terms in the planning scheme and Council's rates and charges.
Dictionary – prescribed person	See comments above regarding section 9(1)		Refer to comments above.
Dictionary – waste	This definition will allow council to prescribe in a subordinate local law what is considered to be a waste. The state definition for waste is quite broad and it is	Ensure that the ability to prescribe waste under a subordinate local law is not inconsistent with the current state definitions of waste.	The definition of waste in the proposed local law refers to the meaning given in the EP Act and anything specified under a subordinate local law. Section 27 of the Local

	not clear why wastes would need to be defined further.		Government Act 2009 provides that any inconstancy between a local law and a law made by the State, the law made by the State will prevail to the extent of any inconsistency.

Comments received from State agencies did not warrant or constitute an impediment to Council proceeding to make the proposed local law.

Results of Consultation with the Community

Community consultation about the proposed local law and Public Interest Test Plan was undertaken in accordance with the requirements of the *Local Government Act 2009*.

Public consultation included the placing of an advertisement in the Central and North Burnett Times on Thursday 9 November 2017, 16 November 2017 and 30 November 2017. The notice invited the public to make submissions. The Consultation Notice on Council's website advised that the object of this local law is to protect the public health, safety and amenity related to waste management by—

a) regulating the storage, servicing and removal of waste; and

b) regulating the disposal of waste at waste facilities; and

c) ensuring that an act or omission does not result in—

i. harm to human health or safety or personal injury; or

ii. property damage or loss of amenity; or

iii. environmental harm or environmental nuisance.

As part of the local law making process, Council must accept and consider every properly made submission. Council received no submissions for the proposed local law.

Results of Public Interest Testing of Possible Anti-Competitive Provisions

The Act requires that where a local law contains an anti-competitive provision, Council must comply with the procedures specified in the *Local Government Regulation 2012* for reviewing anti-competitive provisions.

In accordance with that procedure, Council has undertaken public-interest tests of the anticompetitive provisions that were identified. A Public Interest Test Plan was prepared and made available for inspection and download from Council's website during the consultation period.

Following community consultation, the Public Interest Test Report at Attachment 2 was prepared for the Public Interest Test Plan. The Public Interest Test Report recommends that the anti-competitive provisions that have been identified in the proposed local law be retained in either the same, or substantially the same, form as advertised because:

a) The benefit of the anti-competitive provisions to the community as a whole outweighs the cost; and

b) The most appropriate way of achieving the objectives of the proposed local law is by the anti-competitive provisions.

The procedure for reviewing anti-competitive provisions also provides that Council is required to record that the local law contains anti-competitive provisions. In compliance with that requirement, a list of all of the anti-competitive provisions in the current review is at Attachment 3. This requirement is in addition to the requirement for the notice to be published on Council's website that must also state that the law contains anti-competitive provisions.

Amendments

Following the conclusion of consultation with the State and the community, officers did not identify any necessary amendments to the local law.

Next Steps in the Local Law Making Process

In accordance with Council's law making process, Council may now resolve to make the proposed local law.

It should be noted that any decision by Council at this stage to change a provision of the proposed local law may, depending upon the significance of the change, require further State-interest checks and public consultation, which would delay completion of the law making process.

Once Council resolves to make the proposed local law, the public must be informed that the law has been made by publishing a notice of the making of the law in accordance with the requirements of Section 29B of the *Local Government Act*. The notice must be published:-

a) In the gazette; and

b) On Council's website.

Within fourteen (14) days after the notice is published in the gazette, Council must give the Minister:-

a) A copy of the gazette notice; and

b) A copy of the law.

Under section 29 (5) of the *Local Government Act*, Council must ensure its local laws are drafted incompliance with the guidelines issued by the Parliamentary Counsel under the *Legislative Standards Act 1992*. The local law complies with this requirement.

CORPORATE/OPERATIONAL PLAN

5.5 Waste management

5.5.2 North Burnett Regional Waste Management Strategy reviewed and implemented.

5.6 Good governance

5.6.2 Compliant with legislation

This local law ensures the continuation of sustainable waste management practices in the North Burnett Regional Council.

POLICY IMPLICATIONS

No changes to current policy are proposed

STATUTORY REQUIREMENTS

Council's obligation to address statutory matters, and in particular the requirements of the *Local Government Act 2009* pertaining to the making of a local law

FINANCIAL REQUIREMENTS

No financial implications have been identified as the proposed local law will maintain the status quo in regard to waste management within the local government area.

RISK MANAGEMENT

The Interest Test Plan Report addresses risks associated with introducing the local law and the alternative in not doing so.

CONSULTATION

The making of this law is being undertaken in accordance with the statutory requirements of the Local Government Act and has involved stakeholder consultation and public interest testing of anti-competitive provisions.

RECOMMENDATION

That Council resolves as follows:

1. That pursuant to section 29(2) of the *Local Government Act 2009*, Council resolves to make Local Law No. 6 (Waste Management) 2017 as advertised (Attachment 1); and
2. That Council agrees to implement the recommendations of the Public Interest Test Report (Attachment 2) relating to Local Law No. 6 (Waste Management) 2017; and
3. That Council resolves to record that Local Law No. 6 (Waste Management) 2017 does contain anti-competitive provisions (Attachment 3); however there are no significant impacts from the anti-competitive provisions as noted; and
4. That pursuant to Section 29B of the *Local Government Act 2009*, Council advise the public that Local Law No. 6 (Waste Management) 2017 has been made and contains anti-competitive provisions, by publishing a notice of the making of the local law; and
5. That pursuant to Section 29B(7) of the *Local Government Act 2009*, Council give notice of the making of the local law to the Minister and it be published in the Gazette and on Council's website.

North Burnett Regional Council
Local Law No. 6 (Waste Management) 2017

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North Burnett Regional Council
Local Law No. 6 (Waste Management) 2017

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 6 (Waste Management) 2017*.

2 Objects

The object of this local law is to protect the public health, safety and amenity related to waste management by—

(a) regulating the storage, servicing and removal of waste; and

(b) regulating the disposal of waste at waste facilities; and

(c) ensuring that an act or omission does not result in—

(i) harm to human health or safety or personal injury; or

(ii) property damage or loss of amenity; or

(iii) environmental harm or environmental nuisance.

3 Relationship to other laws

(1) This local law is—

(a) in addition to and does not derogate from laws about the management of waste; and

(b) to be read with *Local Law No. 1 (Administration) 2011*.

(2) For the purposes of *Environmental Protection Regulation 2008*, section 81ZC, this local law replaces *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments).

4 Definitions

The dictionary in the Schedule (Dictionary) of this local law defines the particular words used in this local law.

Part 2 Waste management

Division 1 Designation of areas for general or green waste collection

5 Designation of areas

The local government may—

(a) designate areas within its local government area in which the local government may conduct general waste or green waste collection; and

(b) decide the frequency of general waste or green waste collection in the designated areas.

Division 2 General waste

Subdivision 1 Storage of general waste

6 Owner or occupier of premises to supply waste containers

(1) The owner or occupier of premises must—

(a) subject to subsection (2), supply standard general waste containers at the premises as—

(i) are necessary to contain the general waste produced at the premises; or

(ii) are prescribed by subordinate local law; or

(b) supply at the premises, waste containers, other than standard general waste containers, as—

(i) if required by the local government — are necessary to contain the general waste produced at the premises; or

(ii) are prescribed by subordinate local law.

Examples of ways the local government may require waste containers for paragraph (1)(b)(i)—

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the owner or occupier, or a development approval for the premises

Maximum penalty — 20 penalty units.

(2) However, subsection (1)(a) does not apply if the local government supplies to the premises the number of standard general waste containers the local government reasonably considers is required at the premises.

(3) If the local government supplies a standard general waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the owner or occupier of the premises to the local government.

(4) However, subsection (3) does not prevent the local government from supplying a standard general waste container to premises without cost to the owner or occupier of the premises.

7 Requirements for storing general waste in waste containers

(1) The occupier of premises must—

(a) store general waste produced as a result of the ordinary use or occupation of the premises in—

(i) a standard general waste container; or

(ii) if another type of waste container is prescribed by subordinate local law — the other type of container; and

(b) keep each waste container clean and in good repair; and

(c) ensure that each waste container is securely covered, except when the waste is being placed in, or removed from, the container or the container is being cleaned.

Maximum penalty — 20 penalty units.

(2) A person must not—

(a) place any of the following in a waste container—

(i) a liquid, semi-liquid or moist substance, unless the substance is securely wrapped or contained to prevent the substance leaking from the wrapper or container; or

(ii) material that is smouldering or aflame; or

(iii) matter or a thing that is alive; or

(iv) a thing stated in a subordinate local law; or

(b) remove or disturb the cover of a waste container, except when placing waste in or cleaning the container; or

(c) use or damage a waste container so that it is not weatherproof or serviceable or cannot be securely covered; or

(d) disturb or otherwise interfere with the contents of a waste container.

Maximum penalty — 20 penalty units.

(3) The occupier of the premises must not allow a person to place a thing in a waste container in contravention of subsection (2)(a).

Maximum penalty — 20 penalty units.

(4) It is a defence in a proceeding against a person for an offence under subsection (3) for the person to prove the contravention was due to causes over which the person had no control.

8 General requirements for keeping waste containers at serviced premises

(1) Subject to subsection (2), the occupier of serviced premises must ensure that a waste container supplied for the premises is kept—

(a) if the local government requires the container to be kept at a particular place at the premises — at the place (the ***waste container storage place***); or

Examples of ways the local government may require waste containers to be kept at a particular place—

by a resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

(b) if a subordinate local law requires the container to be kept at a particular place at the premises at the place (also a ***waste container storage place***); or

(c) if paragraphs (a) and (b) do not apply at ground level close to the rear alignment of a building at the premises.

Maximum penalty — 20 penalty units.

(2) Subsection (1) does not prevent the occupier of the serviced premises from placing a waste container in a place outside the premises for the collection of general waste from the container, if—

(a) the local government has arranged to collect waste from the container at the place; and

(b) the container is in the place for no longer than—

(i) the period, if any, allowed under a local law of the local government; or

(ii) 24 hours before or after the scheduled collection day for the collection of the waste in the container.

Example of a place outside serviced premises—

the kerb adjacent to the serviced premises

(3) If the local government has arranged for the collection of general waste from a waste container at serviced premises, the occupier of the premises must ensure there is unobstructed access to the container for removal of the waste.

Maximum penalty for subsection (3) — 20 penalty units.

(4) It is a defence in the proceeding against a person for an offence under subsection (3) for the person to prove the contravention was due to causes over which the person had no control.

9 Other requirements for storing general waste at particular serviced premises

(1) This section applies to any of the following persons (each a prescribed person) for serviced premises, other than a single detached dwelling—

(a) the owner or occupier of the premises;

(b) if a prescribed ERA is carried out at the premises — the holder of the environmental authority for the prescribed ERA.

(2) The prescribed person must ensure that the waste container storage place for the premises is supplied with—

(a) if required by the local government — each of the following—

(i) either—

(A) an elevated stand at a level required by the local government for holding all waste containers; or

(B) an imperviously paved area, drained as required by the local government, where all waste containers can be placed;

(ii) a hose cock and hose in the vicinity of the stand or paved area;

(iii) a suitable enclosure for the area where the waste containers are kept; and

Examples of ways the local government may require a prescribed person to comply with subsection (2)(a) —

by resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the prescribed person, or a development approval for the premises

(b) if a requirement is prescribed by subordinate local law — facilities and structures for the placement, storage and cleaning of waste containers as prescribed by subordinate local law.

Maximum penalty for subsection (2) — 20 penalty units.

Subdivision 2 Removal of general waste

10 Local government may give notice about removal of general waste

(1) This section applies where the local government has arranged for the removal of general waste produced at a premises.

(2) The local government may give the occupier of the premises a written notice stating—

(a) the days (each a ***scheduled collection day***) on which the waste is to be collected; and

(b) the location (***collection location***) where the waste container is to be placed for collection of the waste; and

(c) the time by which the waste container is to be placed in the collection location for collection of the waste; and

(d) the time by which the waste container is to be removed from the collection location.

11 Depositing or disposal of general waste from premises other than serviced premises

(1) This section applies if general waste is produced at a premises, other than serviced premises.

(2) The local government may—

(a) give a written approval to the owner or occupier of the premises for depositing or disposing of the waste; and

(b) impose conditions on the approval, including, for example, conditions about—

(i) the place for depositing or disposing of the waste; or

(ii) the method of depositing or disposing of the waste.

(3) A person must not deposit or dispose of the waste unless the person deposits or disposes of the waste—

(a) at a waste facility; or

(b) in accordance with—

(i) an approval under subsection (2) for disposal of the waste; and

(ii) if the approval has been given on conditions — the conditions of the approval.

Maximum penalty for subsection (3) — 20 penalty units.

Division 3 Storage and treatment of industrial waste

12 Requirements for storing industrial waste

(1) The occupier of premises where there is industrial waste must—

(a) if required by the local government—

(i) supply at the premises the number of industrial waste containers required by the local government for storing the waste at the premises safely, efficiently and without causing a nuisance; and

(ii) keep the waste containers at the particular place at the premises required by the local government; and

(iii) keep each waste container clean and in good repair; and

Examples of ways the local government may require compliance with subsection (1)(a) —

by resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

(b) if a requirement is prescribed by subordinate local law — comply with each requirement prescribed by subordinate local law, about each of the following—

(i) the supply at the premises of industrial waste containers for storing the waste at the premises;

(ii) keeping the waste containers at a particular place at the premises;

(iii) keeping each waste container clean and in good repair.

Maximum penalty — 20 penalty units.

(2) The local government may supply industrial waste containers at the premises if the occupier does not supply at the premises the number of industrial waste containers which are—

(a) required by the local government under subsection (1)(a); or

(b) prescribed by subordinate local law under subsection (1)(b).

(3) If the local government supplies an industrial waste container to premises under subsection (2), the reasonable cost of supplying the container is a debt payable by the occupier of the premises to the local government.

13 Requirement to treat industrial waste for disposal

The occupier of premises where there is industrial waste must —

(a) if required by the local government, treat the waste to a standard approved by the local government—

(i) for disposal of the waste at a waste facility; or

(ii) for transport to, and disposal of the waste at, a waste facility; and

Examples of ways the local government may require an occupier to treat industrial waste for disposal —

by resolution of the local government, or a decision of a delegate of the local government, written notice of which is given to the occupier, or a development approval for the premises

(b) if a requirement is prescribed by subordinate local law comply with each requirement, prescribed by subordinate local law, about the treatment of industrial waste—

(i) for disposal of the waste at a waste facility; and

(ii) for transport to, and disposal of the waste at, a waste facility.

Maximum penalty — 40 penalty units.

Part 3 Waste receival and disposal

14 Unlawful disposal of waste at waste facility

(1) A person must not deposit the following waste at a waste facility—

(a) liquid or semiliquid waste;

(b) hot ash;

(c) material that is smouldering or aflame;

(d) material that can spontaneously combust;

(e) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;

(f) an explosive;

(g) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction;

(h) waste prescribed by subordinate local law.

Maximum penalty — 20 penalty units.

(2) Subsection (1) does not apply to waste deposited with the consent of—

(a) the person who—

(i) is the registered suitable operator for the facility; or

(ii) holds an environmental authority for the facility; or

(b) the person in charge of the facility.

15 Restrictions on burning waste at waste facility

A person must not set fire to, or burn, waste at a waste facility other than—

(a) under an environmental authority; or

(b) under a development condition of a development approval; or

(c) under the *Fire and Emergency Services Act 1990*.

Maximum penalty — 20 penalty units.

16 Restrictions on use of waste facility

(1) A person must not, without the consent of a waste facility's owner or operator—

(a) enter the facility other than to deposit waste; or

(b) remain on the facility after depositing waste; or

(c) interfere with waste at, or remove waste from, the facility.

Maximum penalty — 10 penalty units.

(2) Subsection (1) does not apply to—

(a) the facility's owner or operator; or

(b) an authorised person; or

(c) a person who acquires from a waste facility, with the consent of the local government—

(i) recyclable waste, for example, mulch or green waste; or

(ii) 1 or more items of waste which are made available for sale or disposal by the local government, for example, at a "tip shop".

17 Person to comply with directions and give information

(1) This section applies to a person who transports waste to a waste facility.

(2) The person must—

(a) comply with all relevant and reasonable directions contained in any sign displayed at the facility by a facility person; and

(b) comply with all reasonable instructions about dealing with the waste at the waste facility which are given by—

(i) the person in charge of the facility; or

(ii) a facility person; and

(c) if asked by a facility person — give information to the facility person about the type and amount of waste being delivered to the facility; and

(d) if asked by a facility person — give information to the facility person that provides satisfactory evidence of the identity and residential address of the person.

Maximum penalty — 10 penalty units.

(3) In this section, for a waste facility, ***facility person*** means each of the following—

(a) the operator of the waste facility;

(b) the owner of the waste facility;

(c) if the local government is the operator or the owner of the facility — the local government.

Part 4 Subordinate local laws

18 Subordinate local laws

The local government may, by subordinate local law, specify—

(a) a thing that is specified to be waste pursuant to the Schedule (Dictionary) of this local law; and

(b) requirements about the necessity to supply standard general waste containers at premises under section 6(1)(a); and

(c) requirements about the supply at premises of waste containers, other than standard general waste containers, to contain the general waste produced at the premises under section 6(1)(b); and

(d) another type of waste container for the storage of general waste produced as a result of the ordinary use or occupation of premises under section 7(1)(a); and

(e) a thing that a person must not place in a waste container under section 7(2); and

(f) requirements about the keeping of the waste container supplied for premises at a particular place at the premises under section 8(1)(b); and

(g) requirements about the supply of facilities and structures for the placement, storage and cleaning of waste containers under section 9(2)(b); and

(h) requirements about the supply at premises of industrial waste containers for storing industrial waste at the premises and other requirements about waste containers for the storage of industrial waste under section 12(1)(b); and

(i) requirements about the treatment of industrial waste under section 13(b); and

(j) waste that a person must not deposit at a waste facility under section 14(1).

Part 5 Application of Local Law No. 1 (Administration) 2011

19 Application of Local Law No. 1 (Administration) 2011 to this local law

(1) To avoid any doubt, the provisions of *Local Law No. 1 (Administration) 2011* apply to this local law, including (but not limited to) the following parts of *Local Law No. 1 (Administration) 2011*—

(a) Part 5 (Enforcement); and

(b) Part 6 (Legal Proceedings).

Note—

Part 5 (Enforcement) of *Local Law No. 1 (Administration) 2011* sets out the powers of the local government to deal with a contravention of a local law (including this local law) and the steps that the local government may take to remedy any non-compliance.

Part 8 (Legal Proceedings) of *Local Law No. 1 (Administration) 2011* contains a number of provisions which clarify the liability of persons for actions taken contrary to a local law (including this local law).

This local law must be read with any relevant provisions of *Local Law No. 1 (Administration) 2011*.

(2) If there is a conflict between a provision of this local law and *Local Law No. 1 (Administration) 2011*, the provision in this local law will prevail to the extent of any inconsistency.

Part 6 Transitional provisions

20 Continuation of chapter 5A requirements

(1) This section applies if a provision of *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments), is replaced by a provision of this local law.

(2) In this section, ***prescribed provision*** means a provision of *Environmental Protection Regulation 2008*, chapter 5A (Waste management by local governments) which is replaced by a provision of this local law.

(3) If the local government has made a requirement under a prescribed provision prior to the commencement of this local law, the requirement applies for the provision of this local law which replaced the prescribed provision from the commencement of this local law.

Example —

The local government may require that a waste container supplied for serviced premises be kept at a particular place at the premises by development approval for the premises under *Environmental Protection Regulation 2008*, section 81ZH(1). *Environmental Protection Regulation 2008*, section 81ZH(1) is a prescribed provision which is replaced by section 8

(General requirements for keeping waste containers at serviced premises). A requirement under the prescribed provision made prior to the commencement of this local law would apply for section 8 of this local law from the commencement of this local law.

Schedule Dictionary

section 4

authorised person means a person authorised by the local government pursuant to *Local Law No. 1 (Administration) 2011* to exercise the powers of an authorised person under this local law. [1]

collection location means a place at, or adjacent to, premises at which a standard general waste container associated with the premises can be easily accessed by a general waste collection vehicle without causing obstruction.

commercial premises means any of the following types of premises—

(a) a hotel, motel, caravan park, cafe, food store or canteen;

(b) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;

(c) premises where a sport or game is ordinarily played in public;

(d) an exhibition ground, show ground or racecourse;

(e) an office, shop or other premises where business or work, other than a manufacturing process, is carried out;

(f) a church, or other building, used as a place of worship, or for religious purposes.

commercial waste means waste, other than green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial premises.

development approval has the meaning given in the *Planning Act 2016*.

domestic premises means any of the following types of premises—

(a) a single unit private dwelling;

(b) premises containing 2 or more separate flats, apartments or other dwelling units;

(c) rooming accommodation, lodging house or guest house.

domestic waste means waste, other than domestic clean-up waste, green waste, recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.

[1] Section 20 (Appointment) of *Local Law No.1 (Administration) 2011* provides for the local government to appoint a person to a position provided for under a local law to exercise the powers of a person in that position under a local law.

environmental authority has the meaning given in the *Environmental Protection Act 1994*.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

general waste means—

(a) waste other than regulated waste; and

(b) for part 2, any of the following—

(i) commercial waste;

(ii) domestic waste;

(iii) recyclable waste.

green waste means grass cuttings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises.

industrial waste means—

(a) interceptor waste; or

(b) waste other than the following—

(i) commercial waste;

(ii) domestic clean-up waste;

(iii) domestic waste;

(iv) green waste;

(v) recyclable interceptor waste;

(vi) recyclable waste;

(vii) waste discharged to a sewer.

industrial waste container means a container of a type approved by the local government for storing industrial waste at premises in the local government's area.

interceptor means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge into a sewer, septic tank, waste water disposal system or other treatment device.

Examples of interceptors—

- neutralising interceptors for neutralising acidic and alkaline substances
- grease interceptors for collecting and solidifying fat, grease and similar matter
- oil interceptors for collecting oil and petroleum products
- silt interceptors for collecting soil, sand, gravel and other sedimentary solids

interceptor waste means matter, other than recyclable interceptor waste, intercepted by, and held in, an interceptor.

manufacturing process means a handicraft or other process relating to adapting, altering, assembling, cleaning, finishing, making, ornamenting, preparing, renovating, repairing, washing, or wrecking goods for trade, sale or gain or otherwise in connection with a business.

occupier of premises means the person who has the control or management of the premises.

owner of premises means the person for the time being entitled to receive the rent for the premises or would be entitled to receive the rent for it if it were let to a tenant at a rent.

premises includes domestic premises, government premises, industrial premises and commercial premises.

prescribed ERA has the meaning given in the *Environmental Protection Act 1994*.

prescribed person see section 9(1).

recyclable interceptor waste means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.

recyclable waste means clean and inoffensive waste that is declared by the local government to be recyclable waste for the area of the local government.

Examples of waste that may be declared to be recyclable waste—

glass bottles, plastic containers, paper, cardboard, steel and aluminium cans, and green waste

regulated waste has the meaning given in the *Environmental Protection Regulation 2008*.

rooming accommodation has the meaning given in the planning scheme of the local government.

scheduled collection day see section 10(2).

serviced premises means—

(a) premises which are in an area designated by the local government as an area in which the local government may conduct general waste collection under.

(i) *Waste Reduction and Recycling Regulation 2011*, section 7; or

(ii) section 5; and

(b) premises for which the local government has required the owner or occupier of the premises to arrange for removal of general waste from the premises.

***standard general waste container*—**

(a) means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government's area; and

(b) for the avoidance of doubt, includes 1 or more containers each of which is approved by the local government for storing, at premises in the local government's area.

(i) 1 or more or multiple types of commercial waste; or

(ii) 1 or more or multiple types of recyclable waste.

Example for paragraph (b)—

The local government may approve 1 container for storing recyclable waste which is green waste and 1 container for storing recyclable waste other than green waste.

waste, has the meaning given in the *Environmental Protection Act 1994*, and includes any thing that is specified to be waste under a subordinate local law.

waste container storage place see section 8(1).

***waste facility*—**

(a) for part 2, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste; and

(b) for part 3, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste, but only if the local government is the lessee, occupier, operator or owner of the facility.

ENV 01.2018

Public Interest Test Report – Local Law No. 6 (Waste Management) 2017

Responsible Officer: *Mark Pitt – Chief Executive Officer*
Report prepared by: *Jeff Miles – Manager Environmental Services*

1 INTRODUCTION

In accordance with the procedure required under the *Local Government Act 2009* **(LG Act)** and the *Local Government Regulation 2012* **(LG Regulation)**, a public-interest test has been conducted in respect of the anti-competitive provisions which were identified in the proposed Local Law No.6 (Waste Management) 2017 **(LL6)**.

The public interest test has been conducted against the principles and objectives set by the Competition Principles Agreement which was outlined in the Public Interest Test Plan for LL6.

A copy of the Public Interest Test Plan is included as **Annexure A** to this Public Interest Test Report.

In compliance with the LG Act and Section 15 of the LG Regulation, this Public Interest Test Report has been prepared in accordance with the *Guidelines for Conducting Reviews on Anti- Competitive Provisions in Local Laws* **(Guidelines)**.

2 DEFINITIONS

The following expressions used in this report have the following meanings:

- ***Council*** means North Burnett Regional Council
- ***LL6*** means the proposed *Local Law No.6 (Waste Management) 2017*.

3 THE KEY NCP OBJECTIVE

The key objective of the National Competition Policy **(NCP)** is to develop a more open and integrated Australian market that limits anti-competitive conduct and removes the special advantages previously enjoyed by government business activities, where it is in the public interest to do so.

While NCP is designed to result in better use of resources and substantial and ongoing benefits to the community, the introduction of increased levels of competition will not always deliver the best overall result for the community.

Accordingly, governments have a responsibility to ensure that NCP reforms are only implemented where it is demonstrated that such reforms are clearly in the public interest, that is, there is a clear demonstration that competitive reform will yield a net benefit, and no significant detriment, to the community. While Council is well aware of the potential benefits that competition can bring to the community, Council will continue to ensure that competition is not pursued for competition's sake and that a considered and pragmatic approach is taken to NCP.

One of the elements of flexibility in Queensland's NCP review process involves the consideration of economic or social adjustment costs of moving from one regulatory situation to an alternative arrangement.

In some cases, reform that is clearly in the broad public interest may impose adjustment costs on a particular group. In such cases, consideration can be given to whether transitionary measures are required to assist such groups. Transitionary measures may, as an example, involve implementing reform over time or targeted assistance measures.

The aim of the NCP reform program is to deliver tangible benefits to all sectors of the community. This is to be achieved by limiting anti-competitive conduct and removing special advantages of government business activities where it is in the public interest to do so.

Type of assessment

The NCP requires Council to undertake a public benefit test process. Under the public benefit test process, Council is required to take into consideration an array of public interest matters including the environment, employment, social welfare and community interests. Consideration of social impacts is an integral part of the NCP review process.

Social impacts are anything that will change a community's cultural traditions or alter the ways in which people live, work, play, relate to one another, organise to meet their needs, and generally cope as members of society. An NCP review process is not a review of economic considerations alone.

Council has previously made a determination about the depth of analysis and degree of rigour required for its assessment. Council determined that it would be appropriate to undertake an assessment which complied with the following principles set out in the NCP Guidelines (Guidelines) for conducting reviews of anti-competitive provisions in local laws:-

(a) consultation with relevant businesses about the anti-competitive provisions;
(b) examination of the reasonable alternatives to the anti-competitive provisions;
(c) a cost benefit analysis that involves calculating the value of the impacts, both positive and negative, of the anti-competitive provisions; and
(d) determining whether, on balance, the anti-competitive provisions should be retained in the proposed local law in the overall public interest.

Council determined that its assessment should be conducted by Council as a minor assessment with an emphasis on qualitative analysis with key impacts expressed in monetary terms where data is available. Council determined that the review should be conducted in-house by a team of Council officers.

Background for assessment

Council's assessment was made against the background of the following considerations:-

(a) under the *Environmental Protection Regulation 2008*, Chapter 5A (Chapter 5A), Council is currently responsible for the regulation of waste management in its local government area and Chapter 5A applies in Council's local government area unless:-
   i. Council makes a local law about waste management for its local government area; and
   ii. the local law states it replaces Chapter 5A;

(b) the proposed local law is about waste management for the local government area of Council and, for practical purposes, replaces, and for that matter replicates, the content of Chapter 5A;

(c) under the *Waste Reduction and Recycling Regulation 2011*, section 7 (section 7), Council may:-
   i. by resolution, designate areas within its local government area in which Council may conduct general waste collection; and
   ii. decide the frequency of general waste collection in the designated areas.

(d) under the proposed local law, Council preserves its right to, (as is the case under section 7):-
   i. by resolution, designate areas within its local government area in which Council may conduct general waste collection; and
   ii. decide the frequency of general waste collection in the designated areas.

Under section 7, Council has adopted a limited, and restricted, approach towards the designation of areas in respect of which Council may conduct general waste collection and decide the frequency of general waste collection in the designated areas.

Currently, Council has twenty-four (24) designated waste areas:

- Gayndah, Ideraway, Woodmillar and Gayndah-Mundubbera Road;
- Mundubbera, Mount Perry, Beronne Road, Wetheron Road, Bon Accord, Byrnestown, Gooroolba and Mingo;
- Eidsvold, Mulgildie, Monto (West of Burnett Highway);
- Abercorn, Waruma Dam, Monto (East of Burnett Highway);

- Gayndah area of Brian Pastures, Ban Springs, Biggenden, Coalstoun Lakes, Degilbo and Dallarnil.

Generally speaking, each designated waste area is an urban centre (town or village) or a rural locality on major transport routes between urban centres.

Each of Chapter 5A and section 7 are due to expire on 1 July 2018. The extension of the date by which each of Chapter 5A and section 7 will expire has been the subject of submissions to the State Government by each of the Local Government Association of Queensland, the Waste, Recycling Industry Association of Queensland (WRIQ) and other local governments.

Council has no guarantee about the date of expiry of either Chapter 5A or section 7.

The object of the proposed local law is to protect the public health, safety and amenity related to waste management by:-

(a) regulating the storage, servicing and removal of waste; and
(b) regulating the disposal of waste at waste facilities; and
(c) ensuring that an act or omission does not result in:-
    i. harm to human health or safety or personal injury; or
    ii. property damage or loss of amenity; or
    iii. environmental harm or environmental nuisance.

The focus of the proposed local law is ‘general waste’, the definition of which mirrors the definition of ‘general waste' in the *Environmental Protection Regulation 2008* for the purposes of Chapter 5A.

The definition of ‘general waste’ includes ‘commercial waste’, ‘domestic waste’ and ‘recyclable waste’. The definitions for the expressions ‘commercial waste’, ‘domestic waste’ and ‘recyclable waste’ in the proposed local law mirror the definitions for those expressions in the *Environmental Protection Regulation 2008*, for the purposes of Chapter 5A.

A definition for ‘industrial waste’ has been included in proposed LL6 to capture interceptor waste or other wastes that may be generated prior to discharge to sewer. The definition of ‘commercial waste’ excludes interceptor waste.

Council has determined that regulation of waste management in the manner:-

(a) currently achieved by Chapter 5A and section 7; and

(b) to be achieved under the proposed local law, is an effective and appropriate means of achieving the objectives of the proposed local law.

Under the *Local Government Act 2009*, section 92, Council may levy utility charges for a service, facility or activity for specified utilities, including waste management. Council currently levies utility charges for waste management, including the conduct of general waste collection in reliance on the exercise of powers under, collectively, Chapter 5A and section 7.

Council may continue to levy utility charges for services, facilities and activities for the utility of waste management, and in particular the conduct of general waste collection, under the proposed local law.

4 RESULTS OF CONSULTATION PROCESS

Public Consultation

As part of the NCP review process, sufficient time must be allowed for informed community participation in the review. The level and nature of participation is determined on a case by case basis.

Public consultation occurred over a 21 day period commencing on Thursday 9 November 2017 and ending on Friday 1 December 2017 (consultation period).

Notice of public consultation and invitation to make submissions was:

(a) published in the local newspaper (the Central Burnett Times) on Thursday 9 November 2017, Thursday 16 November and Thursday 30 November advising of the review and calling for submissions;

(b) posted on notice boards within the local government area;

(c) published on Council's website during the consultation period; and

(d) published on Council's Facebook page during the consultation period.

In response to the consultation undertaken by Council, no public submissions were submitted to Council for its consideration.

State Interest Check

In accordance with the *Local Government Act 2009*, section 29A, twenty-one (21) State Government entities were consulted. In response, one (1) submission was received from the Department of Environment and Heritage Protection providing comments for Council's consideration. Eleven (11) State Government entities responded advising that they had no interest, comment or objection to proposed LL6.

5 REASSESSMENT OF ALTERNATIVES

Regulatory and non-regulatory alternatives available to Council which may achieve the objectives of the proposed local law are listed in the Guidelines. The following alternatives were considered to be 'realistic' alternatives and given further consideration:-

- regulation – public vs private action; or
- public information and education programs.

Council also identified a further alternative of relying on the planning scheme to control storage and collection of waste issues. Consideration of the submissions received by Council supports Council's conclusion that these alternatives are not viable for the reasons detailed below.

Regulation - public vs. private action

This regime would involve a change to the proposed local law to provide that where more than three complaints were received, Council would take action. Up to and including the third complaint, Council would not take action but it would be open to individuals to take action in respect of a nuisance caused by unsatisfactory storage and collection of waste practices. In this way, Council would only be acting in genuine situations of nuisance rather than having to respond to what are, for example, vexatious complaints.

While the alternative may provide some benefit to Council, it was considered to be only nominally less anti-competitive than the proposed regime. There was also concern that some genuine complaints would not be acted upon under this regime thereby limiting the rights of individuals and the community in respect of public health and safety and amenity. It may also be conceived by the community as an abrogation of local government responsibility and duty of care.

Public information and education program

Consideration was given to this alternative however Council does not have the necessary resources available to undertake an appropriate education program. It was also considered that some form of regulatory control was necessary in order for Council to act immediately in situations posing an unacceptable risk to public health and safety or causing a nuisance.

Planning scheme

This alternative would require the local law to be amended to specify that its application relates to non-commercial activities only. Regulation of storage and collection of waste and nuisance issues with respect to commercial activities would be by way of planning instruments.

There are several impacts which would arise from this alternative. The main difficulty with moving to use of the planning scheme relates to the question of whether Council would have adequate control over existing businesses. Under the planning scheme, where new developments require some kind of approval, Council could place conditions on the approval dealing with issues such as storage and collection of waste. However, in relation to existing businesses, unless an approval under the planning scheme was required and unless that original approval made provision for the activities covered by the proposed local law, Council would have no power under the planning scheme to control the activities covered by the proposed local law. Council may have recourse to a variety of powers under State legislation, for example, the *Environment Protection Act 1994* but it would depend on the individual situation as to whether

these or other Acts could be invoked and the degree of their effectiveness is uncertain.

Also, the planning scheme cannot provide for a once-off occasion of significant intensity where the undertaking of a business activity may result in increased, or exceptional, storage and collection of waste issues, which could be the subject of Council regulation under the proposed local law.

Structure and operation of the market

A brief description of the structure and operation of the market and who is affected is detailed below.

Under Chapter 5A and section 7, Council may designate areas within its local government area in which Council may conduct general waste collection and decide the frequency of general waste collection in the designated areas.

Under the proposed local law, Council may designate areas within its local government area in which Council may conduct general waste collection and decide the frequency of general waste collection in the designated areas.

In Chapter 5A and the proposed local law, the expression 'general waste' is defined to include commercial waste, domestic waste and recyclable waste and in each of Chapter 5A and the proposed local law, those expressions have an identical meaning.

In reliance on the content of Chapter 5A and section 7, Council has entered into contractual arrangements with an independent contractor about the conduct of general waste collection and decided the frequency of general waste collection in designated areas in Council's local government area.

Under the proposed local law, Council's current contractual arrangements with its contractor about the conduct of general waste collection and the frequency of general waste collection in designated areas in Council's local government area may continue.

Reliance by Council on the provisions contained in Chapter 5A and section 7 is an integral part of how Council regulates waste management in its local government area.

On the expiry of Chapter 5A and section 7, reliance by Council on the proposed local law will be an integral part of how Council regulates waste management in its local government area.

For example, under each of Chapter 5A and the proposed local law, Council may supply to premises the number of standard general waste containers that Council reasonably considers is required at the premises as is necessary to contain the general waste produced at the premises and require the occupier of the premises to place the waste container outside the premises for the collection of general waste from the container on a scheduled collection day.

Collectively, Chapter 5A, section 7 and the utility charging provisions in the *Local Government Act 2009* result in a restriction on competition to the extent that Council designates an area within its local government area in which Council will conduct general waste collection and decides on the frequency of general waste collection in the designated areas.

Under the proposed local law, the extent of the restriction on competition is subject to Council's decision to, under the proposed local law, designate areas within its local government area in which Council will conduct general waste collection and decide the frequency of general waste collection in the designated areas.

Council is not proposing that the nature of the restriction on competition under the proposed local law will be different from the nature of the restriction on competition which current exists under Chapter 5A and section 7.

Council will designate the same areas within its local government area in which Council will conduct general waste collection under each of:-

- Chapter 5A and section 7; and
- the proposed local law.

Each of the realistic regulatory and non-regulatory alternatives identified above would:-

- entail a local law which did not preserve Council's ability to designate areas within its local government area in which Council may conduct general waste collection and decide the frequency of general waste collection in the designated areas or, alternatively, entail the making of no local law at all; and
- result in the removal of a restriction on competition.

Competitive neutrality

The *Local Government Act 2009*, chapter 3 part 2 division 2 is about the application of the National Competition Policy Agreements in relation to the significant business activities of a local government. Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is in the public sector.

The *Local Government Act 2009*, section 43(4), defines the expression 'significant business activity'. Council cannot be considered a 'significant business activity' for waste services as it does not meet the threshold prescribed under a regulation.

6 SUMMARY OF IMPACTS ASSOCOIATED WITH LL6 AND VIABLE ALTERNATIVES

Key stakeholders that are affected by a move to an alternative arrangement, include the following:-

- Council;

- owners and occupiers of premises used for domestic purposes at which general waste is generated;
- owners and occupiers of commercial premises at which general waste is generated;
- potential owners and occupiers of premises used for domestic purposes at which general waste is generated;
- potential owners and occupiers of commercial premises at which general waste is generated;
- waste collection contractors (other than Council's contracted waste collection
- contractor) responsible for the collection of general waste from premises, and in particular commercial premises, which generate general waste in Council's local government area;
- Council's contracted waste collection contractor which is responsible for the collection of general waste from premises (including commercial premises) which generate general waste in Council's local government area;
- residents in close proximity to premises used for domestic purposes;
- residents in close proximity to premises used for the undertaking of commercial activities; and
- conservation/environmental groups.

A summary of the positive and negative impacts for stakeholders associated with LL6 and the alternative arrangement, that is, not making the proposed local law, are set out in the Table below.

Stakeholder	Impacts
Council	If Chapter 5A and section 7 do not expire, and Council does not make the proposed local law:- (a) Council will not be exposed to significant financial liability under its contractual arrangements with its current contractor which is responsible for the conduct of general waste collection services in designated areas in Council's local government area; (b) Council will continue to incur the costs associated with the administration of waste management in Council's local government area; (c) Council will continue to incur costs associated with the enforcement of Chapter 5A; (d) the cost structure of the waste management industry includes significant fixed costs (which lends itself to economies of scale) and competitive tendering processes provide an effective means for capitalising on these potential savings while ensuring sufficient competitive tension across waste collection service providers. If Chapter 5A and section 7 expire and Council does not make the proposed local law:- (a) Council will be exposed to significant financial liability under its contractual arrangements with its current waste collection contractor which is responsible for the conduct of general waste collection services in designated areas in Council's local government area. This is a moderate negative impact;

	(b) Council will continue to incur the costs associated with the administration of waste management in Council's local government area and the costs of administration of waste management may increase if the owners and occupiers of premises at which general waste is generated for collection (including commercial premises in particular) elect not to use the waste management collection services offered by Council. This is a low negative impact; (c) Council will not incur costs associated with the enforcement of either Chapter 5A or the proposed local law, but will still be responsible for the regulation of waste management. This is a low negative impact; (d) Council anticipates an increased prevalence of inappropriate (or insufficient) waste containers being used, presenting potential health risks (including improper waste disposal practices). This is a low negative impact; (e) Council's ability to meet waste diversion targets and actions developed to meet statutory obligations established by the State would be reduced as recycling responsibility shifts from Council led to consumer led. In particular, given the nature of recycling, where the costs are incurred privately, but the benefits are realised publicly, the level of demand is expected to be lower than what would be deemed efficient. This is a low negative impact; (f) Council anticipates an increase in complaints, for example:- i. waste collection occurring at commercial premises before 5.00am multiple times a week; ii. improper waste disposal, including overflowing bins, bin lids being left open, broken bins, waste being left next to bins, and strong odours from bins; and iii. bins placed out for collection well ahead of collection times and days or not retrieved following collection. This is a moderate negative impact; (g) if Council is not able to directly or indirectly limit the number of waste collection contractors serving a designated area, Council will not be able to:- i. manage the number of waste vehicle collections that occur within the area and directly control the hours of operation of the collections; or ii. control noise issues for residents as effectively by limiting the times during which service providers may undertake waste collection activities; or iii. prescribe appropriate collection containers and the frequency of collection (with a view to ensuring that any potential health impacts associated with improper waste disposal and overflowing containers are minimised and that service standard requirements are met); or iv. adequately control Council's ability to meet targets and undertake actions set out in line with statutory obligations established by the Queensland Government under the *Waste Reduction and Recycling Act 2011*. This is a moderate negative impact; (h) it is not clear that the undertaking of waste collection services by additional waste collection contractors will drive savings given the cost structure of waste collection services, which is dominated by fixed costs, and hence lends itself to the benefits of scale. The current tendering process applied by Council in selecting a waste collection contractor already generates a high level of competition in relation to cost. This is a low negative impact;

	(i) waste management is a highly capital intensive industry with significant investment in assets. The cost structure gives rise to economies of scale, whereby the average cost to perform a collection will decline as the number of properties serviced increases. The ability of Council to tender a large number of properties requiring servicing through a competitive process allows each tenderer to determine an appropriate fleet size to achieve a level of utilisation that minimises average costs and leads to lower tendered prices. This is a moderate negative impact; (j) if a Council contractor were to lose a segment of its current market share there would be an increase in aggregate capital costs incurred across the industry and a reduction in the average utilisation of waste collection vehicles across the industry which would likely result in an increase in average collection costs. This is a moderate negative impact; (k) the number of properties serviced and the waste tonnages to be collected will become less certain (due to greater competition within a specified area), and a contractor tendering to undertake waste collection services in Council's local government area, would need to build a greater risk component into its tendered prices in order to account for this uncertainty. This is a low negative impact. (l) waste collection contractors other than Council's contracted waste collection contractor may only offer specific services which could undermine any existing waste practices currently adopted by the owners and occupiers of premises used for commercial purposes. This is a low negative impact; (m) Council will not be able to ensure that collection runs are not duplicated by a number of different waste collection service providers in the same streets or localities. This is a low negative impact; (n) Council's ability to fund waste management facilities and broader waste management activities (street bins, landfill remediation, education, compliance functions, strategy development etc.) will be reduced. This is a low negative impact; (o) owners and occupiers of premises which generate limited general waste may not be effectively serviced for a reasonable price and may pay considerably higher charges to get waste containers serviced in contrast to Council's service under which all waste generators pay the same for the same collection service, regardless of the location of the premises. This is a low negative impact; (p) increased whole of community waste management costs would be incurred given higher servicing costs per collection due to reduced economies of scale and utilisation and greater uncertainty surrounding the properties at which waste collection services are to be provided on an opt in basis. This is a low negative impact; (q) there may be increased potential for long haul transport of general waste, including recyclables, for processing and disposal out of Council's local government area. This is a low positive impact. (r) Waste management strategies at a local and regional level may be constrained. This is a moderate negative impact. (s) Waste facility hours may need to be changed or increased to meet the needs of waste collection contractors. This is a low negative impact.

	In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a moderate negative impact for this stakeholder.
Owners and occupiers of premises used for domestic purposes at which general waste is generated	If Chapter 5A and section 7 do not expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of owners and occupiers of premises used for domestic purposes at which general waste is generated will be preserved by the enforcement of Chapter 5A by Council. If Chapter 5A and section 7 expire and Council does not make the proposed local law:- (a) the public health, safety and amenity relating to waste management of owners and occupiers of premises used for domestic purposes at which general waste is generated may not be preserved. This is a low negative impact; (b) Council anticipates an increased prevalence of inappropriate (or insufficient) waste containers being used, presenting potential health risks (including improper waste disposal practices). This is a low negative impact; (c) Council will not be able to ensure that persons who generate general waste have access to appropriate collection containers and are serviced at an appropriate frequency and that potential health impacts associated with improper waste disposal and collection are minimised. This is a low negative impact. If Chapter 5A and section 7 expire and Council makes the proposed local law, the public health, safety and amenity relating to waste management of owners and occupiers of premises used for domestic purposes at which general waste is generated will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder.*
Owners and occupiers of premises used for commercial purposes at which general waste is generated	If Chapter 5A and section 7 do not expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of owners and occupiers of commercial premises at which general waste is generated will be preserved by the enforcement of Chapter 5A by Council. If Chapter 5A and section 7 expire and Council does not make the proposed local law:- (a) the public health, safety and amenity relating to waste management of owners and occupiers of commercial premises at which general waste is generated may not be preserved. This is a low negative impact; (b) Council anticipates an increased prevalence of inappropriate (or insufficient) waste containers being used, presenting potential health risks (including improper waste disposal practices). This is a low negative impact; (c) some occupiers of commercial premises (most likely businesses considered attractive to private waste collection contractors due to the volume and/or nature of waste generated) may enjoy reduced service costs under increased competition, but for remaining occupiers utilising Council's service, service costs would inevitably increase because the

	same level of fixed costs would need to be recovered from a smaller collections base. This is a low positive impact; (d) Council will not be able to ensure that persons who generate general waste have access to appropriate collection containers and are serviced at an appropriate frequency and that potential health impacts associated with improper waste disposal and collection are minimised. This is a low negative impact; (e) waste collection contractors other than Council's contracted waste collection contractor may only offer specific services, for example, recycling services for cardboard and paper which are more profitable which could undermine any existing recycling practices currently adopted by the owners and occupiers of premises used for commercial purposes. This is a low negative impact; (f) owners and occupiers of premises which generate limited general waste may not be effectively serviced for a reasonable price and may pay considerably higher charges to get waste containers serviced in contrast to Council's service under which all waste generators pay the same for the same collection service, regardless of the location of the premises. This is a low negative impact. If Chapter 5A and section 7 expire and Council makes the proposed local law, the public health, safety and amenity relating to waste management of the owners and occupiers of commercial premises at which general waste is generated will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder.*
Potential owners and occupiers of premises used for domestic purposes at which general waste is generated	If Chapter 5A and section 7 do not expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of domestic premises at which general waste is generated will be preserved by the enforcement of Chapter 5A by Council. If Chapter 5A and section 7 expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of premises used for domestic purposes at which general waste is generated may not be preserved. This is a low negative impact. If Chapter 5A and section 7 expire, and Council makes the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of premises used for domestic purposes at which general waste is generated will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder.*
Potential owners and occupiers of premises used for commercial purposes at	If Chapter 5A and section 7 do not expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of commercial premises at which general waste is generated will be preserved by the enforcement of Chapter 5A by Council.

which general waste is generated	If Chapter 5A and section 7 expire, and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of commercial premises at which general waste is generated may not be preserved. This is a low negative impact. If Chapter 5A and section 7 expire and Council makes the proposed local law, the public health, safety and amenity relating to waste management of potential owners and occupiers of commercial premises at which general waste is generated will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder*.
Waste collection contractors (other than Council's contracted waste collection contractor) responsible for the collection of general waste from premises, and in particular commercial premises, which generate general waste in Council's local government area	If Chapter 5A and section 7 expire, and Council does not make the proposed local law:- (a) waste collection contractors (other than Council's contracted waste collection contractor) may collect general waste from premises which generate general waste in Council's local government area absent the restriction on competition which flows from Chapter 5A and section 7. This is a moderate positive impact; (b) there is potential for the introduction of new fixed costs into the waste collection industry (through an uplift in the number of operators providing services) that would be defrayed over the same number of customers, increasing the average cost of service provision. This is a low negative impact; (c) the number of properties serviced and the waste tonnages to be collected will become less certain (due to greater competition within a specified area), and a contractor tendering to undertake waste collection services in Council's local government area, would need to build a greater risk component into its tendered prices in order to account for this uncertainty. This is a neutral impact; (d) there may be increased potential for long haul transport of general waste, including recyclables, for processing and disposal out of Council's local government area. This is a low positive impact. If Chapter 5A and section 7 expire, and Council makes the proposed local law, waste collection contractors (other than Council's contracted waste collection contractor) may collect general waste from premises which generate general waste in Council's local government area subject to the restriction on competition which flows from the making of the proposed local law. This is a low negative impact because the making of the proposed local law does not impact on Council's power to levy utility charges under the *Local Government Act 2009*. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low positive impact for this stakeholder.*
Council's contracted waste collection contractor which is	If Chapter 5A and section 7 expire, and Council does not make the proposed local law:- (a) the number of collections of general waste from premises which generate general waste in Council's local government area may

responsible for the collection of general waste from premises (including commercial premises) which generate general waste in Council's local government area	be reduced with the consequent impact on profitability. This is a moderate negative impact; (b) Council will continue to incur the costs associated with the administration of waste management in Council's local government area and the costs of administration of waste management may increase if the owners and occupiers of premises at which general waste is generated for collection (including commercial premises in particular) elect not to use the waste management collection services offered by Council. This is a low negative impact; (c) if a Council contractor were to lose a segment of its current market share there would be an increase in aggregate capital costs incurred across the industry and a reduction in the average utilisation of waste collection vehicles across the industry which would likely result in an increase in average collection costs. This is a low negative impact; (d) the number of properties serviced and the waste tonnages to be collected will become less certain (due to greater competition within a specified area), and a contractor tendering to undertake waste collection services in Council's local government area, would need to build a greater risk component into its tendered prices in order to account for this uncertainty. This is a neutral impact. If Chapter 5A and section 7 expire, and Council does make the proposed local law, Council's contracted waste collection contractor will continue to be responsible for the collection of general waste from premises which generate general waste in Council's local government area. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder*.
Residents in close proximity to premises used for domestic purposes	If Chapter 5A and section 7 do not expire and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of residents in close proximity to premises used for domestic purposes will be preserved by the enforcement of Chapter 5A by Council. If Chapter 5A and section 7 expire and Council does not make the proposed local law:- (a) the public health, safety and amenity relating to waste management of residents in close proximity to premises used for domestic purposes may not be preserved. This is a low negative impact; (b) Council anticipates an increased prevalence of inappropriate (or insufficient) waste containers being used, presenting potential health risks (including improper waste disposal practices). This is a low negative impact. If Chapter 5A and section 7 expire and Council makes the proposed local law, the public health, safety and amenity relating to waste management of residents in close proximity to premises used for domestic purposes will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder*.

Residents in close proximity to premises used for the undertaking of commercial activities	If Chapter 5A and section 7 do not expire and Council does not make the proposed local law, the public health, safety and amenity relating to waste management of residents in close proximity to premises used for the undertaking of commercial activities will be preserved by the enforcement of Chapter 5A by Council. If Chapter 5A and section 7 expire and Council does not make the proposed local law:- (a) the public health, safety and amenity relating to waste management of residents in close proximity to premises used for the undertaking of commercial activities may not be preserved. This is a low negative impact; (b) Council anticipates an increased prevalence of inappropriate (or insufficient) waste containers being used, presenting potential health risks (including improper waste disposal practices). This is a low negative impact. If Chapter 5A and section 7 expire and Council makes the proposed local law, the public health, safety and amenity relating to waste management of residents in close proximity to premises used for the undertaking of commercial activities will be preserved by the enforcement of the proposed local law by Council. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder.*
Conservation / environmental groups	If chapter 5A and section 7 expire and Council does not make the proposed local law:- (b) if Council is not able to directly or indirectly limit the number of waste collection contractors serving a designated area, Council will not be able to control noise issues for residents by limiting the times during which service providers may undertake waste collection activities and this will result in a diminution of environmental values. This is a low negative impact; (c) Council's ability to fund waste management facilities and broader waste management activities (street bins, landfill remediation, education, compliance functions, strategy development etc.) will be reduced and there will be a consequent reduction in environmental values. This is a low negative impact; (d) there would be increased potential for long haul transport of general waste, including recyclables, for processing and disposal out of Council's local government area and a consequent reduction in environmental values. This is a low negative impact. *In summary, the analysis of the costs and benefits of moving to the alternative arrangement, that is, not making the proposed local law, would result in a low negative impact for this stakeholder.*

Overall, the analysis of costs and benefits has determined there would be a net cost to the community as a whole in moving to the alternative arrangement, that is, not making the proposed local law.

There would be a benefit to a particular stakeholder, waste collection contractors (other than Council's contracted waste collection contractor) in the event of a move to the alternative arrangement, that is, not making the proposed local law.

Also, owners and occupiers of commercial premises at which general waste is generated and potential owners and occupiers of commercial premises at which general waste is generated could potentially benefit from the removal of the barrier to entry to the market, and in particular, the removal of a restriction on competition.

However, the move to the alternative arrangement, that is, not making the proposed local law, would result in a moderate negative impact or a low negative impact for all other identified stakeholders. The move to the alternative arrangement would result in increased costs for Council. These costs could be substantial and would be passed on to the community.

Overall, the analysis of costs and benefits has determined that there would be a net cost in moving to the alternative arrangement, that is, not making the proposed local law. The anti-competitive provisions in the proposed local law should be retained in the public interest.

7 RECOMMENDATION

In consideration of the impacts identified above, it is recommended that each of the anti-competitive provisions identified in the public interest test plan be retained in LL6 in the overall public interest, because:

(a) the benefit of the anti-competitive provisions to the community as a whole outweighs the cost; and

(b) the most appropriate way of achieving the objectives of LL6 is by restricting competition in the way provided in the anti-competitive provisions.

11 ATTACHMENTS

Annexure A — Public Interest Test Plan

Local Law No. 6 (Waste Management) 2017
Schedule of Likely Anti-Competitive Provisions

Local Law: Local Law No.6 (Waste Management) 2017

Object: The object of the local law is to protect the public health, safety and amenity related to waste management by:
(a) regulating the storage, servicing and removal of waste; and
(b) regulating the disposal of waste at waste facilities; and
(c) ensuring that an act or omission does not result in—
i. harm to human health or safety or personal injury; or
ii. property damage or loss of amenity; or
iii. environmental harm or environmental nuisance.

Anti-competitive Provisions	Relevant Criteria	Explanatory Comments
Local Law, section 5	5 – prescribed standard 7 – business restriction	The local government may designate areas within its local government area to conduct general waste or green waste collection and decide on the frequency of those collections. Compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 6(1)	5 – prescribed standard 7 – business restriction	The local government may prescribe requirements about the supply of standard general waste containers and waste containers other than general waste containers. Compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 7(1) and (2)	5 – prescribed standard 7 – business restriction	Requirements are prescribed for the storage of general waste in waste containers. Compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 8(1) and (2)	5 – prescribed standard 7 – business restriction	Requirements are prescribed for the keeping of waste containers at serviced premises. Compliance with the requirements may have an impact on the conduct of a business activity.

Local Law, section 9(1) and (2)	5 – prescribed standard 7 – business restriction	Requirements are prescribed for the storage of general waste at particular services premises and compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 11	5 – prescribed standard 7 – business restriction	Requirements may be prescribed for the depositing and disposal of general waste at premises other than services premises. Compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 12(1)	5 – prescribed standard 7 – business restriction	Requirements are prescribed for the storage of industrial waste. Compliance with the requirements may have an impact on the conduct of a business activity.
Local Law, section 13	5 – prescribed standard 7 – business restriction	Requirements may be prescribed about the treatment of industrial waste for disposal. Compliance with the requirements may have an impact on the conduct of a business activity.

12 COUNCILLOR REPORTS

12.1 MAYOR AND COUNCILLORS REPORTS

Doc Id: **852423**

Author: **Natalie Zillman, Executive Assistant**

Authoriser: **Mark Pitt, Chief Executive Officer**

Attachments: **1. Report to Council Dec 2017.docx [851911]**

INTRODUCTION/BACKGROUND

Councillor monthly reports for information

OFFICER COMMENTS/CONCLUSION

Nil

RECOMMENDATION

That the following Councillor Reports be received.

COUNCILLOR BJ ZAHL

DECEMBER, 2017

Date	Function	Location	Comments / Action
01.12.2017	Joint Consultative Committee Meeting -	Mt.Perry	Staff, Union Representatives – New Award Structure/Workplace Agreement
01.12.2017	Xmas Fete, St Matthews	Gayndah	Assist with Night – Church Fundraiser
04.12.2017	Social Cohesion Meetings	Gayndah	Councillors, staff, members of public and Salvation Army Rep.
05.12.2017	Drug and Alcohol Training	Disaster Centre Gayndah	Staff and Councillor Training prior to introduction of Random Testing in 2018
05.12.2017	Presentation Night	Mt Perry	School Awards Night with Cr. Bowen
06.12.2017	Standing Committee Meeting	Eidsvold	Normal monthly meeting with Councillors and Staff
	Flood Resilience Strategy Meeting	Eidsvold RMW Centre	Councillors and Staff
06.12.2017	Presentation Night	Dallarnil	Awards Night - with Councillor Whelan -
07.12.2017	STEM – Eidsvold School Competition	Eidsvold	With Mayor Councillors And Staff – great day with staff , teachers, and students
08.12.2017	Break-up Day	Biggenden	Kindergarten Break-up – with Councillors Bowen and Radel
09.12.2017	Festival of Small Halls	Degilbo	Attended with Cr. Radel and Staff to assist at Function – great Arvo.
11.12.2017	Farewell Dinner	Monto	With Crs. Whelan and Lobegeier for departing senior staff member
12.12.2017	CRG Health Meeting	Gayndah	With DON Coward and community members
13.12.2017	General Meeting	Mt. Perry	Mayor, Councillors and staff at monthly meeting
14.12.2017	Community Meeting	Gayndah	With staff and community members as planning meeting for fundraiser for Race Club/Rugby League Club
15.12.2017	Bundaberg North Burnett Tourism	Bundaberg	With Mayor and Members of Board – Strategy Meeting followed by General Meeting
15.12.2017	AGM of BIEDO	Murgon	Board and Executive Meeting - AGM
18.12.2017	Meeting with Mental Health Provider ARTIUS	Mundubbera	With Cr. Whelan
19.12.2017	Councillor Workshop	Mundubbera	With Councillors And Staff
19.12.2017	Australia Day Awards Committee Meeting	Gayndah	Meeting of Committee to assess Nominations
20.12.2017	Meeting with Reps. Of Sunwater	Wuruma Dam Eidsvold	Councillors and staff with Reps. of Sunwater- future direction
21.12.2017	Lions Club/Councillor Community Luncheon	Gayndah	Great Luncheon for attendees -
22.12.2017	Residents Concerns	Gayndah	Local Issues

13 CONFIDENTIAL REPORTS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275(1) of the Local Government Regulation 2012:

13.1 proposed purchase leased land - part of lot 86 sp227537

This matter is considered to be confidential under Section 275(1) - e and h 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 contracts proposed to be made by it and other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.2 Disposal of Land and Building - 12 Capper St, Gayndah - Lot 9 on RP 101967

This matter is considered to be confidential under Section 275(1) - e and h 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 contracts proposed to be made by it and other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.3 Addition to Panel of Providers for Facilities Maintenance - 2909/2017-18/QTB/16

This matter is considered to be confidential under Section 275(1) - h 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 other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13.4 Enterprise Bargaining Update

This matter is considered to be confidential under Section 275(1) - b 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 industrial matters affecting employees.

14 GENERAL BUSINESS

15 CLOSURE OF MEETING