



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 31 AUGUST 2021, COMMENCING AT 10.00 AM**

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**Item****31 August 2021****Item Number:**

D1

File Number:**Part:**

EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Motion for Local Government Association of Queensland 2021 Annual Conference - Hydrogen

Report Author:

Ben Artup, Executive Director Strategic Projects & Economic Development Co-ordination

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our community and environment - 1.1 Economic growth and prosperity - 1.1.3 Promote our region as a preferred investment destination nationally and internationally.

Background:

Bundaberg Regional Council has been leading the development of the state's green-hydrogen economy. This work has resulted in realising that more targeted government support is required for this emerging industry.

Advocating for this support can be done in various ways including working through the Local Government Association of Queensland (LGAQ).

Each year at the LGAQ Annual Conference member Councils, such as Bundaberg, can submit motions for consideration. Motions are then debated and voted upon by members to guide the LGAQ's advocacy agenda.

In the past, LGAQ conference resolutions have been instrumental in navigating intergovernmental relations with both State and Federal Governments, while ensuring LGAQ pursues matters of importance to the State's local government sector.

An LGAQ motion is only valid if endorsed by a member Council prior to the conference. The 2021 Annual Conference is being held at the Mackay Entertainment & Convention Centre on 25-27 October 2021.

This year it is proposed that Council puts forward a motion calling on State and Federal Government to support the development of the state's emerging hydrogen economy.

The proposed recommendation has been informed by industry consultation and reflects mechanisms to develop investment and commercial participation in the emerging hydrogen economy.

While the hydrogen economy is a state-wide opportunity, Bundaberg has a range of partnerships and opportunities that position the region as a leader in the sector.

The proposed motion recommends a number of government policy incentives that, if enacted, would help accelerate the development of the state hydrogen market, directly benefitting Bundaberg's regional economy.

Associated Person/Organization:

Nil

Consultation:

Portfolio Spokesperson for Economic Development: Mayor Jack Dempsey

Chief Legal Officer's Comments:

There appears to be no legal implications.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That the Mayor submits the following motion for consideration at the Local Government Association of Queensland Annual Conference 2021:

The LGAQ calls on the State and Federal Government to provide:

- **Funding for local governments across Queensland to investigate and support the uptake of hydrogen use within their own operations and across local industry,**
- **A state hydrogen fuel subsidy program to incentivise commercial use of hydrogen, for example a subsidy of \$1.00 for every kilo of commercial hydrogen when purchased in Queensland, and**
- **Loan facilities for private investment in hydrogen refuelling infrastructure across Queensland.**

**Item****31 August 2021****Item Number:**

D2

File Number:**Part:**

EXECUTIVE SERVICES

Portfolio:

Executive Services

Subject:

Gift of Land 1 and 3 Ford Street, Bundaberg South (Lot 17 and 18 on RP59785)

Report Author:

Stephen Johnston, Chief Executive Officer

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our community and environment - 1.2 Safe, active, vibrant and inclusive community - 1.2.1 Provide facilities, parks, open spaces, services, and programs that promote and support our community's safety and physical wellbeing.

Background:

Council received correspondence from the landowner of 1 and 3 Ford Street, Bundaberg South offering to gift to Council the properties for the Washpool Creek project and for the future benefit of the Bundaberg region.

Notable comments regarding the properties include:

- The land is freehold land.
- Zoned "limited development"
- Impacted by the flood hazard overlay
- Vegetation management considerations exist for reef regrowth watercourse vegetation – endangered regional ecosystems and water course buffer.

The properties are located beside other land that Council owns known as Reddan Street Park which is part of the Washpool Creek project.

Associated Person/Organization:

Landowner of 1 and 3 Ford Street, Bundaberg South

Consultation:

Consultation with all Councillors was held on 16 August 2021

Chief Legal Officer's Comments:

Generally, Council does not accept a gift of property from a landowner unless there is a strategic purpose. If Council is minded to accept the gift, Council will need to manage any future conflicts of interest as a result of accepting this gift.

The transaction would be best documented through a Deed of Gift between the parties.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

The costs to Council associated with this gift will include:

1. Stamp duty on the transfer of the land at the full market value despite receiving the land by way of gift;
2. Registration fees on the Transfer;
3. Ongoing costs for property maintenance; and
4. Reduction in rates and charges revenue.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council accepts the gift of 1 and 3 Ford Street, Bundaberg South (Lot 17 and 18 on RP59785); and**
- 2. the Chief Executive Officer be authorised to enter into a Deed of Gift with the landowner and attend to all things necessary to complete the transfer of the land to Council.**

**Item****31 August 2021****Item Number:**

F1

File Number:**Part:**

FINANCE

Portfolio:

Organisational Services

Subject:

Financial Summary as at 2 August 2021

Report Author:

Simon Muggeridge, Deputy Chief Financial Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our organisational services - 3.1 A sustainable financial position - 3.1.1 Develop and maintain a long-term financial plan and fiscal principles for sustainable financial management.

Background:

In accordance with section 204 of the *Local Government Regulation 2012*, a financial report must be presented to Council on a monthly basis. The attached financial report contains the financial summary and associated commentary as at 2 August 2021.

Associated Person/Organization:

N/A

Consultation:

Financial Services Team

Chief Legal Officer's Comments:

Pursuant to section 204 of the *Local Government Regulation 2012*, the local government must prepare, and the Chief Executive Officer must present, the financial report. The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

[↓1](#) Financial Summary August 2021

Recommendation:

That the Financial Summary as at 2 August 2021 be noted by Council.

Financial Summary
as at 02 Aug 2021



	Council			General			Waste			Wastewater			Water		
	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act / Bud	Actual YTD	Adopted Budget	% Act/ Bud	Actual YTD	Adopted Budget	% Act/ Bud
<i>Progress check - 9%</i>															
Recurrent Activities															
Revenue															
Rates and Utility Charges	84,074,085	165,515,095	51%	43,764,226	85,050,095	51%	8,262,532	16,425,000	50%	16,102,279	32,215,000	50%	15,945,048	31,825,000	50%
Less: Pensioner Remissions	(832,735)	(1,719,000)	48%	(832,735)	(1,719,000)	48%	-	-	-	-	-	-	-	-	-
	83,241,350	163,796,095	51%	42,931,491	83,331,095	52%	8,262,532	16,425,000	50%	16,102,279	32,215,000	50%	15,945,048	31,825,000	50%
Fees and Charges	2,437,247	29,378,972	8%	1,760,376	19,320,269	9%	501,533	7,338,503	7%	63,822	1,007,000	6%	111,516	1,713,200	7%
Interest Revenue	85,154	1,285,800	7%	85,154	1,285,800	7%	-	-	-	-	-	-	-	-	-
Grants, Subsidies and Donations	539,552	12,690,949	4%	539,552	12,530,949	4%	-	160,000	0%	-	-	-	-	-	-
Sale of Developed Land Inventory	79,118	-	-	79,118	-	-	-	-	-	-	-	-	-	-	-
Total Recurrent Revenue	86,382,421	207,151,816	42%	45,395,691	116,468,113	39%	8,764,065	23,923,503	37%	16,166,101	33,222,000	49%	16,056,564	33,538,200	48%
Expenses															
Employee Costs	6,386,423	77,219,760	8%	5,144,706	59,913,940	9%	481,757	6,216,593	8%	385,050	5,439,956	7%	374,911	5,649,271	7%
Materials and Services	5,551,654	71,969,416	8%	3,216,228	41,365,490	8%	1,297,924	12,474,295	10%	399,796	8,041,750	5%	637,706	10,087,881	6%
Finance Costs	333,963	4,077,695	8%	116,796	1,471,695	8%	71,250	855,000	8%	126,667	1,520,000	8%	19,250	231,000	8%
Depreciation	4,474,963	53,699,553	8%	3,160,988	37,931,853	8%	130,567	1,566,800	8%	587,825	7,053,900	8%	595,583	7,147,000	8%
Total Recurrent Expenditure	16,747,003	206,966,424	8%	11,638,718	140,682,978	8%	1,981,498	21,112,688	9%	1,499,337	22,055,606	7%	1,627,450	23,115,152	7%
Operating Surplus	69,635,418	185,392		33,756,973	(24,214,865)		6,782,567	2,810,815		14,666,764	11,166,394		14,429,114	10,423,048	
Transfers to															
NCP Transfers	-	-	-	-	(17,415,802)	-	-	633,711	-	-	8,700,779	-	-	8,081,312	-
Total Transfers	-	-		-	(17,415,802)		-	633,711		-	8,700,779		-	8,081,312	
Movement in Unallocated Surplus	69,635,418	185,392		33,756,973	(6,799,063)		6,782,567	2,177,104		14,666,764	2,465,615		14,429,114	2,341,736	
Unallocated Surplus/(Deficit) brought forward	43,087,685	43,087,685		(25,837,122)	(25,837,122)		17,804,847	17,804,847		14,701,184	14,701,184		36,418,776	36,418,776	
Unallocated Surplus/(Deficit)	112,723,103	43,273,077		7,919,851	(32,636,185)		24,587,414	19,981,951		29,367,948	17,166,799		50,847,890	38,760,512	
Capital Activities															
Council Expenditure on Non-Current Assets	3,102,993	96,610,900	3%	2,689,502	70,569,416	4%	176,811	3,340,312	5%	137,011	5,694,500	2%	99,669	17,006,672	1%
Loan Redemption	-	6,532,000	0%	-	3,243,000	0%	-	741,000	0%	-	2,193,000	0%	-	355,000	0%
Total Capital Expenditure	3,102,993	103,142,900	3%	2,689,502	73,812,416	4%	176,811	4,081,312	4%	137,011	7,887,500	2%	99,669	17,361,672	1%
Cash															
Opening balance	149,144,168	89,514,414													
Movement - increase/(decrease)	(10,965,516)	14,824,528													
Closing balance	138,178,652	104,338,942													

Further to the Financial Summary Report as of 2 August 2021, the following key features are highlighted.

Financial Overview				
	YTD Actual*	YTD Budget		Variance
Operating Income	18.1m	18.6m	⚠	0.5m
Operating Expenditure	16.7m	18.6m	✓	-1.9m
Operating Surplus/(Deficit)	1.4m	0.0m	✓	1.4m
Capital Expenditure	3.1m	3.7m	⚠	-0.6m
Cash	138.2m	80.0m	✓	58.1m

Notes: * denotes - YTD Actual includes annualised rates income, for the purpose of YTD comparative, this has been adjusted comparatively to the reporting period.

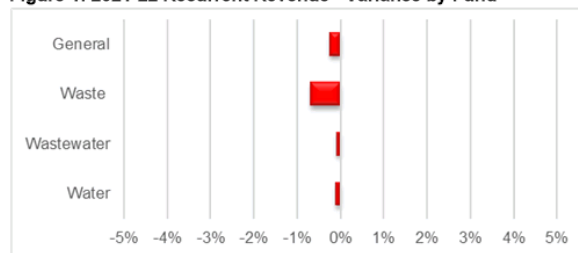
Overall

- Overall, it is highlighted that accounting adjustments for 2020-21 and 2021-22 reversal of prior year accruals have not yet been fully processed. Accordingly the monthly financial results are subject to fluctuation and finalisation. External auditors are expected in September 2021.

Recurrent Revenue

- Rates and Utility Charges have been levied for the first half year period and pensioner remissions applied. The levied amounts are consistent with the budget.
- Fees and charges are more than the year-to-date (YTD) budget.
- Interest Revenue is marginally lower than the YTD budget.
- Grants, Subsidies and Donations are less than the YTD budget. This is expected and reflects the payment cycle of many grants being paid quarterly.
- Council has settled one parcel of Land Developed for Sale this financial year. Any conditional contracts are not reflected in the financial summary. There was no annual budget allocated in the original budget for this item, with budget traditionally being provided once contracts have become unconditional at the time of formalising the budget.

Figure 1: 2021-22 Recurrent Revenue - Variance by Fund

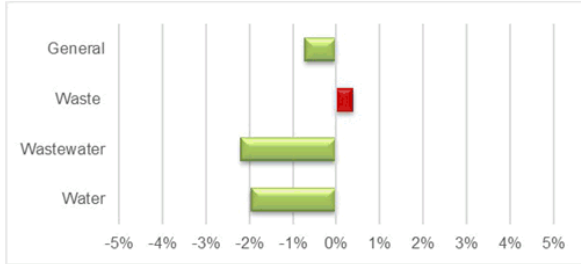


- Figure 1 presents the view across the funds being unfavourable, however this is largely related to rates being adjusted for YTD values, and it is too early in the financial year for any reasonable analysis. The General Fund budget anticipates a 2022-23 early payment of the Financial Assistance Grant (FAG) in June 2022.

Recurrent Expenditure

- Employee Costs are tracking marginally lower than budget.
- Materials and Services are slightly lower than YTD budget. At a fund level, Waste is showing actuals higher than budget (related to accrual adjustment for waste levy) and Wastewater under budget.
- Finance Costs and Depreciation are set to be in line with YTD budget.

Figure 2: 2021-22 Recurrent Expenditure - Variance by Fund



- Figure 2 shows the internal funds, and most are trending favourable comparatively to appropriate budget, Waste being the exception marginally, which is related to waste levy accrual payments.

Capital Expenditure and Capital Grants

- Year-to-date capital expenditure is \$3.1million (YTD budget \$3.7 million; total budget \$103.1 million).
- Historically quarter 1 has lower expenditure given the focus has been on end of prior financial year clearance and financial processes. Therefore it is too early to reflect on indications illustrated in Figure 3 (capital expenditure profile against expected cashflows), Figure 4 (percentage of capital expenditure) and Figure 5 (capital expenditure by asset class this financial year).
- Capital grants are predominately on track.

Figure 3: 2021-22 Capital Expenditure Cashflows

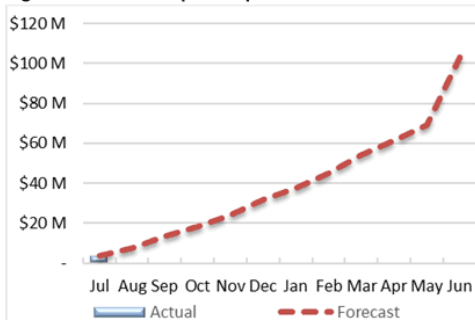


Figure 4: 2021-22 Capital Expenditure (financial delivery)

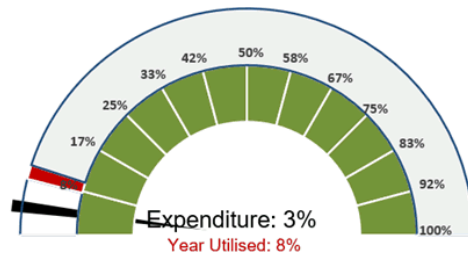
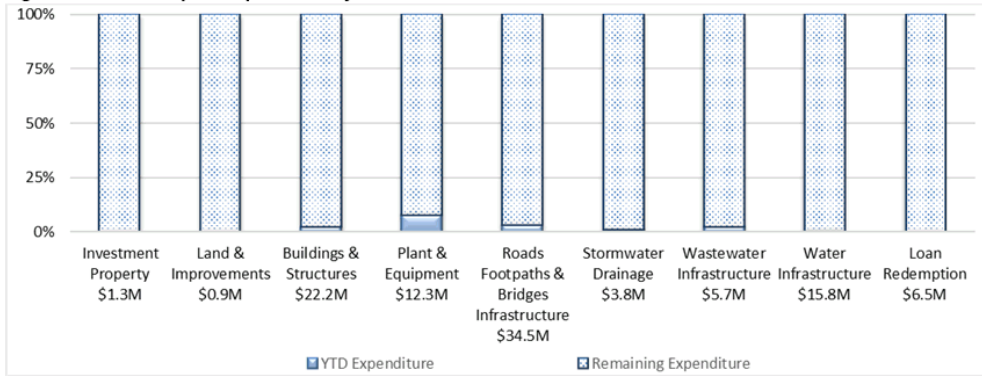


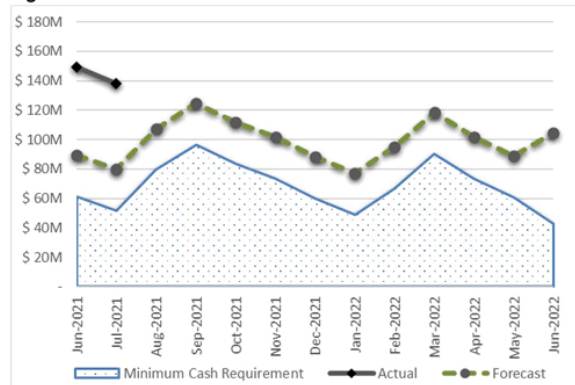
Figure 5: 2021-22 Capital Expenditure by Asset Class



Cash

- The cash balance at close of business on 30 July 2021 was \$138.2 million, being a decrease of \$11.0 million from 30 June 2021 (\$149.1 million). Historically, July reflects a decreasing cash position as a result of outgoings on operations and delivery of the capital program.
- No short-term liquidity issues are foreseeable.
- The actual and forecast cash movement is illustrated in Figure 6. The variance is primarily due to a higher than expected opening cash position as a result of the timing of invoices being received (and accrued for end of financial year) against payment, along with the timing of capital program delivery last financial year.

Figure 6: 2021-22 Cash Profile



Rates Debtor

- Rates outstanding at the end of July 2021 were \$82.6 million reflecting the July-December 2021 half year rates being levied during July 2021. Comparatively last month at 30 June 2021 the rates outstanding was \$4.2 million (or 2.4%) and at the time of rates being levied late-July 2021, this balance was \$3.8 million.
- There was \$10.8 million prepayment of rates at the time of the rates being levied (\$9.7 million at 30 June 2021).

**Item****31 August 2021****Item Number:**

F2

File Number:**Part:**

FINANCE

Portfolio:

Organisational Services

Subject:

2021/2022 Budget - Budget Review #1 (Capital reprovision)

Report Author:

Simon Muggeridge, Deputy Chief Financial Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our organisational services - 3.1 A sustainable financial position - 3.1.1 Develop and maintain a long-term financial plan and fiscal principles for sustainable financial management.

Background:

At the 30 June 2021 there were a range of capital projects in progress. This budget amendment seeks to carry over the balance of these projects into the current 2021/2022 financial year.

All budget amendments are required to have the full suite of budget documents including the recertification of the Revenue Statement and Revenue Policy.

Recurrent

This budget amendment is limited to the reprovision of capital projects, however it will have a minor impact on Council's long term financial forecast including interest revenue, finance costs and depreciation.

The long-term financial forecast continues to project positive Operating Surplus Ratio's within the target range.

Capital

Capital revenue has increased by \$1.4 million with adjustments relating to timing of capital income.

Capital expenditure has increase by \$18.7 million to \$107.8 million (excluding \$6.5 million loan redemption and \$7.5 million donated assets). This equates to a net capital movement of \$17.4 million.

Significant capital reprovisions include:

- Fleet \$6.6 million
- Central Park \$2.3 million
- Recreation Precinct Masterplan \$2.4 million
- Belle Eden Park Waterway Naturalisation \$1.3 million

Associated Person/Organization:

N/A

Consultation:

Executive Leadership Team
Managers and Supervisors

Chief Legal Officer's Comments:

In accordance with Section 170(3) of the *Local Government Regulation 2012*, Council may by resolution amend the budget for a financial year at any time before the end of the financial year.

Policy Implications:

The amended budget must include the Revenue Policy and Revenue Statement which have already been adopted by Council and remain unchanged.

Financial and Resource Implications:

Council's capital budget has been amended to accommodate projects still being delivered. Amendments to the current budget have been processed and potential impacts to forecast periods and sustainability ratios assessed.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

- ↓1 2021/2022 Budget Review - Financial Statements
- ↓2 Revenue Policy
- ↓3 Revenue Statement

Recommendation:

That

- 1. Pursuant to section 170(3) and section 173 of the *Local Government Regulation 2012*, Council adopt the amended budget as tabled; and**
- 2. That Council endorse the following policies:**
 - a) Revenue Policy, version 5 (Policy No: CP-3-001); and**
 - b) Revenue Statement, version 4 (Policy No: CP-3-004).**

BUNDABERG REGIONAL COUNCIL
Budgeted Statement of Income and Expenditure

For the period ending 30 June 2022

	Council					General			Waste Management			Wastewater			Water		
	Estimated Actuals	Original Budget	Proposed Budget	Forecast	Forecast	Proposed Budget	Forecast	Forecast	Proposed Budget	Forecast	Forecast	Proposed Budget	Forecast	Forecast	Proposed Budget	Forecast	Forecast
	2020/21	2021/22	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24	2021/22	2022/23	2023/24
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Operating Income																	
Rates and utility charges*	159,076,657	165,515,095	165,515,095	171,800,438	177,802,483	85,050,095	86,596,354	92,000,430	16,425,000	16,887,528	17,311,405	32,215,000	33,284,538	34,287,235	31,825,000	33,041,988	34,203,413
Less: Discounts and pensioner remissions	(1,713,674)	(1,719,000)	(1,719,000)	(1,725,876)	(1,730,191)	(1,719,000)	(1,725,876)	(1,730,191)	-	-	-	-	-	-	-	-	-
Net rates and utility charges	157,362,983	163,796,095	163,796,095	170,074,562	176,072,292	83,331,095	86,860,508	90,270,239	16,425,000	16,887,528	17,311,405	32,215,000	33,284,538	34,287,235	31,825,000	33,041,988	34,203,413
Fees and charges	19,533,322	23,556,732	23,556,732	24,266,379	25,997,403	15,555,229	16,023,830	17,506,548	6,911,503	7,119,712	7,334,193	485,000	499,611	514,652	605,000	623,226	642,000
Interest	1,110,970	1,285,800	1,285,800	841,821	783,208	1,285,800	841,821	783,208	-	-	-	-	-	-	-	-	-
Sales, contract and recoverable works	5,951,605	5,822,240	5,822,240	5,997,635	6,178,314	3,765,040	3,878,462	3,995,300	427,000	439,853	453,115	522,000	537,725	553,924	1,108,200	1,141,585	1,175,975
Grants and subsidies	13,005,895	12,388,249	12,388,249	11,801,900	12,096,948	12,388,249	11,801,900	12,096,948	-	-	-	-	-	-	-	-	-
Donations and other contributions	269,184	302,700	302,700	310,268	318,024	142,700	145,258	149,924	160,000	164,000	168,100	-	-	-	-	-	-
Profit on sale of developed land held for resale	1,600,000	-	-	2,000,000	2,000,000	-	2,000,000	2,000,000	-	-	-	-	-	-	-	-	-
TOTAL OPERATING REVENUE	198,833,959	207,151,816	207,151,816	215,292,565	223,446,189	116,468,113	121,552,789	126,802,167	23,923,503	24,611,103	25,266,813	33,222,000	34,321,874	35,355,821	33,536,200	34,806,799	36,021,368
Operating Expenditure																	
Employee benefits, materials and services	(147,620,858)	(149,189,176)	(149,189,176)	(152,083,443)	(155,835,725)	(101,279,430)	(101,811,876)	(104,241,216)	(18,690,888)	(19,063,222)	(19,483,453)	(13,481,706)	(13,602,670)	(13,942,281)	(15,737,152)	(17,605,675)	(18,168,775)
Finance costs	(4,308,501)	(4,077,695)	(4,077,695)	(4,649,376)	(5,028,635)	(1,471,695)	(2,129,244)	(2,675,830)	(855,000)	(833,971)	(783,703)	(1,520,000)	(1,446,535)	(1,349,489)	(231,000)	(239,626)	(219,613)
Depreciation	(52,200,490)	(53,699,553)	(53,699,553)	(55,074,272)	(57,261,582)	(37,931,853)	(38,933,177)	(40,707,925)	(1,566,800)	(1,659,021)	(1,750,789)	(7,053,900)	(7,137,780)	(7,301,882)	(7,147,000)	(7,344,294)	(7,500,986)
TOTAL OPERATING EXPENDITURE	(204,129,849)	(206,966,424)	(206,966,424)	(211,807,091)	(218,125,942)	(140,682,978)	(142,874,297)	(147,624,971)	(21,112,688)	(21,556,214)	(22,017,945)	(22,055,606)	(22,186,985)	(22,593,652)	(23,115,152)	(25,189,595)	(25,889,374)
Operating surplus/(deficit)	(5,295,890)	185,392	185,392	3,485,474	5,320,247	(6,799,065)	(3,636,201)	(2,377,028)	2,177,104	2,416,605	2,712,917	2,465,615	2,680,928	2,836,571	2,341,736	2,024,143	2,147,787
Capital Activities																	
Grants and subsidies	27,513,656	19,340,211	20,681,868	16,729,281	15,692,333	20,681,868	16,729,281	15,692,333	-	-	-	-	-	-	-	-	-
Contributions from developers	9,412,500	9,500,000	9,500,000	9,500,000	9,500,000	6,100,000	6,100,000	6,100,000	-	-	-	1,900,000	1,900,000	1,900,000	1,500,000	1,500,000	1,500,000
Other capital income	258,768	365,869	365,869	375,016	384,391	365,869	375,016	384,391	-	-	-	-	-	-	-	-	-
Capital expenses	(19,421,166)	(26,945,942)	(26,945,942)	(18,143,886)	(12,897,524)	(25,066,876)	(16,246,030)	(10,980,689)	-	-	-	(1,090,800)	(1,101,707)	(1,112,725)	(788,266)	(795,149)	(804,110)
TOTAL CAPITAL ACTIVITIES	17,763,758	2,260,138	3,601,795	8,460,411	12,679,200	2,080,861	6,958,267	11,196,035	-	-	-	809,200	798,293	787,275	711,734	703,851	695,890
Net result	12,467,868	2,445,530	3,787,187	11,945,885	17,999,447	(4,718,202)	3,322,066	8,819,008	2,177,104	2,416,605	2,712,917	3,274,815	3,479,221	3,623,846	3,053,470	2,727,994	2,843,677

*Change in Total Rates and Utility Charges Levied 4.05%

BUNDABERG REGIONAL COUNCIL
Budgeted Statement of Financial Position

For the period ending 30 June 2022	Estimated Actuals	Original Budget	Proposed Budget	Forecast	Forecast
	2020/21	2021/22	2021/22	2022/23	2023/24
	\$	\$	\$	\$	\$
Current Assets					
Cash and cash equivalents	106,781,930	104,338,942	104,338,937	72,660,539	69,802,682
Trade and other receivables	16,119,698	16,920,494	16,920,494	17,461,705	18,087,130
Inventories	4,519,476	4,519,476	4,519,476	4,019,476	3,519,476
Other Assets	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376
Non-current assets held for sale	586,911	-	-	-	-
	<u>129,803,391</u>	<u>127,574,288</u>	<u>127,574,283</u>	<u>95,937,096</u>	<u>93,204,664</u>
Non-Current Assets					
Investment property	14,634,753	15,000,622	15,000,622	15,375,637	15,760,028
Property, plant and equipment	2,301,090,078	2,355,785,690	2,356,954,676	2,440,818,596	2,505,068,336
Right of use assets	3,958,263	3,507,310	3,507,310	3,056,357	2,621,520
Intangible assets	5,867,570	5,605,658	5,605,658	5,345,464	5,085,269
	<u>2,325,550,664</u>	<u>2,379,899,280</u>	<u>2,381,068,266</u>	<u>2,464,596,054</u>	<u>2,528,535,153</u>
TOTAL ASSETS	<u>2,455,354,055</u>	<u>2,507,473,568</u>	<u>2,508,642,549</u>	<u>2,560,533,150</u>	<u>2,621,739,817</u>
Current Liabilities					
Trade and other payables	8,766,317	8,907,567	8,907,567	9,101,399	9,331,994
Borrowings	6,691,224	8,074,714	8,074,714	9,071,564	8,773,963
Lease liabilities	407,385	410,701	410,701	414,930	430,758
Provisions	16,074,016	15,289,869	15,289,869	13,189,869	13,189,869
Other liabilities	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606
	<u>40,640,548</u>	<u>41,384,457</u>	<u>41,384,457</u>	<u>40,479,368</u>	<u>40,428,190</u>
Non-Current Liabilities					
Borrowings	66,408,591	91,852,305	91,852,305	108,682,802	126,711,336
Lease liabilities	3,737,360	3,326,659	3,326,659	2,911,729	2,480,971
Provisions	19,355,022	20,004,857	20,004,857	20,404,857	20,804,857
	<u>89,500,973</u>	<u>115,183,821</u>	<u>115,183,821</u>	<u>131,999,388</u>	<u>149,997,164</u>
TOTAL LIABILITIES	<u>130,141,521</u>	<u>156,568,278</u>	<u>156,568,278</u>	<u>172,478,756</u>	<u>190,425,354</u>
NET COMMUNITY ASSETS	<u>2,325,212,534</u>	<u>2,350,905,290</u>	<u>2,352,074,271</u>	<u>2,388,054,394</u>	<u>2,431,314,463</u>
Community Equity					
Asset revaluation surplus	634,630,676	657,877,903	657,705,228	681,739,465	707,000,087
Retained surplus	1,690,581,858	1,693,027,387	1,694,369,043	1,706,314,929	1,724,314,376
TOTAL COMMUNITY EQUITY	<u>2,325,212,534</u>	<u>2,350,905,290</u>	<u>2,352,074,271</u>	<u>2,388,054,394</u>	<u>2,431,314,463</u>

BUNDABERG REGIONAL COUNCIL
Budgeted Statement of Cash Flow

For the period ending 30 June 2022

	Estimated Actuals	Original Budget	Proposed Budget	Forecast	Forecast
	2020/21	2021/22	2021/22	2022/23	2023/24
	\$	\$	\$	\$	\$
Cash Flows from Operating Activities					
Receipts from customers	183,547,936	192,269,384	192,269,384	199,594,883	207,483,829
Payments to suppliers and employees	(161,117,044)	(150,102,335)	(150,102,335)	(154,611,111)	(156,238,417)
	<u>22,430,892</u>	<u>42,167,049</u>	<u>42,167,049</u>	<u>44,983,772</u>	<u>51,245,412</u>
Recurrent grants, subsidies, contributions and donations	14,460,918	12,646,835	12,646,835	12,159,739	12,392,872
Interest received	1,110,970	1,285,800	1,285,800	841,822	783,209
Proceeds from sale of developed land held for resale	2,040,000	-	-	2,500,000	2,500,000
Borrowing costs	(3,186,551)	(2,889,903)	(2,889,903)	(3,362,138)	(3,731,720)
Interest on lease liabilities	(126,950)	(118,695)	(118,695)	(110,827)	(102,773)
Net Cash Inflow/(Outflow) from Operating Activities	<u>36,729,279</u>	<u>53,091,086</u>	<u>53,091,086</u>	<u>57,012,368</u>	<u>63,087,000</u>
Cash Flow from Investing Activities :					
Proceeds from sale of property, plant and equipment	1,527,072	2,400,000	2,400,000	1,100,000	600,000
Proceeds from sale of non-current assets held for sale	586,911	-	-	-	-
Capital grants, subsidies, contributions and donations	26,882,458	21,340,211	22,681,868	18,729,281	17,692,333
Payments for property, plant and equipment	(90,535,190)	(88,426,588)	(107,035,766)	(125,936,693)	(101,553,193)
Net Cash Inflow/(Outflow) from Investing Activities	<u>(61,538,749)</u>	<u>(64,686,377)</u>	<u>(81,953,898)</u>	<u>(106,107,412)</u>	<u>(83,260,860)</u>
Cash Flow from Financing Activities :					
Proceeds from borrowings	3,000,000	33,500,000	33,500,000	25,900,000	26,800,000
Repayment of borrowings	(7,584,930)	(6,672,796)	(6,672,796)	(8,072,653)	(9,069,067)
Repayment of lease liabilities	(513,400)	(407,385)	(407,385)	(410,701)	(414,930)
Net Cash Inflow/(Outflow) from Financing Activities	<u>(5,098,330)</u>	<u>26,419,819</u>	<u>26,419,819</u>	<u>17,416,646</u>	<u>17,316,003</u>
Net Increase/(Decrease) in Cash Held	<u>(29,907,800)</u>	<u>14,824,528</u>	<u>(2,442,993)</u>	<u>(31,678,398)</u>	<u>(2,857,857)</u>
Cash at beginning of reporting period	136,689,730	89,514,414	106,781,930	104,338,937	72,660,539
Cash at end of Reporting Period	<u>106,781,930</u>	<u>104,338,942</u>	<u>104,338,937</u>	<u>72,660,539</u>	<u>69,802,682</u>

BUNDABERG REGIONAL COUNCIL
Budgeted Statement of Changes in Equity

For the period ending 30 June 2022

	Estimated Actuals	Original Budget	Proposed Budget	Forecast	Forecast
	2020/21	2021/22	2021/22	2022/23	2023/24
	\$	\$	\$	\$	\$
Opening Balance - Retained Surplus	1,678,113,989	1,690,581,857	1,690,581,857	1,694,369,044	1,706,314,929
Net result	12,467,868	2,445,530	3,787,187	11,945,885	17,999,447
Closing Balance - Retained Surplus	<u>1,690,581,857</u>	<u>1,693,027,387</u>	<u>1,694,369,044</u>	<u>1,706,314,929</u>	<u>1,724,314,376</u>
Opening Balance - Asset Revaluation Surplus	614,090,840	634,630,676	634,630,677	657,705,227	681,739,465
Increase in asset revaluation surplus	20,539,837	23,247,227	23,074,550	24,034,238	25,260,622
Closing Balance - Asset Revaluation Surplus	<u>634,630,677</u>	<u>657,877,903</u>	<u>657,705,227</u>	<u>681,739,465</u>	<u>707,000,087</u>
Total Community Equity	<u>2,325,212,534</u>	<u>2,350,905,290</u>	<u>2,352,074,271</u>	<u>2,388,054,394</u>	<u>2,431,314,463</u>

BUNDABERG REGIONAL COUNCIL**Long-Term Financial Forecast****Income and Expenditure**

For the period ending 30 June 2022

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Operating Income										
Rates and utility charges	165,515,095	171,800,438	177,802,483	184,023,138	190,167,925	196,525,093	203,102,105	209,906,690	216,946,855	224,230,890
Less: Discounts & pensioner remissions	(1,719,000)	(1,725,876)	(1,730,191)	(1,734,516)	(1,738,852)	(1,743,200)	(1,747,558)	(1,751,926)	(1,756,306)	(1,760,697)
Net rates and utility charges	163,796,095	170,074,562	176,072,292	182,288,622	188,429,073	194,781,893	201,354,547	208,154,764	215,190,549	222,470,193
Fees and charges	23,556,732	24,266,379	25,997,403	26,780,575	27,587,340	28,418,408	29,274,513	30,156,408	31,064,869	32,000,699
Interest	1,285,800	841,821	783,208	1,089,714	1,464,182	1,693,962	1,882,929	2,037,282	2,512,213	3,037,224
Sales, contract and recoverable works	5,822,240	5,997,635	6,178,314	6,364,435	6,556,164	6,753,668	6,957,123	7,166,706	7,382,603	7,605,004
Grants and subsidies	12,388,249	11,801,900	12,096,948	12,399,371	12,709,356	13,027,090	13,352,767	13,686,586	14,028,751	14,379,469
Donations and other contributions	302,700	310,268	318,024	325,975	334,124	342,477	351,039	359,815	368,811	378,031
Profit on sale of developed land held for resale	-	2,000,000	2,000,000	-	-	-	-	-	-	-
TOTAL OPERATING REVENUE	207,151,816	215,292,565	223,446,189	229,248,692	237,080,239	245,017,498	253,172,918	261,561,561	270,547,796	279,870,620
Operating Expenditure										
Employee benefits, materials and services	(149,189,176)	(152,083,443)	(155,835,725)	(163,403,570)	(169,379,039)	(175,612,422)	(180,366,905)	(184,508,772)	(190,257,357)	(201,258,934)
Finance costs	(4,077,695)	(4,649,376)	(5,028,635)	(5,538,243)	(6,269,884)	(6,559,417)	(6,584,581)	(6,606,012)	(7,338,130)	(7,705,365)
Depreciation	(53,699,553)	(55,074,272)	(57,261,582)	(58,983,444)	(60,084,975)	(58,854,655)	(57,250,768)	(58,577,167)	(58,487,619)	(59,580,024)
TOTAL OPERATING EXPENDITURE	(206,966,424)	(211,807,091)	(218,125,942)	(227,925,257)	(235,733,898)	(241,026,494)	(244,202,254)	(249,691,951)	(256,083,106)	(268,544,323)
Operating surplus/(deficit)	185,392	3,485,474	5,320,247	1,323,435	1,346,341	3,991,004	8,970,664	11,869,610	14,464,690	11,326,297
Capital Activities										
Grants and subsidies	20,681,868	16,729,281	15,692,333	4,674,008	8,775,000	2,600,000	10,100,000	11,100,000	14,600,000	14,100,000
Contributions from developers	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000
Other capital income	365,869	375,016	384,391	394,001	403,851	413,947	424,296	434,903	445,776	456,920
Capital expenses	(26,945,942)	(18,143,886)	(12,897,524)	(13,728,519)	(12,678,690)	(13,653,361)	(12,793,168)	(13,319,711)	(13,132,044)	(13,045,325)
TOTAL CAPITAL ACTIVITIES	3,601,795	8,460,411	12,679,200	839,490	6,000,161	(1,139,414)	7,231,128	7,715,192	11,413,732	11,011,595
Net result	3,787,187	11,945,885	17,999,447	2,162,925	7,346,502	2,851,590	16,201,792	19,584,802	25,878,422	22,337,892

BUNDABERG REGIONAL COUNCIL**Long-Term Financial Forecast****Assets, Liabilities and Equity**

For the period ending 30 June 2022

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Current Assets										
Cash and cash equivalents	104,338,937	72,660,539	69,802,682	72,256,512	65,111,553	53,075,429	50,518,819	53,399,839	58,157,538	59,188,376
Trade and other receivables	16,920,494	17,461,705	18,087,130	18,752,793	19,365,703	19,999,195	20,597,540	21,330,763	22,030,322	22,753,430
Inventories	4,519,476	4,019,476	3,519,476	3,519,476	3,519,476	3,519,476	3,519,476	3,519,476	3,519,476	3,519,476
Other assets	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376	1,795,376
	127,574,283	95,937,096	93,204,664	96,324,157	89,792,108	78,389,476	76,431,211	80,045,454	85,502,712	87,256,658
Non-Current Assets										
Investment property	15,000,622	15,375,637	15,760,028	16,154,029	16,557,879	16,971,826	17,396,122	17,831,025	18,276,801	18,733,721
Property, plant and equipment	2,356,954,676	2,440,818,596	2,505,068,336	2,549,613,467	2,594,463,954	2,630,896,466	2,673,707,308	2,731,507,437	2,787,565,074	2,836,848,093
Right of use assets	3,507,310	3,056,357	2,621,520	2,198,722	1,783,109	1,451,241	1,119,374	787,506	564,582	554,187
Intangible assets	5,605,658	5,345,464	5,085,269	4,936,607	4,936,607	4,936,607	7,436,607	7,436,607	7,436,607	7,436,607
	2,381,068,266	2,464,596,054	2,528,535,153	2,572,902,825	2,617,741,549	2,654,256,140	2,699,659,411	2,757,562,575	2,813,843,064	2,863,572,608
TOTAL ASSETS	2,508,642,549	2,560,533,150	2,621,739,817	2,669,226,982	2,707,533,657	2,732,645,616	2,776,090,622	2,837,608,029	2,899,345,776	2,950,829,266
Current Liabilities										
Trade and other payables	8,907,567	9,101,399	9,331,994	9,909,910	10,329,969	10,769,789	11,056,296	11,351,537	11,747,018	12,572,694
Borrowings	8,074,714	9,071,564	8,773,963	8,976,629	9,223,636	9,251,661	9,804,155	10,783,262	11,566,986	12,200,965
Lease liabilities	410,701	414,930	430,758	364,013	385,148	407,201	286,257	11,225	11,225	-
Provisions	15,289,869	13,189,869	13,189,869	14,728,692	17,137,934	13,114,869	13,114,869	13,189,869	13,039,869	13,039,869
Other liabilities	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606	8,701,606
	41,384,457	40,479,368	40,428,190	42,680,850	45,778,293	42,245,126	42,963,183	44,037,499	45,066,704	46,515,134
Non-Current Liabilities										
Borrowings	91,852,305	108,682,802	126,711,336	144,937,611	149,415,623	146,864,859	144,061,679	154,481,370	157,716,444	152,816,495
Lease liabilities	3,326,659	2,911,729	2,480,971	2,116,958	1,731,810	1,324,609	1,038,352	1,027,126	1,015,901	1,015,901
Provisions	20,004,857	20,404,857	20,804,857	19,666,034	16,117,969	16,592,969	17,067,969	17,467,969	18,017,969	18,567,969
	115,183,821	131,999,388	149,997,164	166,720,603	167,265,402	164,782,437	162,168,000	172,976,465	176,750,314	172,400,365
TOTAL LIABILITIES	156,568,278	172,478,756	190,425,354	209,401,453	213,043,695	207,027,563	205,131,183	217,013,964	221,817,018	218,915,499
NET COMMUNITY ASSETS	2,352,074,271	2,388,054,394	2,431,314,463	2,459,825,529	2,494,489,962	2,525,618,053	2,570,959,439	2,620,594,065	2,677,528,758	2,731,913,767
Community Equity										
Asset revaluation surplus	657,705,228	681,739,465	707,000,087	733,348,227	760,666,158	788,942,657	818,082,250	848,132,072	879,188,341	911,235,457
Retained surplus	1,694,369,043	1,706,314,929	1,724,314,376	1,726,477,302	1,733,823,804	1,736,675,396	1,752,877,189	1,772,461,993	1,798,340,417	1,820,678,310
TOTAL COMMUNITY EQUITY	2,352,074,271	2,388,054,394	2,431,314,463	2,459,825,529	2,494,489,962	2,525,618,053	2,570,959,439	2,620,594,065	2,677,528,758	2,731,913,767

BUNDABERG REGIONAL COUNCIL**Financial Sustainability Ratios**

For the period ending 30 June 2022

	Target	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Net Financial Liabilities Ratio	< 60%	13.7%	35.3%	43.2%	49.1%	51.7%	52.3%	50.6%	52.1%	50.2%	46.8%
Total liabilities less current assets divided by operating revenue											
Operating Surplus Ratio	0% -10%	0.1%	1.6%	2.4%	0.6%	0.6%	1.6%	3.5%	4.5%	5.3%	4.0%
Operating surplus divided by total operating revenue											
Asset Sustainability Ratio	> 90%	101.0%	87.1%	67.3%	49.5%	64.7%	82.4%	66.4%	65.7%	65.4%	56.0%
Capital expenditure on replacement assets divided by depreciation expense											

BUNDABERG REGIONAL COUNCIL**Estimated Activity Statement**

For the period ending 30 June 2022

	Water	Wastewater	Waste Management	Council's Holiday Parks	Bundaberg Airport
	2021/22	2021/22	2021/22	2021/22	2021/22
	\$	\$	\$	\$	\$
Estimated revenue payable to Council	1,747,030	525,105	299,935	-	-
Estimated revenue payable to external clients	31,791,170	32,696,895	23,623,568	3,292,913	3,960,500
Community service obligations	648,900	573,137	455,500	-	-
	34,187,100	33,795,137	24,379,003	3,292,913	3,960,500
Less: Estimated expenses	(22,899,484)	(20,434,330)	(20,949,722)	(2,693,572)	(3,689,578)
Estimated surplus/(deficit)	11,287,616	13,360,807	3,429,281	599,341	270,922

Description of estimated CSO's provided to business activities

Provision of water allocations to unlicensed sporting clubs free of charge	261,500				
Internal bulk water provisions	86,900				
Water leak relief	100,000				
Infrastructure charges incentives	185,000				
Community organisations concession	15,500				
Providing pedestal discount for community and aged care facilities		340,690			
Providing pedestal discount for not-for-profit sporting clubs		58,947			
Infrastructure charges incentives		155,000			
Community organisations concession		18,500			
Provision of domestic waste vouchers			358,000		
Provision of bins and waste disposal for community events			20,000		
In-kind assistance for charities			60,500		
Community organisations concession			17,000		

BUNDABERG REGIONAL COUNCIL**10 Year Capital Investment Summary**

For the period ending 30 June 2022

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Total
<i>Expenditure Type</i>											
New	28,926,655	66,079,168	52,751,280	26,152,871	30,947,329	16,814,825	31,696,402	47,062,080	38,555,215	43,581,600	382,567,425
Upgrade	40,268,854	20,201,020	17,409,000	27,034,142	21,876,798	13,532,957	15,472,762	11,463,061	21,105,680	10,000,000	198,364,275
Renewal	38,657,702	41,906,505	31,542,913	30,400,480	31,845,303	47,182,443	31,889,155	33,965,176	29,987,212	29,369,257	346,746,146
Loan Redemption	6,672,796	8,072,653	9,069,067	8,771,060	8,974,980	9,222,739	9,250,686	9,801,203	10,781,201	11,565,970	92,182,355
	<u>114,526,007</u>	<u>136,259,346</u>	<u>110,772,259</u>	<u>92,358,553</u>	<u>93,644,411</u>	<u>86,752,963</u>	<u>88,309,005</u>	<u>102,291,520</u>	<u>100,429,309</u>	<u>94,516,827</u>	<u>1,019,860,201</u>
<i>Asset Class</i>											
Land & Investment Property	1,920,000	-	-	-	-	-	-	950,075	1,135,345	-	4,005,420
Land Restoration	817,445	2,250,000	150,000	150,000	1,688,823	4,098,065	75,000	75,000	150,000	-	9,454,333
Buildings & Structures	30,810,007	59,076,675	40,383,370	14,817,298	20,794,456	20,147,325	17,588,688	36,335,492	30,518,821	32,496,267	302,968,399
Plant & Equipment	19,065,890	12,999,450	7,102,989	7,362,520	6,626,024	7,165,523	6,179,333	6,633,360	6,433,157	6,153,725	85,721,971
Transport Infrastructure	31,827,334	30,569,568	26,995,850	34,081,962	24,653,870	21,110,315	18,668,510	32,339,193	25,418,725	24,160,000	269,825,326
Stormwater Drainage	5,333,864	2,225,000	2,150,000	3,901,031	4,286,720	3,968,503	12,229,252	2,301,006	8,407,222	1,650,000	46,452,598
Sewerage Infrastructure	4,244,598	11,776,000	10,648,000	15,391,682	12,927,000	8,289,984	3,879,000	6,628,190	12,202,837	1,960,495	87,947,786
Water Infrastructure	13,834,073	9,290,000	14,272,984	7,883,000	13,692,537	12,750,510	17,938,537	7,228,000	5,382,002	16,530,370	118,802,013
Intangibles	-	-	-	-	-	-	2,500,000	-	-	-	2,500,000
Loan Redemption	6,672,796	8,072,653	9,069,067	8,771,060	8,974,980	9,222,739	9,250,686	9,801,203	10,781,201	11,565,970	92,182,355
	<u>114,526,007</u>	<u>136,259,346</u>	<u>110,772,259</u>	<u>92,358,553</u>	<u>93,644,411</u>	<u>86,752,963</u>	<u>88,309,005</u>	<u>102,291,520</u>	<u>100,429,309</u>	<u>94,516,827</u>	<u>1,019,860,201</u>
<i>Funding Sources</i>											
Grants & Subsidies	20,681,868	16,729,281	15,692,333	4,674,008	8,775,000	2,600,000	10,100,000	11,100,000	14,600,000	14,100,000	119,052,490
Loans	33,500,000	25,900,000	26,800,000	27,200,000	13,700,000	6,700,000	7,000,000	21,200,000	14,800,000	7,300,000	184,100,000
Infrastructure Charges	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	9,500,000	95,000,000
Asset Sales	2,400,000	1,100,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000	600,000	8,300,000
Reserves	817,445	2,250,000	150,000	150,000	1,688,823	-	-	-	-	-	5,056,268
General Revenue	47,626,694	80,780,065	58,029,926	50,234,545	59,380,588	67,352,963	61,109,005	59,891,520	60,929,309	63,016,827	608,351,443
	<u>114,526,007</u>	<u>136,259,346</u>	<u>110,772,259</u>	<u>92,358,553</u>	<u>93,644,411</u>	<u>86,752,963</u>	<u>88,309,005</u>	<u>102,291,520</u>	<u>100,429,309</u>	<u>94,516,827</u>	<u>1,019,860,201</u>



Revenue Policy

HEAD OF POWER

- *Local Government Regulation 2012*, section 169(2)(c) and section 193

INTENT

Under section 169(2)(c) and section 193 of the *Local Government Regulation 2012* the revenue policy includes an outline of the principles applied by Council in generating its own source revenue and which the revenue statement relies upon.

SCOPE

This policy applies to all staff, Councillors and Councillor Advisor (Mayor's Chief of Staff).

POLICY STATEMENT

1. Principles used for the making and levying of Rates and Charges

- a) Equity – ensuring the fair and consistent application of lawful rating and charging principles without bias, taking account of all relevant considerations;
- b) Transparency and clarity– openness in the processes involved in the making of rates and charges, and providing meaningful information on rate notices to enable ratepayers to clearly understand their responsibilities;
- c) Simplicity – a rating regime that is simple to understand and cost effective to administer;
- d) Consistency – by scheduling the issue of rates notices on a regular basis;
- e) Fiscal responsibility – levying an amount sufficient to allow Council to meet its budgetary responsibilities;
- f) Flexibility – responding where possible to unforeseen changes in the local economy and providing a wide range of payment options; and
- g) Sustainability – revenue decisions supporting the financial strategies for the delivery of infrastructure and services identified in Council's long-term planning.

2. Principles used for granting Concessions for Rates and Charges and the purpose for the Concessions

- a) Equity - the same treatment for ratepayers with similar circumstances;
- b) Transparency and clarity - publishing concessions granted in corporate documents;
- c) Simplicity – a framework that is simple to understand and cost effective to administer;
- d) Consistency – where possible providing a reasonably consistent concession to ratepayers each year;
- e) Fiscal responsibility – ensuring the value of concessions does not provide an unnecessary burden on other ratepayers;
- f) Flexibility - to allow Council to respond to local economic issues; and

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Revenue Policy

- g) Sustainability – revenue decisions supporting the financial strategies for the delivery of infrastructure and services identified in Council's long-term planning.

Consideration may be given by Council to granting a class concession in the event all or part of the Bundaberg Regional Council area is declared a natural disaster area by the State Government or impacted by a Pandemic called by the Australian Government.

2.1 Council will apply concessions for the following groups, for the purposes outlined:

- a) Concession for rates and charges for pensioners – Council acknowledges that certain classes of pensioners have a reduced capacity to pay on demand and to the full quantum; and
- b) Concessions for rates and charges for community, sporting and welfare groups – Council acknowledges the contribution of non-profit community, sporting and welfare groups based on the level of their community assistance and economic value to the region and community.

3. Principles used for the recovery of overdue Rates and Charges

- a) Equity – having regard to providing the same treatment for ratepayers with similar circumstances;
- b) Transparency and clarity – making the obligations clear to ratepayers and the processes used by Council to assist ratepayers to meet these obligations;
- c) Simplicity – making the processes used to recover outstanding rates and charges clear and simple to administer and cost effective;
- d) Consistency – by scheduling the recovery of overdue rates and charges within a consistent timeframe;
- e) Fiscal responsibility – having regard to ratepayers individual circumstances and ability to pay;
- f) Flexibility – by responding where necessary to changes in the local economy; and
- g) Sustainability – ensuring overdue rates and charges remain at a sustainable level that doesn't impact service and asset delivery.

4. Principles used in Cost-recovery methods

- a) Equity – ensuring the fair and consistent application of lawful cost-recovery methods without bias, taking account of all relevant considerations;
- b) Transparency and clarity – in the legislative requirement for the charge and the method of calculating the amounts payable by the recipient of the service;
- c) Simplicity – to make the levying of cost-recovery fees simple, efficient, and inexpensive to administer;
- d) Fiscal responsibility – through full cost recovery, endeavouring to recover the full cost of the service for which the fee is remitted to minimise the effect on ratepayers;
- e) Consistency – in the calculation methods for the cost-recovery charges;
- f) Flexibility – to charge less than the cost of the function where appropriate;

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Revenue Policy

- g) Sustainability – revenue decisions supporting the financial strategies for the delivery of infrastructure and services identified in Council's long-term planning.

5. The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development

In setting infrastructure charges, Council seeks to achieve a balance between affordability and sustainability, with infrastructure charges below the State Government cap. By levying infrastructure charges for new development, Council intends to fund the physical and social costs of providing trunk infrastructure to service development within the Bundaberg Region.

Council's infrastructure charges aim to provide a reasonable and equitable distribution of costs between Council and developers of land, managing the impact of infrastructure costs of new development on existing ratepayers. To encourage development and longer-term job generating businesses, Council may discount certain types of infrastructure charges payable for new development applications in accordance with the terms of the relevant Policy at that time.

Council's infrastructure charging framework has been established in accordance with the legislative requirements of the *Planning Act 2016*.

ASSOCIATED DOCUMENTS

- Revenue Statement

DOCUMENTS CONTROLS

Council will review this policy annually or in response to changes to law or best practice.

POLICY OWNER

The Chief Financial Officer, Financial Services is the responsible person for this policy.

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Revenue Statement

HEAD OF POWER

- *Local Government Regulation 2012*, sections 169(2)(b) and 172

INTENT

The purpose of the Revenue Statement is to achieve compliance with sections 169(2)(b) and 172 of the *Local Government Regulation 2012* and to provide an explanation of the rates and charges, cost recovery fees, and concessions adopted by Council.

SCOPE

The policy applies to all staff, Councillors and Councillor Advisor (Mayor's Chief of Staff).

DEFINITIONS

Rateable land is defined by section 93(2) of the *Local Government Act 2009* as any land or building unit, in the local government area, that is not exempted from rates.

Primary Council land use code means a code recorded in Council's rating files as a Council code which identifies the principal use of the land or the potential predominant use by virtue of its improvements or activities conducted upon the land.

Secondary Council land use code means a code used in conjunction with the Primary Council land use code to indicate a particular land use or the potential predominant use by virtue of its improvements or activities conducted upon the land.

Strata title residential and commercial property and Strata title residential and commercial use means – Lots, which have a primary Council land use code of 1008 or 1009, created under the provisions of the *Building Units and Group Titles Act 1980* or the *Body Corporate and Community Management Act 1997*.

Subdivided land is defined in sections 49 to 51 of the *Land Valuation Act 2010* as follows: Subdivision applies to a parcel (the relevant parcel) if:

- a) the relevant parcel is one of the parts into which land has been subdivided; and
- b) the person who subdivided the land (the "subdivider") is the owner of the parcel; and
- c) the relevant parcel is not developed land.

POLICY STATEMENT

Pursuant to sections 169(2)(b) and 172 of the *Local Government Regulation 2012*, Council is required to incorporate a Revenue Statement within its budget for each financial year that outlines the rates and charges, cost recovery fees, and concessions that the Council intends to apply as detailed below.

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Revenue Statement

1. The Measures Adopted for Revenue Raising

Council for any financial year will, as properly planned to meet requirements, make and levy:

- Differential General Rates
- Minimum General Rates
- Separate Rates and Charges (for a purpose benefitting the Region)
- Utility Charges.

In respect of utility charges, Council will, as properly planned to meet requirements, make and levy such charges for supplying:

- Water services
- Sewerage services
- Waste and recycling collection services
- Trade waste processing services.

Council's rate-setting and charging structures will be based on the principles outlined in its Revenue Policy including equity, transparency and clarity, simplicity, consistency, fiscal responsibility, flexibility and sustainability.

2. General Rates / Differential General Rates

General rates are levied on all rateable properties in the regional area and are calculated on the basis of the value of land. The value of land is determined by the Department of Resources according to:

- in the case of rural land, its unimproved capital value
- in all other cases, its site value.

Council will make and levy differential general rates for the financial year ending 30 June 2022, on all rateable land in Council's area.

Where Council makes a determination that a parcel of land is intended to be used for a particular purpose or has the potential to be used for such a purpose, it will have regard to, amongst other things, any improvements to, or activities being undertaken on, the land. Further, Council delegates to the Chief Executive Officer the power (contained in sections 81(4) and (5) of the *Local Government Regulation 2012*) to identify the rating category to which each parcel of rateable land in Council's area belongs.

In accordance with sections 88 and 90 of the *Local Government Regulation 2012*, owners of rateable land will be informed of the general rating category in which their land has been included and that they have the right of objection to the category to which their land is allocated. All objections shall be submitted to the Chief Executive Officer, Bundaberg Regional Council, and the only basis for objection shall be that at the date of issue of the rate notice, having regard to the descriptions adopted by Council, the land should be in another rating category.

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Revenue Statement

3. Minimum General Rate

A Minimum General Rate will be set for each rating category for the purpose of:

- setting a minimum contribution to be made from all properties situated within the region
- ensure that general rate revenue from lower valued properties results in a more equitable contribution from such properties towards the cost of services funded from general rates.

In accordance with section 77(3) of the *Local Government Regulation 2012*, Minimum General Rates do not apply to subdivided land with a land use code of 1072.

4. Differential General Rates

In accordance with sections 92 and 94 of the *Local Government Act 2009* and sections 77 to 82 of the *Local Government Regulation 2012*, Council makes and levies differential general rates and corresponding Minimum General Rates for the year ending 30 June 2022, against rateable land categories as follows:

Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
1	Urban Residential Land <i>Land that is used, or has the potential to be used, for urban residential purposes, other than land included in category 5 or 7.</i>	1001 - Vacant Land 1002 - Single Use Dwelling 1003 - Multi Unit Dwellings, Flats, Dual Occupancy, Secondary Dwellings 1006 - Outbuilding 1009 - Strata Title Residential Use 1021 - Residential Institution Non-Medical 1072 - Section 49 to 51 Valuation	1.2193	\$1,043
2	Rural Residential Land <i>Land that is used, or has the potential to be used, for rural residential purposes.</i>	1003 - Multi Unit Dwellings, Flats, Dual Occupancy, Secondary Dwellings 1004 - Vacant Large Homesite 1005 - Dwelling Large Homesite 1006 - Outbuilding 1009 - Strata Title Residential Use 1021 - Residential Institution Non-Medical 1072 - Section 49 to 51 Valuation 1094 - Other Rural Land	1.0484	\$1,048
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4		<i>Intentionally left blank</i>		

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Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
5	<p>Coastal Towns Land that is used, or has the potential to be used, for residential purposes and is located within the townships or areas of Bargara, Burnett Heads, Buxton, Coonarr, Coral Cove, Elliott Heads, Innes Park, Moore Park Beach, Walkers Point, Winfield and Woodgate Beach, and does not have frontage to the Pacific Ocean or frontage to a road which, in turn, has frontage to the Pacific Ocean. * Refer Differential Rating Maps 1-10</p>	1001 - Vacant Land 1002 - Single Unit Dwelling 1003 - Multi Unit Dwellings, Flats, Dual Occupancy, Secondary Dwellings 1004 - Vacant Large Homesite 1005 - Dwelling Large Homesite 1006 - Outbuildings 1009 - Strata Title Residential Use 1021 - Residential Institution Non-Medical 1072 - Section 49 to 51 Valuation	0.9945	\$1,159
6	<i>Intentionally left blank</i>			
7	<p>Urban Oceanfront Land that is used, or has the potential to be used, for residential purposes and is located within the townships or areas of Bargara, Burnett Heads, Coonarr, Coral Cove, Elliott Heads, Innes Park, Moore Park Beach, Winfield and Woodgate Beach, and has frontage to the Pacific Ocean, or has frontage to a road which, in turn, has frontage to the Pacific Ocean. * Refer Differential Rating Maps 1-10</p>	1001 - Vacant Land 1002 - Single Unit Dwelling 1003 - Multi Unit Dwellings, Flats, Dual Occupancy, Secondary Dwellings 1004 - Vacant Large Homesite 1005 - Dwelling Large Homesite 1006 - Outbuildings 1009 - Strata Title Residential Use 1021 - Residential Non-Medical 1072 - Section 49 to 51 Valuation	0.9371	\$1,312
8	<i>Intentionally left blank</i>			

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Revenue Statement

Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
9	Agricultural Land <i>Land that is used, or has the potential to be used, for agricultural purposes.</i>	1060 - Sheep Grazing 1061 - Sheep Breeding 1064 - Cattle Grazing & Breeding 1065 - Cattle Breeding & Fattening 1066 - Cattle Fattening 1067 - Goats 1068 - Milk Quota 1069 - Milk No Quota 1070 - Cream 1071 - Oil Seeds 1073 - Grains 1074 - Turf Farms 1075 - Sugar Cane 1076 - Tobacco 1077 - Cotton 1078 - Rice 1079 - Orchards 1080 - Tropical Fruits 1081 - Pineapple 1082 - Vineyards 1083 - Small Crops & Fodder Irrigation 1084 - Small Crops & Fodder Non Irrigation 1085 - Pigs 1086 - Horses 1087 - Poultry 1088 - Forestry & Logs 1089 - Animals – Special 1090 - Stratum	1.4344	\$1,159
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11		<i>Intentionally left blank</i>		

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Revenue Statement

Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
12	Bundaberg Commercial Land <i>Land located within the area of Bundaberg City that is used, or has the potential to be used, for commercial purposes, other than land included in category 15.</i>	1007 - Guest House/Private Hotel 1008 - Strata Title Non Residential Use 1010 - Combines Multi Dwelling & Shops 1011 - Shop Single 1012 - Shop Group (more than 6 shops) 1013 - Shopping Group (2 to 6 shops) 1014 - Shopping Main Retail (CBD) 1015 - Shopping Secondary (Fringe CBD) 1016 - Drive in Shopping Centre 1017 - Restaurant 1018 - Tourist Attraction 1020 - Marina 1022-1 - Car Park Commercial 1023 - Retail Warehouse 1024 - Sales Area (Outdoor) 1025 - Offices 1026 - Funeral Parlour 1027 - Private Hospital/Convalescent Home (Medical Private) 1028-1 - Warehouse & Bulk Stores 1030 - Service Station 1038 - Advertising Hoarding 1041 - Child Care excluding Kindergarten 1042 - Tavern/Hotel 1043 - Motel 1044 - Nursery (Plants) 1045 - Theatres and Cinemas 1046 - Drive-In Theatre 1047 - Club – Sport (run as a business) 1049 - Caravan Park 1053 - Employment Agency/Training 1054 - Marketplace	2.2829	\$1,378
13		<i>Intentionally left blank</i>		

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Revenue Statement

Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
14	Other Commercial Land <i>Land located outside the area of Bundaberg City that is used, or has the potential to be used, for commercial purposes.</i>	1007 - Guest House/Private Hotel 1008 - Strata Title Non Residential Use 1010 - Combines Multi Dwelling & Shops 1011 - Shop Single 1012 - Shop Group (more than 6 shops) 1013 - Shopping Group (2 to 6 shops) 1014 - Shopping Main Retail (CBD) 1015 - Shopping Secondary (Fringe CBD) 1016 - Drive in Shopping Centre 1017 - Restaurant 1018 - Tourist Attraction 1020 - Marina 1022-1 - Car Park Commercial 1023 - Retail Warehouse 1024 - Sales Area (Outdoor) 1025 - Offices 1026 - Funeral Parlour 1027 - Private Hospital/Convalescent Home (Medical Private) 1028-1 - Warehouse & Bulk Stores 1030 - Service Station 1038 - Advertising Hoarding 1041 - Child Care excluding Kindergarten 1042 - Tavern/Hotel 1043 - Motel 1044 - Nursery (Plants) 1045 - Theatres and Cinemas 1046 - Drive-In Theatre 1047 - Club – Sport (run as a business) 1049 - Caravan Park 1053 - Employment Agency/Training 1054 - Marketplace	1.4780	\$1,378
15	Major Shopping Centre <i>Land that is used, or has the potential to be used for the purposes of a shopping centre with a gross floor area of more than 20,000m².</i>	1016-16 - Drive In Shopping Centre with more than 20,000m ² gross floor area.	3.9089	\$559,784
16	Industrial Land <i>Land that is used, or has the potential to be used for industrial purposes and which is not included in category 18 or 19.</i>	1028-2 - Warehouse & Bulk Stores 1029 - Transport Terminal 1031 - Oil/Fuel Depot and Refinery 1032 - Wharves, Jetties, Barge Landing 1033 - Outdoor Service Area 1034 - Cold Stores – Iceworks 1035 - General Industry 1036 - Light Industry 1037 - Noxious/Offence Industry 1039 - Harbour Industry 1091 - Transformers and Substations	1.7450	\$1,673

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Category	Description	Identification (Land to which the Primary Land use Codes apply)	Rate in the Dollar of Property Value	Minimum General Rate
17		<i>Intentionally left blank</i>		
18	Extractive Industry <i>Land that is used, or has the potential to be used, for extractive industry.</i>	1040 - Extractive Industry	2.3387	\$2,623
19	Heavy Industry <i>Land that is used, or has the potential to be used, for a sugar mill, co-generation plant or any heavy industrial purpose.</i>	1251 - Co-generation plant 1252 - Sugar Cane/Sugar Mill 1253 - Heavy Industry Purpose	2.0150	\$112,068
20	Other Land <i>Land that is not included in any other rating category.</i>	1019 - Walkway 1022-2 - Car Parks – Ancillary Use 1050 - Other Clubs (Non Business) 1051 - Religious 1052 - Cemetery 1055 - Library 1056 - Showgrounds, Racecourse, Airfield 1057 - Parks, Gardens 1058 - Educational – including Kindergarten 1059 - Local Authority (secondary use only) 1092 - Defence Force Establishments 1095 - Reservoirs, Dams, Bores, Channels 1097 - Welfare Homes/Institutions 1099 - Community Purposes 1100 - Driver Education Centre	1.1258	\$1,048
21	Renewable Energy Facility <i>Land that is used or has the potential to be used, in whole or in part, for the production of electricity from renewable energy sources such as solar, wind and water and which is not included in category 18 or 19.</i>	1200 - Solar Farm	1.7450	\$2,092

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Revenue Statement

Where the rateability of any land alters during the year, adjustment to the differential general rate shall be made from the date such changes become effective.

Subdivisions have a primary land use code of 1072 and will be placed into the general rating category in which they would normally be situated. The value of subdivisions will be discounted by 40% for rating purposes in accordance with section 50(2) of the *Land Valuation Act 2010*.

5. Separate Rates and Charges

5.1 Community Wellbeing & Environment Charge

Pursuant to section 103 of the *Local Government Regulation 2012*, Council will make and levy a separate charge, the sum as outlined in the following table, for the purposes of funding initiatives that ensure public safety, enhance natural areas and promote community wellbeing.

Charge Name	Annual Charge Amount
Community Wellbeing & Environment Charge	\$100 per assessment

For the financial year 1 July 2021 to 30 June 2022, the separate charge will contribute to the following services and projects:

- State Emergency Services
- Rural Fire Brigades
- Surf Life Saving
- Disaster management
- Illegal dumping and vector control
- Public space CCTV
- Lifeflight
- Royal Flying Doctor Service
- Rubbish removal from waterways
- Water safety and boating
- Washpool Creek naturalisation
- Salter Oval lighting upgrade
- Moore Park Beach masterplan
- Apple Tree Creek community park upgrade
- Woodgate Hall upgrade
- New dog off-leash parks
- Additional shade structures throughout the region
- Nielson Park disability beach access

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6. State Emergency Management Levy

In accordance with the *Fire and Emergency Services Act 1990*, Council is required to collect a State Emergency Management Levy on all prescribed properties on behalf of the Queensland Fire and Emergency Services. The Levy is not a Council charge and the funds collected are remitted to the Queensland Fire and Emergency Services. However, Council is entitled to an administration fee for collecting this Levy, as prescribed by the *Fire and Emergency Services Regulation 2011*. Rate assessments with multiple properties are levied per parcel, in accordance with the State's legislation, excluding contiguous agricultural parcels in the same ownership.

7. Utility Charges

In setting Utility Charges, Council will take into consideration factors such as:

- Legislative requirements including National Competition Policy;
- Council policy objectives;
- Recovery of sufficient revenue to cover costs;
- Return on assets;
- Other sources of revenue where appropriate; and
- Future capital investment planning.

7.1 Water

7.1.1 Declared service area – water

For the financial year 1 July 2021 to 30 June 2022, the declared service areas (water) to which water charges apply, shall be as per the declared service area (water) maps which, in accordance with section 163 of the *Water Supply (Safety and Reliability) Act 2008*, are available for inspection at Council offices or on Council's website at www.bundaberg.qld.gov.au.

7.1.2 Service provider (water)

The service provider within the declared service area/s (water) shall be Bundaberg Regional Council.

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7.1.3 Water charges

Council levies water charges on properties in the defined water supply areas to recover the full costs of the water supply operation including a return to the community on the assets employed.

Pursuant to sections 92(4) and 94 of the *Local Government Act 2009* and Sections 99 to 102 the *Local Government Regulation 2012*, the following water charges will be made and levied for the financial year 1 July 2021 to 30 June 2022:

a) Water access charge

A common access charge, for same sized meters, applies in all areas receiving a potable and non-potable water supply.

Vacant lands situated in the water area and not serviced with a water connection are charged a Vacant or Non-Metered Access charge. The reason for this is that the major portion of Council's costs associated with providing a water service is in the provision and maintenance of capital infrastructure and these costs must be financed whether or not a property is actually connected to the water system.

Single residential properties are levied a charge based on the size of the water meters serving the property, since the meter size determines the potential volume of water used.

Where multiple lots are included on one assessment, Council will levy a water access charge for:

- house and vacant lot together – based on the size of the water meters servicing the property;
- multiple vacant lots on the one assessment without a water connection, a Vacant or Non-metered Access charge; and
- multiple vacant lots on the one assessment with a water connection, based on the size of the water meters servicing the property.

Non Strata Flats/Separate Dwellings/Dual Occupancy

Where water consumption is not separately metered for each unit, will be levied with a water access charge based on the size of the meters servicing the property.

Where water consumption is separately metered for each unit, will be levied with a water access charge for each of the sub metered units, based on the size of each meter.

Properties with multiple connections

Properties with multiple connections are levied a water access charge based on the size of the water meters servicing the property.

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Community Title Schemes with a shared water meter(s)

Lots in a community titles scheme, where water consumption is not separately metered for each lot, each lot will be levied a percentage of a 20mm access charge as per the following table:

<i>Number of Lots not separately metered</i>	<i>Percentage of 20mm Access Charge</i>	<i>Annual Charge per Lot</i>
1 to 5	95%	\$408
6 to 10	90%	\$386
11 to 20	85%	\$365
21 to 30	80%	\$343
31 to 40	75%	\$322
41 to 50	70%	\$300
51 to 60	65%	\$279
Above 60	60%	\$258

Lots in a community titles scheme, where water consumption is separately metered for each lot, will be levied a single water access charge based on the size of the meter connected to that lot.

Concessional situations

A concessional water access charge equal to a 20mm Access is levied for each registered dedicated fire service connection even though the actual size of the connection is usually larger.

Council will charge unlicensed/restricted licensed sporting clubs a water access charge for their largest connection on each assessment and no access charge will be levied for additional meters.

Section 95 of the *Housing Act 2003* provides that all government portfolio properties are deemed to be non-rateable in accordance with section 93 of the *Local Government Act 2009*. Services to portfolio properties that are capped are deemed to be disconnected and will not attract the relevant vacant service charges.

For the reduced water service areas of Burnett Downs and Sylvan Woods the following special arrangements will apply:

- Burnett Downs – Council identifies Burnett Downs Yard water supply properties as separate class of consumers, where consumers are provided with water and services at an amount below full cost as per the declared service area (water) map which, in accordance with section 163 of the *Water Supply (Safety and Reliability) Act 2008*, is available for inspection at Council offices or on Council's website at www.bundaberg.qld.gov.au.

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- Sylvan Woods – Council identifies Sylvan Woods non-potable constant flow water supply properties as a separate class of consumers, where consumers are provided with water and services which are restricted in volume and pressure of supply as per the declared service area (water) map which, in accordance with section 163 of the *Water Supply (Safety and Reliability) Act 2008*, is available for inspection at Council offices or on Council's website at www.bundaberg.qld.gov.au.

An Access Charge shall apply to all premises or metered connection for the period 1 July 2021 to 30 June 2022, according to the water meter size/s serving the premises in accordance with the following, unless otherwise specified:

<i>Water Access Charge</i> Description	<i>Potable Water Unrestricted</i>	<i>Non-potable Water / Restricted Flow</i>
Vacant and non-metered	\$429	\$343
20mm meter connection	\$429	\$343
25mm meter connection	\$670	\$536
32mm meter connection	\$1,097	\$878
40mm meter connection	\$1,714	\$1,371
50mm meter connection	\$2,678	\$2,143
80mm meter connection	\$6,856	\$5,485
100mm meter connection	\$10,712	\$8,570
150mm meter connection	\$24,102	\$19,282

b) Water consumption charge

Water consumption is levied half-yearly for the readings undertaken prior to the 31 December 2021, and prior to the 30 June 2022. Generally, the consumption within each 6 month reading period will be levied on a two tiered charging system as set out hereunder:

(i) Charge per Kilotitre:

<i>Tier</i>	<i>Description</i>	<i>Charge per kilolitre</i>
1 st	For the first 150 kilolitres of consumption per half year	\$1.19
2 nd	For each kilolitre of consumption over 150 kilolitres per half year	\$1.96

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- (ii) Charge per kilolitre for the Burnett Downs Yard water supply reticulation group or service area, and Sylvan Woods non-potable supply:

Tier	Description	Charge per kilolitre
1 st	For the first 150 kilolitres of consumption per half year	\$0.96
2 nd	For each kilolitre of consumption over 150 kilolitres per half year	\$1.57

For land, other than land in a community titles scheme, which has multiple water meters the consumption charge shall be determined as follows:

- where the land is being used for a single use, the consumption recorded by each of the meters shall be totalised and the applicable tariff for that use shall be applied; and
- where the land is being used for two or more discrete uses, and the water is separately metered for each use, the applicable tariff for each use shall be applied.

For land in a community titles scheme, Council will charge for water consumption as per the provisions of the *Body Corporate and Community Management Act 1997*.

For measurement of water use for charging purposes for the period 1 July 2021 to 30 June 2022, section 102 of the *Local Government Regulation 2012* shall apply to the reading of meters based on the nominal initial meter reading date of period ending 30 June 2021 and nominal final reading date of period ending 30 June 2022.

Council reserves the right to read and levy water consumption at intervals other than 6 monthly for specific connections as required.

7.1.4 Dedicated fire services

Water from registered dedicated fire services is for fire emergencies and testing purposes only and no charge will be levied for the first 10 kilolitres in each 6 month reading period.

However, to prevent misuse of these services, Council will impose a penalty charge per kilolitre for consumption greater than 10 kilolitres in each 6 month reading period of 10 times the 2nd Tier charge per kilolitre applicable to its area, unless evidence is provided proving that the water was used in a fire emergency, in which case charges will be at the normal level.

Water Service Area	Description	Charge per kilolitre
Potable Water Unrestricted	Per kilolitre of consumption greater than 10 kilolitres per half year	\$19.60
Non-potable Water/Restricted Flow	Per kilolitre of consumption greater than 10 kilolitres per half year	\$15.70

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7.1.5 Community service obligations

Pursuant to sections 120 to 122 of the *Local Government Regulation 2012*, Council will grant concessions for water charges in the circumstances set out below.

a) **Restricted sporting clubs**

Pursuant to section 120(1)(b)(i) of the *Local Government Regulation 2012*, Council grants the following rating concessions to not-for-profit sporting clubs, which either have no liquor license or a restricted Community Other Liquor License in terms of section 80 of the *Liquor Act 1992*:

- (i) A water access charge for its largest connection on each assessment and no access charge will be levied for additional meters. For water meters above 20mm, or restricted license sporting clubs reduce their current largest water meter size to a smaller size, their Water Access Charge will be reduced to the Water Access Charge applicable to the revised water meter size. Where it is impractical to do so, Council will charge the equivalent of 40% of the 40mm Water Access Charge;
- (ii) 4,000 kilolitres of water per annum per hectare of playing surface, free of consumption charges. The Water Consumption concession is over the playing area, therefore if a club only used the playing area for seasonal sport, they will receive a concession equal to 75% of the calculation per hectare. However, if there is more than one club sharing the playing area, they will receive no more than the 100% combined concession based on the playing area;
- (iii) Those restricted sporting clubs that do not have playing fields (e.g. indoor facility, tracks) shall receive a concession for water consumption charges of up to the equivalent of the cost of 350 kilolitres per annum;
- (iv) Council may require eligible organisations to develop and implement a Water Efficiency Management Plan to ensure the efficient and safe use of water;
- (v) Where an eligible organisation is requested to implement a Water Efficiency Management Plan and fails to do so to Council's satisfaction, Council may resolve to reduce or remove the water charge concessions granted to that organisation;
- (vi) Water consumption per assessment in excess of these entitlements be levied for the first 300 kilolitres at the 1st tier rate, and any consumption in excess of 300 kilolitres will be levied at the 2nd tier rate; and
- (vii) Unused entitlements are not carried forward into the following financial year.

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b) The Gin Gin Agricultural, Pastoral and Industrial Society

The Gin Gin Agricultural, Pastoral and Industrial Society will be entitled to 4,800 kilolitres of water per annum, free of consumption charges, with the expectation that the allowance be used only on the main arena.

Water consumption per assessment in excess of these entitlements be levied for the first 300 kilolitres at the 1st tier rate, and any consumption in excess of 300 kilolitres per annum will be levied at the 2nd tier rate. Unused entitlements are not carried forward into the following financial year.

Tier	Description	Charge per kilolitre
1 st	For the first 300 kilolitres of consumption per half year	\$1.19
2 nd	For each kilolitre of consumption over 300 kilolitres per half year	\$1.96

7.1.6 Water meters registering inaccurately

If Council is satisfied that a water meter ceases to register or is reported to be out of order or registering inaccurately (through no fault of the ratepayer), or Council is unable to read the meter, Council will apply a water consumption charge equal to the quantity of water used during the immediately prior corresponding accurate period of water use measurement and, if applicable, remit the difference between the actual charge and the charge based on the prior water consumption. If the immediately prior corresponding accurate period cannot be determined, Council will use the daily average for the same period.

Council grants this concession on the basis that, to require the ratepayer to pay full charges for consumption in circumstances where a water meter registers inaccurately (through no fault of the ratepayer), would result in hardship.

7.1.7 Extended area of application of charges

These charges apply to the declared service areas (water) maps and to:

- All new lots created under a development approval for which all approval conditions have been completed, and which as part of their conditions of approval included a requirement for connection to a reticulated water supply;
- Any other lot which is connected to a reticulated water supply; and
- Any other lot, where Council resolves that the lot becomes capable, by reason of extension of the water supply system, of being connected to a reticulated water supply; i.e. to all lots within any extension of any of the areas serviced by reticulated water supply where such areas are approved by Council. The charges apply in every case where service is provided or available, regardless of whether, or the time at which, formal amendment is made to the declared service area.

7.1.8 Service connections outside declared service areas (water)

Any approved water service connections, which are located outside the declared service area (water), will have access and use charges applied in the same manner and at equivalent charges to the use as would apply were they to be situated within the declared service area to which they are connected.

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7.2 Sewerage

7.2.1 Declared service area – sewerage

For the financial year 1 July 2021 to 30 June 2022, the declared service areas (sewerage) to which sewerage charges apply, shall be as per declared service area (sewerage) maps which, in accordance with Section 163 of the *Water Supply (Safety and Reliability) Act 2008*, are available for inspection at Council offices or on Council's website at www.bundaberg.qld.gov.au.

7.2.2 Service Provider (Sewerage)

The service provider within the declared service area/s (sewerage) shall be Bundaberg Regional Council.

7.2.3 Sewerage Charges

Sewerage charges are levied on all properties within the defined sewerage area to cover the cost of:

- Sewage collection and treatment; and
- The disposal of effluent and bio-solids.

The same sewerage charge is levied to connected properties and non-connected properties within the defined sewerage area. The reason for this is that the major portion of Council's costs associated with providing a sewerage service is in the provision and maintenance of capital infrastructure and these costs must be financed whether or not a property is actually connected to the sewerage system.

Where there is more than one structure on land capable of separate occupation, a charge will be made for each structure.

Pursuant to sections 99 and 100 of the *Local Government Regulation 2012*, Council will make and levy a Sewerage Charge for the financial year 1 July 2021 to 30 June 2022 as set out below:

Description	Sewerage Charge	Charge Applied
Residential Properties	\$802	per property
Vacant Land	\$802	per property

- Single residential properties are levied one sewerage charge. No additional charges apply for extra pedestals;
- Each residential flat, unit, granny flat, dual occupancy dwelling, separate dwelling or strata title unit is levied one sewerage charge. No additional charges apply for extra pedestals;
- Where multiple residential lots are included on the one rate assessment, Council will levy one sewerage charge for:
 - house and vacant lot together; and
 - multiple vacant lots on the one rate assessment.

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<i>Description</i>	<i>Sewerage Charge</i>	<i>Charge Applied</i>
Non-residential properties	\$802	per pedestal
Waste dump points at caravan parks	\$802	per pedestal

- Non-residential properties that are not body corporate/strata title entities will be charged one sewerage charge per pedestal;
- Non-residential body corporate/strata title properties are levied a minimum of one sewerage charge to each strata unit, regardless of whether they have an individual sewer connection. Where units have more than one pedestal, a sewerage charge will be levied for each pedestal serving the unit. Each unit owner is levied separately for sewerage charges;
- Where a non-residential property incorporates a residential dwelling used to manage a business run from that property, the residential dwelling will be levied one sewerage charge and no additional charges will apply for extra pedestals within the residence; and
- Waste dump points at caravan parks are levied one sewerage charge per dump point.

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7.2.4 Multi accommodation self-contained residential units for the aged under the control of charitable/church organisations

Pursuant to sections 120 to 122 of the *Local Government Regulation 2012*, multi accommodation self-contained residential units for the aged under the control of charitable/church organisations; and pedestals installed in Department of Communities, Housing and Digital Economy (formerly known as Department of Housing and Public Works) units for the aged, including those identified in the table below, be granted a rebate of 60% of the sewerage charges.

<i>Property Owner and Location</i>
The State of Queensland (Represented by Department of Housing and Public Works), 11 Mulgrave Street, Bundaberg West
The State of Queensland (Represented by Department of Housing and Public Works), 30 Sugden Street, Bundaberg South
East Haven, 1 Ann Street, Bundaberg East
East Haven, 47-49 Victoria Street, Bundaberg East
East Haven, 51 Victoria Street, Bundaberg East
The Corporation of The Synod of The Diocese of Brisbane, 4 Mezger Street, Kalkie
The Baptist Union of Queensland, 28 Jocusen Street, Kepnock
Churches of Christ Care, 71 & 83 Dr Mays Road, Svensson Heights
The State of Queensland (Represented by the Department of Housing and Public Works), 9 Griffith Street, Bundaberg South
The Uniting Church in Australia Property Trust (Q), (balance) 341 Bourbong Street, Millbank
The Uniting Church in Australia Property Trust (Q), (part) 1 River Terrace, Millbank
The State of Queensland (Represented by Department of Housing and Public Works), 181 Barolin Street, Avenell Heights
The State of Queensland (Represented by Department of Housing and Public Works), 147 Barolin Street, Avenell Heights
Forest View Childers Inc., 3 Morgan Street, Childers
Forest View Childers Inc., 4 Morgan Street, Childers

Council grants this concession on the basis that multi accommodation residential units for the aged, under the control of charitable/church organisations, are entities whose objects do not include the making of a profit.

Council delegates to the Chief Executive Officer the power, pursuant to chapter 7, part 5 of the *Local Government Act 2009*, to determine applications made for this concession.

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7.2.5 Restricted sporting clubs and Gin Gin Agricultural Pastoral and Industrial Society

Pursuant to section 120(1)(b)(i) of the *Local Government Regulation 2012*, Council grants a 50% concession on sewerage charges to not-for-profit sporting clubs and to the Gin Gin Agricultural Pastoral and Industrial Society, which either have no liquor license or hold a restricted Community Other Liquor License in terms of section 80 of the *Liquor Act 1992*.

7.2.6 Extended area of application of charges

These charges apply to the declared service areas (sewerage) maps and to:

- All new lots created under a development approval for which all approval conditions have been completed and which, as part of their conditions of approval, included a requirement for connection to the reticulated sewerage system;
- Any other lot which is connected to the reticulated sewerage system; and
- Any other lot, where Council resolves that the lot becomes able, by reason of extension of the sewerage system, to be connected to the reticulated sewerage system.

That is, to all lots within any extension of any of the areas serviced by reticulated sewerage system where such areas are approved by Council. The charges apply in every case where service is provided or available, regardless of whether, or the time at which, formal amendment is made to the declared service area.

7.3 Trade Waste Charge

Pursuant to section 99 of the *Local Government Regulation 2012*, trade waste charge(s) be made and levied by the Council upon all non-residential ratepayers discharging trade waste to Council's sewer.

The following be adopted as the basis for making and levying the trade waste charge:

- (i) The volume of trade waste effluent discharged into Council's sewerage system;
- (ii) The content/strength of the trade waste; and
- (iii) The type or capacity of the pre-treatment device required by the ratepayer to treat trade waste before it is discharged into Council's sewerage system.

The content/strength level of the trade waste will be based on the level of Biochemical Oxygen Demand (BOD₅), Chemical Oxygen Demand (COD), Fats Oils and Grease (FOG) and Suspended Solids which are defined in Appendix 2 – sewer admission limits - of Council's Trade Waste Management Plan. The level of BOD₅, COD, FOG and Suspended Solids determines, in accordance with section 5 of Council's Trade Waste Environmental Management Plan, if the trade waste discharge is a category 1, 2, 3, 4 or 5 in terms of concentration and volume.

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Discharge category criteria is determined by level and strength of content of trade waste, as shown below along with the associated charge:

Category	Description	Base Charge	Tier Charge (in addition to the Base Charge) *
1	Minor discharge with no pre-treatment or monitoring required.	\$257	N/A
2	Compliant pre-treatment, or pre-treatment not required. Low risk with annual discharge generally less than 100kL.	\$435	N/A
3	Low Strength/Risk discharge with pre-treatment, or pre-treatment not required. Annual discharge generally less than 500kL.	\$728	N/A
4	Medium Strength/Risk discharge with pre-treatment required. Annual discharge generally less than 500kL.	\$1,267	Tier A \$539
			Tier B \$1,076
			Tier C \$1,615
5	High Strength/Risk discharge with pre-treatment required, and/or annual discharge generally greater than 500kL.	\$3,253	Tier A \$1,077
			Tier B \$2,155
			Tier C \$3,231

* At the Chief Executive Officer's discretion for categories 4 and 5, a Tier Charge loading may be applied in addition to the base charge to reflect the actual or perceived load on the sewerage network, based on volume, risk, or strength.

Trade Waste Equivalent Arrestor Charges 2021/22* # are shown below:

Category	Description	Annual Charge
EAC 1	500 - 999L	\$1,185
EAC 2	1000 - 1999L	\$1,939
EAC 3	2000 - 3999L	\$3,231

* Where Council require that a pre-treatment device be installed but cannot be installed due to site specific or other constraints, charges will apply to cover additional treatment costs.

Equivalent Arrestor Charges are applied in addition to other applicable trade waste charges.

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7.4 Waste

7.4.1 Declared service area (waste)

The declared service areas (waste) to which Waste Collection Charges apply, shall be as per the declared service area (waste) maps which are available for inspection at Council offices or on Council's website at www.bundaberg.qld.gov.au.

7.4.2 Service provider (waste)

The service provider within the declared service area/s (waste) shall be Bundaberg Regional Council.

Council makes and levies utility charges for the provision of waste management services, which are calculated to recover the full cost of providing the service. Waste management utility charges incorporate the cost of providing and maintaining refuse tips and transfer stations and the cost of implementing waste management and environment protection strategies. The type or level of service to be supplied to each property in the waste area will be determined by Council as is appropriate to the premises, and in accordance, where relevant, with the *Environmental Protection Act 1994*, *Environmental Protection Regulation 2019*, *Waste Reduction and Recycling Regulation 2011*, Bundaberg Regional Council's Planning Scheme and Planning Scheme Policies and Bundaberg Regional Council *Local Law No 8 (Waste Management) 2018*.

Council will levy a waste and recycling collection charge to the owner of residential property and/or structure within the waste collection areas, regardless of whether ratepayers choose to use the domestic general waste collection and/or recycling services provided by Council. Council will refer to the Building Classification Code for determination, if required. The service is available to non-residential properties on application. Requests for services to a body corporate common area will need to comprise a written agreement between the service provider (Council) and the body corporate as per the *Body Corporate and Community Management Act 1997*.

Where there is more than one structure on land capable of separate occupation a charge will be made for each structure. A waste collection charge will apply to each house, strata titled unit, granny flat, flat, secondary dwelling, dual occupancy or other dwelling designed for separate residential occupation, whether it is occupied or not.

Waste collections for Non-Residential Properties attract the State Government Waste Levy applicable under the *Waste Reduction and Recycling Act 2011*. Council will recover this levy on behalf of the State through its waste charges for Non-Residential Properties.

Retirement Villages may be residential or non-residential enterprises and as such waste services requirements will be reviewed on an individual basis by Council's Waste & Recycling Section.

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A summary of the waste and recycling services/levies is as follows:

Service level – Removal, transport and disposal of waste	2021/2022 Levy
Residential Properties	
240 litre refuse weekly/240 litre recycling fortnightly (minimum service)	\$364
Additional Services	
240 litre refuse weekly/240 litre recycling fortnightly	\$364
240 litre refuse weekly – only available if in receipt of a minimum service	\$263
240 litre recycling fortnightly – only available if in receipt of a minimum service	\$54
Non-Residential Properties	
240 litre refuse/240 litre recycling (minimum service)	\$430
240 litre refuse weekly service	\$329
240 litre recycling fortnightly service	\$101

Note: The bin sizes mentioned above may be substituted by Council however the service and levy will remain the same as a 240 litre refuse/240 litre recycling bin service.

Where insufficient space is available for the storage of multiple bins at strata titled properties, these properties may apply to Council for approval to make private arrangements to receive an alternative service, in which case a Council waste collection charge will not apply.

The charges for the service are annual charges and are not reduced for periods of time when the premises are unoccupied. These charges apply if Council approves an extension to the Waste Declared Area regardless of if, or the time at which, formal amendment is made to the declared service area.

8. Concessions and Rebates

Chapter 4, part 10 of the *Local Government Regulation 2012* empowers Council to grant a concession in certain circumstances.

In addition to the specific concessions mentioned at paragraphs 7.1.3(a) (“Concessional situations”) 7.1.5, 7.2.4 and 7.2.5 above, Council grants the following concessions.

8.1 Pensioners

Council’s Pensioner Rate Concession Policy provides an annual rate rebate to approved pensioners. A copy of this policy, together with the necessary application forms, are available from Council offices or www.bundaberg.qld.gov.au. The definition of pensioner is an ‘approved pensioner’ as provided under the State Government Pensioner Rebate Subsidy Scheme, that is a pensioner who is either a registered owner or life tenant of their principal place of residence and who holds a Queensland Pensioner Concession Card or a

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DVA Health Card (All Conditions within Australia) or a DVA Health Card (Totally & Permanently Incapacitated) issued by either Centrelink or the Department of Veteran Affairs.

The pensioner concession will only apply to freehold land owned and occupied by the pensioner.

For the 2021/2022 financial year, Council grants a rebate on rates and charges for approved pensioners as outlined in the following table.

<i>Council's Pensioner Rate Concession</i>	<i>Per half year</i>	<i>Per annum</i>
Approved pensioners	\$82.50	\$165

This rebate is provided in addition to any Pension Subsidy Scheme operated by the Queensland Government.

Where the property is in joint ownership, a pro rata rebate shall be granted in proportion to the share of ownership, except where the co-owners are an approved pensioner and his/her spouse, (including de facto relationships as recognised by Commonwealth Legislation), in which case a full rebate will apply. However, in the case where the pensioner(s) has/have rights to exclusive occupancy (life tenancy by way of a valid will which must be provided to Council by way of proof) a full rebate will be granted.

The State Government Pensioner Rate Subsidy is not a Council rebate. This subsidy is provided by the State Government and does not affect the rates and charges determination. The subsidy is a 20% rebate of Council rates and charges up to a maximum of \$200 per annum, calculated at \$100 per half year, plus 20% rebate of the State Emergency Management Levy.

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Policy No. CP-3-004

Adopted Date: 29/06/21 Version: 4

Responsible Department: Organisational Services

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Revenue Statement

8.2 Community Service Obligations

Council will grant a rebate of up to a maximum \$1,700 per annum for the financial year 2021/2022, towards the payment of rates and charges, except for water consumption charges, for the following:

- Bucca Hall
- Bullyard Hall
- Drinan Hall
- Gin Gin & District Historical Society Hall
- Pine Creek Hall
- Sharon Social Club Inc
- Tegege Hall
- Avenell Heights Progress Association Hall
- Burnett Heads Progress Hall
- Kepnock Progress Association Hall
- North Bundaberg Progress Association Hall
- Pacifique Surfriders Club
- CWA Hall Bundaberg
- CWA Hall Yandaran
- CWA Hall Childers
- CWA Oakwood
- CWA Wallaville
- Bundaberg Kindergarten, Electra Street
- Burnett Heads Kindergarten
- Isis Community Preschool & Kindergarten
- Forestview Community Kindergarten
- Gin Gin Kindergarten
- South Kolan Kindergarten
- Wallaville Kindergarten
- Trustees Booyal Memorial Hall
- Bundaberg & District Air Sea Rescue
- Sandy Hook Ski Club
- Tegege Combined Sport & Recreation Club
- Bundaberg Railway Historical Society
- Bundaberg Central Men's Shed Association Incorporated
- Childers District Men's Shed Association
- Woodgate Men's Shed Incorporated
- Bundaberg Players Incorporated
- Peirson Memorial Trust
- Legacy Inc. (Lot 2 RP 94171)

Council will grant a full concession for all rates and charges, except water consumption charges, for the following properties:

- Bundaberg Surf Life Saving Club
- Elliott Heads Surf Life Saving Club
- Moore Park Surf Life Saving Club

Council will grant a full concession, for all rates and charges, to all Rural Fire Brigade properties.

These community service obligations are applicable to the 2021/2022 financial year.

8.3 Hardship

Council's adopted Hardship Policy (available at www.bundaberg.qld.gov.au) has been prepared to assist residential ratepayers who own their property as their principal place of residence, and who experience difficulty in paying their rates due to personal or financial circumstances, pursuant to section 120(1)(c) of the *Local Government Regulation 2012*. A concession by way of time to make payment, free of interest charges, and free from active debt recovery action may be granted where Council is satisfied that payment of the rates and charges will cause them hardship.

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Policy No. CP-3-004

Adopted Date: 29/06/21 Version: 4

Responsible Department: Organisational Services

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Revenue Statement

9. Cost-Recovery Fees

Council fixes cost-recovery fees for services and facilities supplied by Council in accordance with section 97 of the *Local Government Act 2009*.

The criteria, used to determine the amount of cost-recovery fees, are the costs of the service or facility being provided, which comprise labour, material, equipment, and overhead costs. In determining the level of all cost-recovery fees, Council places an emphasis on user-pays principles, whilst acknowledging that cost-recovery fees must not be fixed at an amount that is more than the cost to Council of taking the action for which the fee is charged.

10. Limitation of Increase in Rates and Charges Levied

In the 2021/2022 financial year, Council will not, pursuant to section 116 of the *Local Government Regulation 2012*, be limiting any increases to proposed rates or charges.

11. Recovery of Overdue Rates

Council's adopted Rates Recovery Policy (available at www.bundaberg.qld.gov.au) has been prepared in respect of the recovery of overdue rates, to reinforce Council's practice and intentions in this regard. Council will actively pursue all available options under the *Local Government Act 2009*, to ensure that overdue rates are not a burden on the region's ratepayers. The sale of land for arrears of rates process may commence at any time during the financial year.

12. Interest on Overdue Rates

Council reviews the interest rate as part of the Budget deliberations and determines the rate to apply in accord with the provisions of section 133 of the *Local Government Regulation 2012*. For the financial year 1 July 2021 to 30 June 2022 Council will charge compound interest at 8.03% per annum on overdue rates and charges from 1 July 2021, calculated on daily rests as from the seventh day following the due date stated on the rate notice.

13. Levying and payment of Rates and Charges

Council currently levies rates twice in each financial year. The first rates levy is issued as soon as possible after the annual budget has been approved by Council. The second rates levy is issued as soon as possible in the second half of the financial year after 1 January. Rates are due and payable by the due date stated on the rate notice, within 35 days from the issue date stated on the rate notice.

14. Payment in Advance

Ratepayers can prepay their rates at any time. Interest is not paid by Council to ratepayers on any credit balances.

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Policy No. CP-3-004

Adopted Date: 29/06/21 Version: 4

Responsible Department: Organisational Services

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Revenue Statement

15. Business Activity Fees

Council has the power to conduct business activities and make business activity fees for services and facilities it provides on this basis. Business activity fees are made where Council provides a service and the other party to the transaction can choose whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are usually subject to the Commonwealth's Goods and Services Tax.

Business activity fees include but are not confined to rents, plant hire, private works and hire of facilities as contained in Council's statement of fees and charges.

ASSOCIATED DOCUMENTS

- *Body Corporate and Community Management Act 1997*
- *Environmental Protection Act 1994*
- *Environmental Protection Regulation 2019*
- *Fire and Emergency Services Act 1990*
- *Fire and Emergency Services Regulation 2011*
- *Housing Act 2003*
- *Land Valuation Act 2010*
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Waste Reduction and Recycling Act 2011*
- *Waste Reduction and Recycling Regulation 2011*
- *Water Supply (Safety and Reliability) Act 2008*
- Revenue Policy
- Rate Recovery Policy
- Trade Waste Management Plan
- Declared Service Area Map (Water)
- Reduced Service Area Map (Water)
- Declared Service Area Map (Sewerage)
- Declared Service Area Map (Waste)

DOCUMENTS CONTROLS

Pursuant to sections 169(2)(b) and 172 of the *Local Government Regulation 2012*, as part of its annual budget preparation to be adopted for the next financial year.

POLICY OWNER

The Chief Financial Officer, Financial Services is the responsible person for this policy.

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Policy No. CP-3-004

Adopted Date: 29/06/21 Version: 4

Responsible Department: Organisational Services

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**Item****31 August 2021****Item Number:**

G1

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Sale of Lot 196 on RP24483 - 15 Hull Street, Buxton

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus

Background:

Council is the freehold owner of Lot 196 on RP24483 at 15 Hull Street, Buxton ('Lot'). Council has previously resolved to sell the Lot as it is surplus to Council's needs.

The Lot was previously offered for sale by auction at which the auction was not successful and the Lot was passed in. Council has received an offer to purchase the Lot. The offer to purchase the Lot presented to Council is for market value.

Associated Person/Organization:

N/A

Consultation:

N/A

Chief Legal Officer's Comments:

Pursuant to section 236(1)(a)(i) of the *Local Government Regulation 2012* (Qld), Council may apply an exception to the tender/auction requirement on the disposal of a non-current asset if the property has previously been offered by tender/auction.

The disposal must not be for less than market value.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council apply the exception contained in section 236(1)(a)(i) of the *Local Government Regulation 2012 (Qld)* to the disposal of Lot 196 on RP24483; and**
- 2. the Chief Executive Officer be authorised to enter into a Contract of Sale with the Buyer and attend to all items required to finalise the sale of the Lot.**

**Item****31 August 2021****Item Number:**

G2

File Number:

.

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Council Policy Review

Report Author:

Christine Large, Chief Legal Officer

Authorised by:

Amanda Pafumi, General Manager Organisational Services

Link to Corporate Plan:

3 Our organisational services - 3.2 Responsible governance with a customer-driven focus

Background:

Council has previously adopted a suite of Council Policies. These policies are adopted by Council to:

- ensure compliance with legislative requirements; or
- provide guidelines on matters which may impact the community; or
- support Council's strategic objectives; or
- assist in the delegated decision making of Council staff.

A review of the policies below has been undertaken and in addition to minor formatting and grammatical updates, the significant changes are listed for Council's consideration:

Hardship Policy

- Update to wording in Intent.
- Section 2 – amending information about how to access budget planning assistance.
- Section 5 – Deputy Chief Financial Officer included as a delegated approver.
- Section 6 – has been deleted as this is considered instructional information and will be included in the Application for Hardship Form.
- Section 6 (new) – review rights included for complaints.

Procurement Policy

- Adding information and terms in accordance with the *Local Government Act 2009* (the Act).
- Section 7 – Inclusion of how to make a complaint.
- Associated Documents – updated reference to Complaints Management Policy.
- Documents Controls – updated to be reviewed annually in accordance with the Act.

Buy Local Policy

A new section 7 has been included providing an exclusion for professional services procurement activities from the scope of this policy, subject to review and approval by the Procurement Board.

Concerns have been raised about the advantage to local firms who do not have the requisite skill level or experience required over firms from neighbouring communities and/or State(s) that have greater experience in completing the desired projects.

Concerns highlighted include the lack of technical professionalism by local suppliers, as well as proficiently skilled professional staff not being allocated which are required to complete the project without significant Council oversight. Further, concerns have also been raised about the policy diminishing the “value for money” criterion through discouraging non-local providers to apply for Council professional services where it may not be met locally.

Associated Person/Organization:

Not applicable

Consultation:

All Councillors, Executive Leadership Team

Chief Legal Officer's Comments:

The policies are in accordance with legislation and best practice guidelines.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

- ↓1 Hardship Policy - version 4
- ↓2 Procurement Policy - version 3
- ↓3 Buy Local Policy - version 4

Recommendation:

That Council:

1. Rescind the following policies:

- **Hardship Policy, version 3;**
- **Procurement Policy, version 2.1; and**
- **Buy Local Policy, version 3.**

2. Adopt the following policies:

- **Hardship Policy, version 4;**
- **Procurement Policy, version 3; and**
- **Buy Local Policy, version 4.**

Hardship Policy

HEAD OF POWER

- *Local Government Regulation 2012*, part 10, section 120 (1)(c)

INTENT

The purpose of this policy is to facilitate a consistent approach to assist ratepayers who may have trouble paying their rates due to hardship, and to encourage people experiencing hardship to access earlier support services. Hardship is not a long-term solution, the support under this policy is to provide the property owner with time to seek advice and address the reasons for their financial hardship.

SCOPE

This policy applies to all ratepayers of residential properties in the Bundaberg Regional Council area, where the property is their principal place of residence.

DEFINITIONS

Chronic illness means an illness that is permanent or lasts longer than three months.

Death of a partner means the death of a member of a couple (married, registered relationship or de-facto relationship).

Financial hardship means an inability to meet minimum living expenses including food, clothing, medicine, mortgage payments, and children's education due to circumstances beyond property owner's control. This hardship may occur as a result of chronic illness, personal financial crisis or costs and/or loss of income associated with the death of a partner.

Hardship means financial hardship or other hardship as defined.

Property owner means the owner of the land as defined under the *Local Government Act 2009*.

Residential property means property that has as its primary use, use for residential purposes as per Council's land use classification.

POLICY STATEMENT

1. Background

Council will provide support to property owners who are experiencing hardship and are unable to meet a realistic payment commitment for the rates and charges levied against a property.

Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.

Policy No. CP-3-043

Adopted Date: 31/08/21 Version: 4

Responsible Department: Organisational Services

Page 1 of 3

Hardship Policy

Where a property owner can show that maintaining a realistic payment commitment would entail hardship, Council seeks to provide a framework for relief deemed appropriate to the circumstances experienced.

Hardship relief provided under this policy does not forgo Council's normal debt recovery action, including Council's ability to sell land for arrears of rates.

Under section 120(1)(c) of the *Local Government Regulation 2012*, Council may grant a concession if it is satisfied that the payment of rates or charges will cause hardship to the landowner. Council has determined it will grant such a concession for rates and charges relief as set out in this policy.

2. Criteria for providing relief

Council will only consider an application for rates and charges relief under this policy on a residential property where:

- it is the property owner's principal place of residence.
- no commercial benefit is derived from the property.
- net assets in cash investments, shares, other property, etc. of less than \$10,000.
- the property owner is unable to maintain payment commitments in accordance with Council's Rates Recovery Policy.
- the property owner is experiencing hardship such as:
 - less than two weeks of available funds equivalent to the maximum rate of income support payment provided by Services Australia for Crisis Payments (evidence must be provided by the Services Australia); or
 - suffering from a chronic or terminal illness which prevents them from seeking employment and reduces their income (evidence must be provided from medical practitioner or hospital facility); or
 - unexpected expenses incurred and reduction or loss of family income as a result of the death of a partner.
- An application is made to Council for the relief of rates and charges by the property owner.
- The application must demonstrate severe and/or unusual hardship.
- The applicant will need to seek independent financial advice and submit a budget from a registered financial counsellor demonstrating they are in hardship (except in the case of chronic or terminal illness). The National Debt Helpline provide a free service.

3. Types of relief which may be applied

The Chief Executive Officer, or delegate stated in paragraph 5, may approve a hardship relief period to a property owner:

- for time to make payment;
- free of interest charges; and
- free from active debt recovery action.

The hardship relief period will be determined on a case-by-case basis, dependent on the circumstances of the hardship, and generally within the next due date period.

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Hardship Policy

Council will continue with normal debt recovery action, including the application of interest, and legal charges where applicable, at the end of the hardship relief period for debts outstanding.

Relief is also provided where a ratepayer experiences an undetectable and unexpected water leak as per Council's Water Leak Relief Policy.

4. Lodging a Request for Relief

The property owner must complete and submit an application form which will include details and reason for financial hardship, the actions which the property owner has taken to alleviate the situation and evidence where assistance has been sought.

5. Assessment and Approval of Application

Any application made for a rates and charges relief due to hardship may be approved by the Chief Executive Officer, General Manager Organisational Services, Chief Financial Officer, Deputy Chief Financial Officer or Revenue Manager.

6. Dispute or Failure to Comply

If a property owner is unsatisfied with the outcome of their application under this policy, they may seek a review of the decision in writing, addressed to the Chief Executive Officer – by post or email to complaints@bundaberg.qld.gov.au. Further information is available on <https://www.bundaberg.qld.gov.au/responsibilities/complaints-disclosures>.

ASSOCIATED DOCUMENTS

- *Local Government Act 2009*
- *Information Privacy Act 2009*
- Revenue Policy
- Revenue Statement

DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

POLICY OWNER

The Chief Financial Officer, Organisational Services is the responsible person for this policy.

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Policy No. CP-3-043

Adopted Date: 31/08/21 Version: 4

Responsible Department: Organisational Services

Page 3 of 3



Procurement Policy

HEAD OF POWER

- *Local Government Act 2009*, section 104
- *Local Government Regulation 2012*, section 198

INTENT

The purpose of this policy is to outline the principles Council will apply in the financial year for purchasing goods and services and the disposal of assets.

SCOPE

This policy applies to all employees, Councillors and Councillor Advisor (Mayor's Chief of Staff) who undertake a procurement activity on behalf of Council.

POLICY STATEMENT

1. Default Contracting Position

Council has determined to adopt the sound contracting principles from the *Local Government Act 2009*¹ and the default contracting procedures outlined in the *Local Government Regulation 2012*, Chapter 6.

2. Procurement and Contract Manual

Council has a Procurement and Contract Manual which sets out Council's corporate approach to the procurement process, ensuring the adherence to the procurement principles as set out in the legislation.

Council employees are to be fully informed of the requirements under the relevant legislation and to ensure they adopt a standard approach to procurement and contracting activities. All Council employees must comply with the requirements of the Procurement and Contract Manual.

3. Sound Contracting Principles

Consideration is given to the sound contracting principles when entering into an arrangement for goods and services (including construction services) and the disposal of non-current assets.

The sound contracting principles are:

- a. Value for money;
- b. Open and effective competition;
- c. The development of competitive local business and industry;
- d. Environmental protection; and
- e. Ethical behaviour and fair dealing.

¹ Section 104(3)

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Policy No. CP-3-036

Approved Date: 31/08/21 Version: 3

Responsible Department: Organisational Services

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Procurement Policy

Regard is had to each principle, although each principle may not receive equal consideration. Council will also have regard to other adopted principles.

3.1 Other Adopted Principles

Council is committed to generating positive economic and social outcomes for the community and recognises the inherent benefits of contracting with local suppliers. Council has adopted a Buy Local Policy which provides a local content framework for evaluation of businesses in the Bundaberg Regional Council Local Government Area, when quoting and/or tendering to supply Council.

4. Centre Led Procurement Model

Council operates a centre led procurement model which is led by Council's Strategic Procurement and Supply Branch, structured on a procurement portfolio approach. Procurement activities are driven by the business with Strategic Procurement and Supply employees undertaking contracting activities on a range of goods and services that enable day to day business activity.

4.1 Procurement of construction and major projects

Council undertakes procurement of construction and major projects contracts through Infrastructure Services.

5. Value for Money Methodology and Selection

Council utilises a value for money methodology when assessing quotations, tenders and proposals. Selection is based on the most advantageous outcome for Council. Council is not obliged to accept the lowest tender, proposal or quotation and may decide not to accept any offers it receives.

6. Governance

Council operates an organisational governance framework through its Procurement Board. All notifications for failure to meet requirements under the Procurement and Contract Manual and all market approaches via public tender above \$200,000 must be submitted to the Procurement Board for approval.

7. Complaints Process

A process is in place for handling complaints including Council's procurement and disposal activities. Complaints can be addressed to the Chief Executive Officer by post or email to complaints@bundaberg.qld.gov.au.

Further information is available at bundaberg.qld.gov.au/complaints-disclosures.

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Policy No. CP-3-036

Approved Date: 31/08/21 Version: 3

Responsible Department: Organisational Services

Page 2 of 3



Procurement Policy

ASSOCIATED DOCUMENTS

- Procurement and Contract Manual
- Complaints Management Policy
- Employee Code of Conduct

DOCUMENTS CONTROLS

Council will review this policy annually or in response to changes in law or best practice.

POLICY OWNER

The Manager Strategic Procurement and Supply is the responsible person for this policy.

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Policy No. CP-3-036

Approved Date: 31/08/21 Version: 3

Responsible Department: Organisational Services

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Buy Local Policy

HEAD OF POWER

- *Local Government Act 2009*, section 104
- *Local Government Regulation 2012*, Chapter 6 – Contracting

INTENT

The purpose of this policy is to provide a local content framework that provides an enhanced opportunity for businesses in the Bundaberg Regional Council local government area when quoting and/or tendering to supply Council.

SCOPE

This policy applies to all employees.

DEFINITIONS

FTE means full-time equivalent and is a unit that indicates the hours worked of an employee.

Procurement Board means a leadership group chaired by Council's Manager Strategic Procurement and Supply to oversee Council's procurement and contracting activities.

POLICY STATEMENT

1. Council is committed to generating positive economic and social outcomes for the community as well as ensuring best value in its procurement activities. This policy has the key objective of enhancing the participation of competitive local businesses in bidding for Council's business.
2. The policy embeds local content principles within Council procurement procedures and practices which:
 - i. Benefit the promotion of value for money with probity and accountability;
 - ii. Advances Council's economic, social and environmental policies; and
 - iii. Increases transparency in procurement local content evaluation.
3. The policy does not mandate that Council must use local suppliers; rather it is about providing a mechanism for Council to be able to transparently consider a range of potential suppliers, when making procurement decisions.
4. The Buy Local Policy is focused on achieving a value for money outcome.
5. The policy requires a 30% local content preferential weighting to be applied to the evaluation criteria for goods, services and ICT procurement activities.

This weighting is to be based on a business location categorisation.

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Policy No. CP-3-046

Adopted Date: 31/08/21 Version: 4

Responsible Department: Organisational Services

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Buy Local Policy

Score	Category	Description
30%	A	1. Is a developing or established business in the Bundaberg Regional Council local government area directly employing local FTEs; or 2. An incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or 3. An indigenous business in the Council area directly employing local FTEs.
24%	B	Has a branch office in the Bundaberg Regional Council local government area directly employing a minimum of 10 FTEs (not contractors).
18%	C	Has a branch office in the Bundaberg Regional Council local government area, established for a minimum of 6 months, directly employing less than 10 FTEs (not contractors).
12%	D	Has a business in the adjacent local government areas (Gladstone, North Burnett, Fraser Coast).
6%	E	Is a Queensland business.
3%	F	Is an interstate business.
0%	G	Is an overseas business.

A Category "A" business, is a business that:

- Has its head office in and conducts business within the local government area (includes sole traders) prior to a contract being awarded for which their offer has been submitted; or
- May also conduct business outside of the local government area; or
- Is an incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or
- Is an indigenous business in the Council area directly employing local FTEs.

Any branch office (Category B or C business) must:

- Be a branch office of the business submitting the offer, not of a subsidiary or parent company; and
- Constitute a physical address, not a post office box or other mailing address.

Remaining proximities (adjacent local government, Queensland, interstate and overseas locations) are determined by the location of the business's head office.

6. For construction procurement activities, the nature and scope is often complex and regularly involves the appointment of a principal contractor and sub-contractors. To enable consideration of the wider community and social benefits beyond the first contract level, a bespoke buy local content scoring criterion (minimum 30% weighting of evaluation score), must be outlined in the premarket submission and approved by the Procurement Board.

Council officers may exercise reasonable discretion to take into account sound contracting principles when evaluating tender results.

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Policy No. CP-3-046

Adopted Date: 31/08/21 Version: 4

Responsible Department: Organisational Services

Page 2 of 3



Buy Local Policy

7. Professional Services procurement activities will be considered for exclusion from the scope of this Policy (subject to the review and approval of a premarket submission by the Procurement Board) where the scope of the procurement is predominantly the application of specialised knowledge and other intangibles.
8. For contracts under \$200,000 (exclusive of GST), Council reserves the right to invite only local businesses in the local government area to quote or tender.
9. For contracts greater than \$200,000 (exclusive of GST), Council officers must seek a Council resolution to invite only local businesses in the local government area to quote or tender.

ASSOCIATED DOCUMENTS

- Procurement and Contract Manual
- Procurement Policy
- Employee Code of Conduct

DOCUMENTS CONTROLS

Council will review this policy biennially or in response to changes in law or best practice.

POLICY OWNER

The Manager Strategic Procurement and Supply is the responsible person for this policy.

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Policy No. CP-3-046

Adopted Date: 31/08/21 Version: 4

Responsible Department: Organisational Services

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Item

31 August 2021

Item Number:	File Number:	Part:
H1		INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Arrangement - Kubota Parts and Repairs

Report Author:

Andrew Railz, Branch Manager Fleet & Trade Services

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our infrastructure and development - 2.2 Sustainable and affordable essential services - 2.2.4 Provide effective and efficient fleet and trade services for operations and projects across Council.

Background:

Council has within its fleet 25 plant items of Kubota brand. These 25 plant items are serviced in-house by Council’s Fleet Services department, with specialised repairs being undertaken by the manufacturer’s authorised agent. Fleet Services’ policy is to only use genuine parts and factory authorised repairs to ensure quality and to maintain warranty integrity.

A previous Specialised Supplier arrangement with Formatt Machinery for Kubota Parts and Repairs under TEN/0453 was approved by the Procurement Board and endorsed by Council in 2018. This is due to expire on 24 September 2021. This submission and resulting contract will replace that arrangement from its effective date.

Council’s spend with Formatt Machinery since 2018 is as below. It cannot be determined exactly how much of this spend is specifically on Kubota Parts and Repairs.

Financial Year	Spend (ex GST)
2018/2019	\$220,917.58
2019/2020	\$22,913.16
2020/2021 to date	\$71,978.08

Formatt Machinery is the authorised parts, service and repair agent in the Bundaberg area for Kubota Parts and Repairs.

It is standard industry practice for truck and tractor manufacturers to only appoint one authorised agent per sales territory, making the invitation of quotes impractical. Value

for money is being achieved by reducing freight and travel costs and decreasing delivery times on what is already a time sensitive supply chain.

It is proposed an arrangement with Formatt Machinery be entered into pursuant to section 235(b) of the *Local Government Regulation 2012* as it is considered that it would be impractical for Council to invite tenders.

Associated Person/Organization:

Formatt Machinery Pty Ltd

Consultation:

Portfolio Spokesperson: Cr Bill Trevor

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- **Council enter into an arrangement with Formatt Machinery Pty Ltd for the supply of Kubota Parts and Repairs, without first inviting written tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years from September 2021 to September 2024.**



Item

31 August 2021

Item Number:

File Number:

Part:

H2

INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Arrangement - Massey Ferguson Parts and Repairs

Report Author:

Andrew Railz, Branch Manager Fleet & Trade Services

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our infrastructure and development - 2.2 Sustainable and affordable essential services - 2.2.4 Provide effective and efficient fleet and trade services for operations and projects across Council.

Background:

Council has within its fleet 7 plant items of Massey Ferguson brand. These 7 plant items are serviced in-house by Council’s Fleet Services department, with specialised repairs being undertaken by the manufacturer’s authorised agent. Fleet Services’ policy is to only use genuine parts and factory authorised repairs to ensure quality and to maintain warranty integrity.

A previous Specialised Supplier arrangement with Seng’s Sales and Services under TEN/0458 was approved by the Procurement Board and endorsed by Council in 2018. This is due to expire on 24 September 2021. This submission and resulting contract will replace that arrangement from its effective date.

Councils spend with Seng’s since 2018 is as below. It cannot be determined exactly how much of this spend is specifically on Massey Ferguson Parts and Repairs.

Year	Spend (ex GST)
2018	\$276,472.30
2019	\$18,400.48
2020	\$30,800.94
2021 to date	\$32,110.18

Seng’s Sales and Service is the authorised parts, service and repair agent in the Bundaberg area for Massey Ferguson Parts and Repairs.

It is standard industry practice for truck and tractor manufacturers to only appoint one authorised agent per sales territory, making the invitation of quotes impractical. Value for money is being achieved by reducing freight and travel costs and decreasing delivery times on what is already a time sensitive supply chain.

It is proposed an arrangement with Seng's Sales and Service is entered, pursuant to section 235(b) of the *Local Government Regulation 2012*, as it is considered that it would be impractical for Council to invite tenders.

Associated Person/Organization:

Seng's Sales and Service

Consultation:

Portfolio Spokesperson: Cr Bill Trevor

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- **Council enter into an arrangement with Seng's Sales and Service for the supply of Massey Ferguson Parts and Repairs, without first inviting written tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years: from September 2021 – September 2024.**



Item

31 August 2021

Item Number:	File Number:	Part:
H3		INFRASTRUCTURE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier Arrangement - Howard Parts and Repairs

Report Author:

Andrew Railz, Branch Manager Fleet & Trade Services

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our infrastructure and development - 2.2 Sustainable and affordable essential services - 2.2.4 Provide effective and efficient fleet and trade services for operations and projects across Council.

Background:

Council has within its fleet 21 plant items of Howard brand. These 21 plant items are serviced in-house by Council’s Fleet Services department, with specialised repairs being undertaken by the manufacturer’s authorised agent. Fleet Services’ policy is to only use genuine parts and factory authorised repairs to ensure quality and to maintain warranty integrity.

A previous Specialised Supplier arrangement with NQAS Powershed for Howard Parts and Repairs under TEN/0456 was approved by the Procurement Board and endorsed by Council in 2018. This is due to expire on 24 September 2021. This submission and resulting contract will replace that arrangement from its effective date.

Council's spend with NQAS Powershed since 2018 is as below. It cannot be determined exactly how much of this spend is specifically on Howard Parts and Repairs. Spend throughout the current year includes capital purchases.

Year	Spend (ex GST)
2018	\$1,211.38
2019	\$27,728.34
2020	\$22,934.14
2021 to date	\$167,598.63

It is standard industry practice for truck manufacturers to only appoint one authorised agent per sales territory, making the invitation of quotes impractical. Value for money

is being achieved by reducing freight and travel costs and decreasing delivery times on what is already a time sensitive supply chain.

It is proposed an arrangement with NQAS Powershed (Bundaberg) be entered into pursuant to section 235(b) of the *Local Government Regulation 2012* as it is considered that it would be impractical for Council to invite tenders.

Associated Person/Organization:

NQAS Powershed (Bundaberg)

Consultation:

Portfolio Spokesperson: Cr Bill Trevor

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- **Council enter into an arrangement with NQAS Powershed for the supply of Howard Parts and Repairs, without first inviting written tenders pursuant to section 235(b) of the *Local Government Regulation 2012*; and**
- **this arrangement be made for a period of 3 years from September 2021 – September 2024.**

**Item****31 August 2021****Item Number:**

J1

File Number:**Part:**

WATER & WASTEWATER

Portfolio:

Infrastructure Services

Subject:

Temporary Transfer of Water Allocation - WA7190 on CP AP6975

Report Author:

Narelle D'Amico, Branch Manager Water Services

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our infrastructure and development - 2.1 Infrastructure that meets our current and future needs - 2.1.3 Manage and maintain Council owned buildings, facilities and assets that support and facilitate social connectedness and community life.

Background:

Council has been approached by some farmers requesting if Council has any water available for purchase. In response to those requests, Council has identified that its water allocation of 1,000ML (WA7190 on CP AP6975), purchased to ensure future water supply, is surplus to Council's needs for this water year (ending 30 June 2022).

The announced allocation for medium priority water in the Bundaberg Scheme is currently 22% meaning Council has 220ML available for temporary transfer.

Allowing the water to be temporary transferred means that:

- Council is making available additional water for farmers that would otherwise potentially be unused;
- Obtaining some financial benefit for the best use of the community asset;
- By using a water broker and auction process, Council is removed from the process ensuring that it is an open and transparent temporary transfer that is available to all interested parties.

It is suggested that Council engage Ruralco Water Brokers, who are the industry professionals that Sunwater trade their available allocations through, to arrange for the sale of the temporary transferred water by way of auction.

It is further suggested to allow more than one entity to benefit from the water that it be split into the following lots:

1. 4 x 50ML; and
2. 1 x 20ML.

To proceed, officers will seek a formal resolution from Council to allow the temporary transfer of the water allocation to take place and delegate to the CEO to do all things necessary to finalise the temporary transfer.

Associated Person/Organization:

Ruralco Water

Consultation:

Consultation with Councillors held on 16 August 2021

Chief Legal Officer's Comments:

There appears to be no legal implications.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

1. Council endorse that 220ML from water allocation WA7190 on CP AP6975 be made available by way of auction for temporary transfer for the 2021/22 water year; and
2. the Chief Executive Officer be authorised to do all things necessary to enable the auction to occur and facilitate the temporary transfer.

**Item****31 August 2021****Item Number:**

K1

File Number:

321.2008.50212.1

Part:

PLANNING

Portfolio:

Planning & Development Services

Subject:

DA321.2008.50212.1 - Request to vary terms of Bundaberg Open for Development 2016 Infrastructure Agreement

Report Author:

Michael Ellery, Group Manager Development

Authorised by:

Stephen Johnston, Chief Executive Officer

Link to Corporate Plan:

Our community and environment - 1.1 Economic growth and prosperity - 1.1.3 Promote our region as a preferred investment destination nationally and internationally.

Background:

Council is in receipt of a request from the representatives of the developer of the Bargara Views estate to amend an existing Bundaberg Open for Development 2016 Infrastructure Agreement that applies to the development. The request seeks Council's agreement to include additional stages of the development in the agreement that were not originally applied for.

A development approval was first granted for the estate 18 December 2009, being approval to reconfigure the land into 122 lots in 9 stages. There have been a number of changes to the approval since then, the most recent being a minor change to substage Stage 9b approved on 3 June 2021. So far stage 1-7 and 9A have been constructed, with Stage 6 completed in July 2018 and Stage 7 the last to be completed in May 2021.

The developer applied for the Bundaberg Open for Development 2016 infrastructure charges incentives on or about 12 September 2017 for Stages 6 and 7 of the development. An Infrastructure Agreement was entered into on 29 September 2017 which required the development to be completed by 19 July 2018. The developer applied for and received extension to the completion date in 2018 and again in 2019. The last extension to the agreement was granted by the Council as part of its Building Bundaberg Region 2020 development industry recovery package, extending the completion date out to 26 June 2022.

The proponent is now retrospectively seeking to amend the infrastructure agreement to include the balance of the development, being 41 lots, into the infrastructure agreement. In summary, the reasons given for the requested amendment are:

1. The developer believes they can complete additional stages by the new completion date;
2. The current completion date wasn't known at the time they entered into the agreement;
3. The application was only for the stages they reasonably believed they could complete within the original time frame whereas other developers applied for the remainder of their stages; and
4. It was an oversight by the developer not to apply for the whole of the remaining development.

A copy of the representations is included as Attachment 3.

Consideration of Representations

It is considered that the request should not be agreed to for the following reasons:

- The Bundaberg Open for Development 2016 incentives scheme closed for applications on 28 June 2019;
- The Rules for the BO4D2016 scheme make it clear that to be eligible for the discount the application must be received before the last date for applications;
- The applicant had opportunity to apply for additional stages to be incentivised but didn't;
- The current agreement is effectively finished and all of the Developer's and Council's obligations have been met;
- As part of its most recent incentives scheme (BBR2020), the Council chose not to provide incentives for this type of development;
- There is no need for additional incentives for residential subdivision, with Bundaberg region still having a large stock of approved lots available for construction (2973 as per State data, 25% of which have operational works approval);
- There remains a number of subdivisions that have yet to take up the incentives extended to 2022;
- The retrospective application of incentives to development not originally applied for has the potential to create a significant precedent that would have serious financial ramifications for the Council.

Associated Person/Organization:

Gairloch Developments Pty Ltd

Consultation:

No consultation has been undertaken in regard to this matter.

Chief Legal Officer's Comments:

If Council agrees to the owner's request, a Deed of Variation to the original agreement would be necessary.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

Should Council agree to amending the infrastructure agreement, then the charges payable for the balance of the development would be as follows:

Stage of Development	Charge applicable	Discount under BO4D 2016	Discounted charge
8A	\$135,973.73	50%	\$67,986.69
8B	\$123,579.75	50%	\$61,789.88
9B	\$123,579.75	50%	\$61,789.88
9C	\$123,579.75	50%	\$61,789.88
Total	\$506,676.97		\$253,356.33

Note, for any stage of the development not completed within the life of the BBR2020 infrastructure agreement, the discount would not apply.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

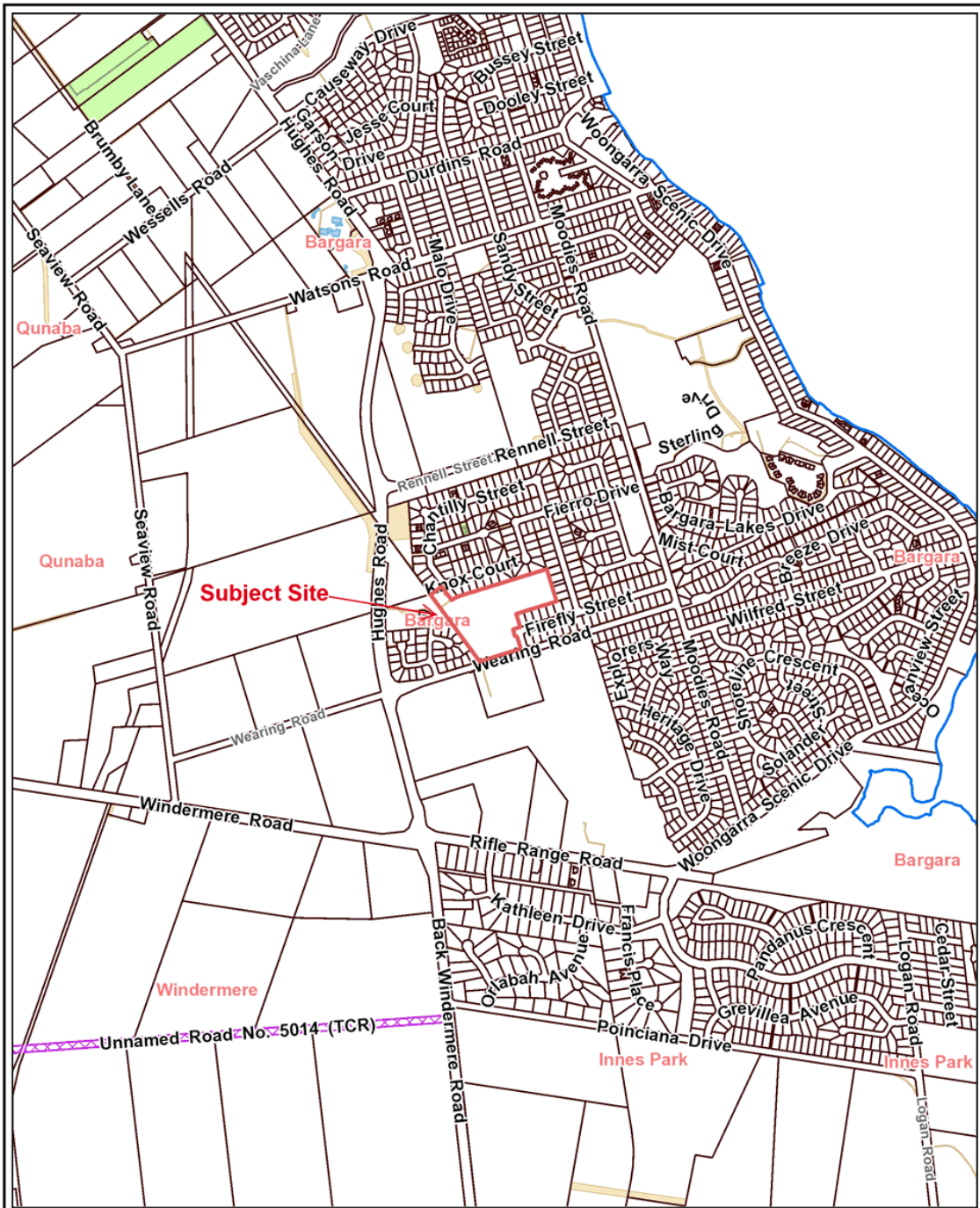
There appears to be no human rights implications.

Attachments:

- ↓1 Locality Plan
- ↓2 Site Plan
- ↓3 Current Approved Plan
- ↓4 Developers Request

Recommendation:

That Gairloch Developments Pty Ltd be advised that Council does not agree to vary the Bundaberg Open for Development Infrastructure Agreement for DA321.2008.50212.1.



BUNDEBERG
REGIONAL COUNCIL

LOCALITY PLAN
Bargara Views Estate
Wearing Road, Bargara

Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid Date: 6/8/2021 4:20 PM

Scale 1 : 16,000.00 on A4 Sheet

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Author: -Author-



SITE PLAN
Bargara Views Estate
Wearing Road, Bargara

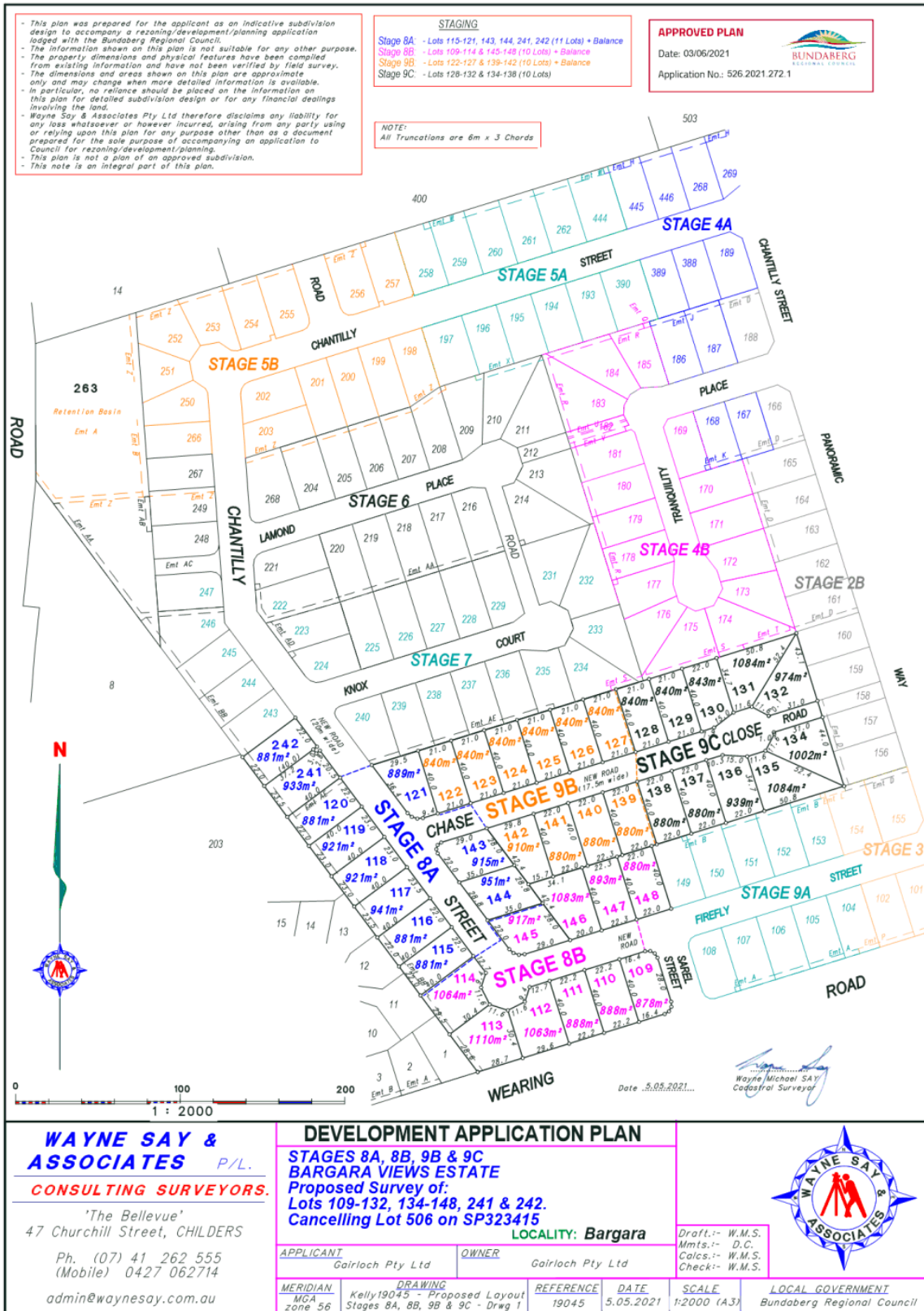
Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid Date: 6/8/2021 4:18 PM Scale 1 : 2,256.99 on A4 Sheet

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Author: -Author-



**WAYNE SAY & ASSOCIATES PTY LTD****LICENSED SURVEYORS AND LAND DEVELOPMENT CONSULTANTS**

ACN 010 786 820 ABN 67 010 786 820

*Wayne Say, B.Surv., M.I.S., M.A.C.S.
Cadastral Surveyor*

'The Bellevue', 47 Churchill Street
PO Box 91, CHILDERS, QLD 4660.
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30th July 2021

The Chief Executive Officer
Bundaberg Regional Council
PO Box 3130
BUNDABERG QLD 4670

Our Ref: Kelly 19045
Your Ref: 526.2019.144.1

Dear Sir

**REQUEST FOR INCLUSION OF THE BALANCE STAGES OF BARGARA VIEWS ESTATE
INTO THE CURRENT INFRASTRUCTURE AGREEMENT
GAIRLOCH DEVELOPMENTS PTY LTD**

At the time of Gairloch's initial application for the "Bundaberg Open for Development 2016 – Infrastructure Charges Incentives", Gairloch Developments had a DA approval for the balance of the development, Stages 6, 7, 8 and 9B.

Since the Infrastructure Agreement had a completion date of 19/7/2018 (approx. 9 months), Gairloch only applied for Stages 6 and 7.

The Infrastructure Agreement was endorsed by BRC on 29/07/2017. Three (3) subsequent extensions to the Infrastructure Agreement, on 25/06/2018, 10/06/2019 and 26/06/2020 have extended the agreement until 26/06/2022.

Several factors slowed the construction of Stages 6 and 7, with the BRC plan endorsement for Stage 7 being completed in May 2021 and the survey plans registered in June.

Since early 2020 it became clear that future stages could be constructed before the 26/6/2022 construction deadline. Gairloch Developments considers that it is being disadvantaged, by acting responsibly and just applying for the stages that it believed could be completed in the given time frames, unlike other developers that applied for the remainder of their stages regardless of whether it could feasibly be achieved.

It was an oversight not applying for all future stages when the original Infrastructure Agreement was made. Accordingly, it is requested that Council gives favourable consideration to the inclusion of the balance stages of Bargara Views Estate into the current Infrastructure Agreement that expires on 26/06/2022.

Should you have any queries or require further information, please do not hesitate to contact me.

Yours faithfully

WAYNE SAY*MEMBER OF SPACIAL QUEENSLAND*

**Item****31 August 2021**

Item Number:	File Number:	Part:
L1	525.2020.19.1	DEVELOPMENT ASSESSMENT

Portfolio:

Planning & Development Services

Subject:

Wearing Road, Bargara - Material Change of Use for Veterinary Service and Reconfiguring a Lot for Subdivision

Report Author:

Dean Catorall, Para Planner

Authorised by:

Michael Ellery, Group Manager Development

Link to Corporate Plan:

Our infrastructure and development - 2.3 Sustainable development - 2.3.3 Review and consistently enforce the planning scheme to ensure sustainable environmental practices.

Summary:

APPLICATION NO	525.2020.19.1
PROPOSAL	Combined - Reconfiguring a Lot for Subdivision (1 Lot into 2 Lots) and an Access Easement and Material Change of Use for Veterinary Service
APPLICANT	Offida Holdings Pty Ltd
OWNER	Offida Holdings Pty Ltd
PROPERTY DESCRIPTION	Lot 5 on SP259466
ADDRESS	Wearing Road, Bargara
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Emerging Community Zone
OVERLAYS	Acid Sulphate Soils Overlay Flood Hazard Overlay Sea Turtle Sensitive Area Overlay
LEVEL OF ASSESSMENT	Impact
SITE AREA	4.591 ha
CURRENT USE	Vacant
PROPERLY MADE DATE	15 September 2020
STATUS	The 35 business day decision period ends on 30 March 2021
REFERRAL AGENCIES	Not applicable
NO OF SUBMITTERS	One (1)
PREVIOUS APPROVALS	Not applicable

SITE INSPECTION CONDUCTED	17 March 2021
LEVEL OF DELEGATION	C3

1. INTRODUCTION

1.1 Proposal

The Applicant seeks a Development Permit for Reconfiguring a Lot for Subdivision (1 Lot into 2 Lots) and an Access Easement and Material Change of Use for Veterinary Service.

The Material Change of Use component of the proposed development seeks to construct a new building over two stages near the south-eastern corner of the premises, adjacent to the Hughes Road and Wearing Road intersection. Stage 1 includes the following features:

- Reception;
- Four (4) consulting rooms
- X-ray facilities
- Pharmacy/laboratory
- Grooming room
- Surgery room
- A wet prep area
- Staff room
- Staff amenities
- Isolation room
- Kennels
- Laundry and storage facilities.

The above-described facilities comprise a floor area of 499.6 m². The car park associated with Stage 1 of the proposal comprises a total of 22 car parks (including 1 car park for people with a disability). The proposal also includes a 3 m wide landscaping strip adjacent to the eastern elevation of the building and adjacent to the northern extent of the carpark.

Stage 2 includes the following features:

- Three (3) private offices
- A management staff room/conference room
- Additional staff amenities
- Additional kennels
- CT scanning facilities
- An additional wet prep area
- A garage/bulk storage area.

The second stage facilities comprise a floor area of 442.2 m². The car park associated with Stage 2 of the proposal comprises a total of 18 car parks. This stage of the

proposal extends the 3 m landscaping strip adjacent to the northern extent of the car park and a 1.5 m wide landscaping strip adjacent to the western extent of the car park.

The proposal has been designed such that the second stage of the development is connected to the first and gives the impression of a single structure. The built form of the structure includes architectural features such as changes in building materials/cladding and breaks in its elevations and roof form.

The proposal also includes the construction of a pedestrian pathway from Hughes Road.

The Reconfiguring a Lot component of the proposed development seeks to excise the above-described Veterinary Service into a single allotment (Proposed Lot 10) and retaining the balance of the land in a single allotment (Proposed Lot 5). The proposal also includes the dedication of new road which creates a new intersection on the western side of Hughes Road. The road dedication provides for sufficient width to contain the new road works and associated stormwater infrastructure. The proposed access easement (Easement A) locates at the end of the proposed new road and acts as a cul-de-sac, allowing vehicles to turn around on Proposed Lot 5. The existing and proposed configuration of the allotments has been summarised by the following table:

Property Description	Lot Size	Road Frontage Length	Easements
Existing Allotments			
Wearing Road (Lot 5 on SP259466)	4.591 ha	180.946 m (Wearing Road) 230.431 m (Hughes Road)	Nil.
Proposed Allotments			
Proposed Lot 5	4.091 ha	162.148 m (Hughes Road) 123.078 m (Wearing Road) 84.807 m (New Road)	Easement A (Access) – 779 m ²
Proposed Lot 10	3000 m ²	50.213 m (Hughes Road) 57.868 m (Wearing Road) 62.488 m (New Road)	Nil.
New Road	2000 m ²	Not Applicable	Nil.

Pursuant to Tables 5.4.15 and 5.5 of the Bundaberg Regional Council Planning Scheme 2015, the proposed development requires Impact Assessment.

1.2 Site Description

The subject site is located within the Emerging Community Zone with an area of 4.591 ha. The premises is situated north west of the Hughes and Wearing Road intersection. The premises is currently vacant, other than a stormwater tank and shade structure. A site inspection identified that the premises is currently used for the grazing/agisting of horses.

The premises locates within the Central Coastal Urban Growth Area Local Plan which provides indicative land use areas between the rural land to the west of Seaview Road and the coast line. The local plan nominates the subject site and premises in its immediate surrounds to be within a residential area. Notwithstanding the indicative land uses nominated by the local plan, the land on the eastern side of Hughes Road is located within the Low Density Residential Zone and is used for residential purposes or is otherwise benefited by development permits for Reconfiguring a Lot for future residential allotments. The land on the western side of Hughes Road is located within the Emerging Community Zone and is not currently the subject of any development approvals.

It is noted that the subject site locates approximately 340 m from 60 Rifle Range Road which is within the Local Centre Zone and is benefited by a development permit for commercial activities (supermarket). Council is also in receipt of a new development application for a Material Change of Use over this land for a Service Station, Shopping Centre & Showroom, which Council is yet to have determined.

The subject site also located approximately 460 m from 596 Windermere Road which is within the Community Facilities Zone and is utilised as a Place of Worship for the Coral Coast Christian Church.

Council has recently completed works to extend Hughes Road between Watsons Road to the North and Wearing Road adjacent to the subject site.

2. ASSESSMENT PROVISIONS

2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
State Planning Policy 2017	
Wide Bay Burnett Regional Plan 2011	
Zone Code: Emerging Community Zone	Bundaberg Regional Council Planning Scheme 2015
Overlay Code <ul style="list-style-type: none"> • Flood Hazard Overlay Code • Sea Turtle Sensitive Area Overlay Code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Business Uses Code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Landscaping Code • Nuisance Code • Reconfiguring a Lot Code • Transport and Parking Code • Works, Services and Infrastructure Code 	Bundaberg Regional Council Planning Scheme 2015

Benchmarks applying for the development	Benchmark reference
Planning Scheme Policies <ul style="list-style-type: none"> • Planning scheme policy for development works • Planning scheme policy for waste management 	Bundaberg Regional Council Planning Scheme 2015
Local Plan Code <ul style="list-style-type: none"> • Central Coastal Urban Growth Area Local Plan Code 	Bundaberg Regional Council Planning Scheme 2015

2.2. Relevant Matters

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)
Planning Need
Decision Notice – Refusal for MCU for Service Station and OW for Advertising Devices at 41-49 Childers Road – Council Reference: 252.2018.8.1.

3. ISSUES RELEVANT TO THE APPLICATION

The following significant issues have been identified in the assessment of the application:

Strategic Framework

The Bundaberg Regional Council Planning Scheme 2015 – Strategic Framework, sets the high-level planning intent benchmarks that are further implemented by the zone codes and use codes contained within the Bundaberg Regional Council Planning Scheme 2015. As the proposal is the first in a greenfield area, there are a number of themes under the Strategic Framework that require consideration.

Inconsistency with Planning Intent

Part 3.3 of the Strategic frameworks – Settlement pattern theme key concept (d) stipulates that *“Identified greenfield areas in Bundaberg City, including the major urban expansion areas of Kalkie-Ashfield and Branyan and the coastal settlements between Burnett Heads and Elliott Heads are the focus for accommodating regionally significant levels of growth. Growth in these areas is to be **in accordance with local area structure planning undertaken by the Council.**”*

This is reiterated by Part 3.3.5 – Local development areas and other major greenfield areas, Specific Outcome (b) which states that *“Development in the Kalkie-Ashfield local development area and the central coastal urban growth area **occurs in accordance with local structure planning undertaken by the Council and provides for urban development to occur only on land identified as being suitable for urban development**”.*

The goal of structure planning in these locations is underpinned by Part 3.3.5 – Local development areas and other major greenfield areas, Specific Outcome (a) which states that *“Development in the Kalkie-Ashfield local development area, central coastal urban growth area (Burnett Heads to Elliott Heads) and other major greenfield areas creates well-planned and integrated urban communities that reflect traditional neighbourhood planning and design principles.”*

These themes are then threaded through the Emerging community zone code. It is stated in the Purpose and overall outcomes of the Emerging community zone code that:

The purpose of the Emerging community zone is to:-

- (a) identify land that is intended for an urban purpose in the future;*
- (b) protect land that is identified for an urban purpose **in the future** from incompatible uses; and*
- (c) provide for the timely conversion of non-urban land to land for urban purposes.*

The zoning of the site as Emerging community is, in its simplest terms, preserving land for a future need of urban expansion and the protection of this land, for it to be developed in the future in line with future urban planning.

The purpose of the Emerging community zone code will be achieved through the following overall outcomes:-

- (a) land converted to urban purposes is developed in an efficient, coordinated and sustainable manner to facilitate the creation of complete and vibrant communities that:-*
 - (i) comprise interconnected residential neighbourhoods;*
 - (ii) are effectively integrated with existing communities; and*
 - (iii) are provided with necessary supporting services, facilities, infrastructure and open space;*

Council has recently committed to prioritising and has commenced detailed structure planning for the area bounded by Watsons Road, Seaview Road, Windermere Road and Hughes Road. Structure planning typically involves extensive consultation with landowners, community and Government stakeholders to determine preferred land use patterns, infrastructure and open space elements, connections to the surrounding road network, drainage and watercourse areas, and buffer areas to surrounding land uses.

As part of the development application material, the Applicant has submitted a conceptual layout which depicts a conceptual ultimate development layout for the site. The applicant further states in the submitted material that:

In conformance with the Structure Plan, most of the site is envisaged for future residential subdivision (low density residential lots of minimum 700m²) serviced by a new road network that provides, inter alia, connectivity to adjoining lots to the north and west for optimal catchment development. Non-residential uses – including the Veterinary services proposed for new Lot 10 – are considered most appropriate for the site’s Hughes and Wearing Roads frontages in terms of convenient accessibility by and provision of essential services to the increasing number of residents of the Bargara South-Innes Park catchment.

It is relevant to indicate that the Applicant's conceptual plan is not a local structure plan as referenced above. The conceptual plans have not been through the process of public consultation with other landowners and stakeholders in the locality to ensure that the land be developed in the best interest of the community. The conceptual plans provide for a settlement pattern that promotes strip commercial development in a way which is not anticipated by Element 2 – Compact, efficient and functional urban form, of the Settlement Pattern Theme and expands an existing (unplanned) Local Activity Centre beyond what is anticipated for the need of the locality.

The development of local structure plans are typically integrated into a planning scheme through a major planning scheme amendment. The Planning Act 2016 provides measures for Local Governments to undertake through major planning scheme amendments to ensure such changes meet the purpose of the Act to *“establish an efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning (**planning**), development assessment and related matters that facilitates the achievement of ecological sustainability”*. Such measures include the preparation of a communications strategy by the Council or directions from the State Government which include the different stakeholder engagement tools to be utilised to ensure that community engagement is proposed to be inclusive and appropriate, and undertaken in an open, honest and meaningful way.

The conceptual plans, in providing for an expansion to the Local Activity Centre on the corner of Rifle Range Road and Hughes Road, makes assumptions that additional non-residential land is required for the increasing population of the Bargara and Innes Park localities which are not supported by an economic need and impact assessment. The Applicant uses these unproven assumptions to support that the change of use of the site and expansion of the Local Activity Centre are the highest and best use of the land. In essence, the Applicant has prepared a document in an effort to circumvent the processes provided by current planning legislation that would regularly ensure that the conversion of land to urban purposes is undertaken in an efficient, coordinated, sustainable and timely manner.

Given Council has not completed the structure planning as indicated to be necessary for development of the subject site and surrounding area to progress, it is considered that the proposal is inconsistent with, and may prejudice, structure planning of the site and the area surrounding it which is currently underway. Furthermore, as stated above, the main way the purpose of the Emerging community zone is to be achieved is by creating residential neighbourhoods and communities. The proposed development does neither. It essentially creates a stand-alone commercial use, with the balance area to be developed in the future. Sufficient land is identified in the Bundaberg Regional Council planning scheme for commercial and industrial uses that is appropriately located for the type of use envisaged. Despite this, the proposal has chosen to locate in an area earmarked for future residential development when there is no need to. The Emerging Communities Zone is not a holding zone waiting for any proposed use but rather is strategically set aside for future development needed to cater for population growth. The proposal is therefore considered inconsistent with the planning intent for the site and surrounding area. The development of the site prior to local structure being completed by the Council has further implications on Council's activity centre hierarchy, infrastructure provision and economic impacts which are also discussed by this report in further detail.

Planning and Economic Need

As the proposal is for a business use, when considering planning need, officers must consider the existing and future hierarchy of activity centres as Veterinary Centres are an anticipated use within all Centre zones, the Industry zone and the Specialised Centre zone.

Part 3.4 of the Strategic Framework, Economic Development Theme, Key Concept (b) aims to provide *“A network of well-designed, connected and accessible activity centres with complementary scales, roles and functions contributing to greater levels of employment and economic self-sufficiency for the Bundaberg Region.”*

To achieve this part of the Strategic Framework, the planning scheme adopts an Activities Centres Networks to provide further guidance to the intended location and functions of business activities throughout the Bundaberg Region which is replicated through the Strategic Framework Map SFM-002 (Economic development elements) of the Bundaberg Regional Council Planning Scheme.

This map nominates a Local activity centre on Bauer and See Streets as well as on the corner of Rifle Range and Hughes Roads and a District activity centre on Bargara Road. More broadly the plan also nominates Local activity centres in Burnett Heads and Elliott Heads.

Each of the activity centres in Bargara and the coastal district play a specific role in ensuring that the coastal towns serve as an alternative lifestyle option for residents to the more urban environments of Bundaberg and provide for a level of employment and services that assist in achieving the self-containment of the coastal urban area between Burnett Heads and Elliott Heads. Specific Outcome 3.4.2.1(a) of the Economic Development Theme provide further details as to the roles of the District and Local activity centres as follows:

District activity centres (urban) serve catchments of district or sub-regional significance within the Bundaberg Region, accommodating concentrations of retail, commercial, offices, administrative and health services, community, small scale entertainment and recreational facilities, and catering to day-to-day and weekly shopping and service needs. They may have a residential component including visitor accommodation.

Local activity centres provide for local shopping needs, function as local employment nodes and comprise a mix of commercial, cafes/dining, entertainment and community services for a surrounding residential neighbourhood. They may have a small residential component including visitor accommodation.

It is noted that these activity centres are also identified by the Central Coastal Urban Growth Area Local Plan Code, Overall Outcome (2)(h).

The level of commercial services provided for in the Bundaberg Regional Council Planning Scheme 2015 is also consistent with the Wide Bay Burnett Regional Plan 2011 which states the following:

The roles of these towns as residential and tourist locations is not likely to change, and they will continue to rely on Bundaberg for employment and more specialised services into the future. Employment within each of these towns will remain locally significant, consisting predominantly of nature-based tourism, community services and small-scale retail. It is not intended

that the coastal towns will support broad expansion of employment of commercial development in the future; however, diversification of local employment will be supported where appropriate. Higher order service needs will continue to be met by Bundaberg. The relative distance to the city centre, limited infrastructure capacity and inherent environmental constraints of coastal towns will impede further expansion.

The activity centre network is supported by Specific Outcome 3.4.2.1(b) of the Economic Development Theme which requires for “*major land uses contributing to employment, education and services in the Bundaberg Region are located in an activity centre commensurate with the role and function of the activity centre as defined by the activity centre network.*”

It is also stated in the purpose and overall outcomes of the Business uses code that:

The purpose of the Business uses code is to ensure that business uses and other centre activities:

(a) Are developed in a manner consistent with the Bundaberg Region Activity Centre Network.

The purpose of the Business uses code will be achieved through the following overall outcomes: -

(a) A business use is consistent with the role and function of the centre and the intentions of the zone it is located in.

Furthermore, Performance Outcome 1 of the Business Uses Code states that “*The business use is consistent with the role and function of the centre and the intentions of the zone it is located in.*”

The proposal for a Material Change of Use for a Veterinary Service comprises a land area of 3,000 m² and a total floor area of 941.8 m². The Applicant, as part of their response to Council’s Information Request, has provided an Economic Need and Impact Assessment, prepared by Foresight Partners Pty Ltd, to support the establishment of the proposed Veterinary Service. This report uses a service area from Burnett Heads to Elliott Heads to establish that there is a need for an additional Veterinary Service on the subject site. The supporting conceptual plans, as discussed earlier in this report, purport to expand the existing Local activity centre on the corner of Hughes and Rifle Range Road providing an indicative land area for future commercial activities of more than 12 ha. For comparison, the existing nominated District activity centre in Bargara comprises a total land area of 5.523 ha which includes a vacant portion of 1.659 ha. The information provided by the Applicant best represents the development as being part of a District activity centre indicated by the size and scale of the development, anticipated catchment and influence on nearby land use planning along the Hughes Road corridor.

It is considered that the Bundaberg Regional Council Planning Scheme 2015 has already appropriately allocated sufficient land in the coastal urban district for commercial activities of the anticipated scale and catchment of the proposed Veterinary Service. This is acknowledged by the State Planning Policy 2017, which requires for the planning scheme to provide “*a sufficient supply of suitable land for residential, retail, commercial, industrial and mixed use development is identified that considers existing and anticipated demand.*” The Applicant’s Economic Need and Impact Assessment has considered whether there is suitable land in the catchment area to accommodate the proposed development and has “*concluded that there are*

no suitably zoned sites available in or near the defined service area where the subject proposal could be located". However, the Applicant has failed to demonstrate that the proposed development could not otherwise be located within:

- the District activity centre, where there is vacant or underutilised land comprising an area of 1.7602 ha;
- the Local activity centre on Bauer Street/See Street where there is vacant or underutilised land comprising an area of approximately 1.5 ha that locate within 4 km of the subject site;
- the Burnett Heads Local activity centre where there is vacant or underutilised land comprising an area of approximately 1.07 ha; or
- the Neighbourhood activity centre in Coral Cove.

Specific Outcome 3.4.2.1(c) of the Economic Development Theme seeks to ensure that "*development does not undermine or compromise the activity centre network either by proposing centre activities outside of an activity centre or by proposing a higher order or larger scale of uses than intended for a particular activity centre*". This outcome requires Council officers to determine whether there will be an economic impact as a result of approving a commercial activity outside of a nominated activity centre.

Approval of commercial activities outside of nominated activity centres, especially where the proposal purports to expand an existing Local activity centre creates unnecessary competition with existing or approved activity centres in the locality. Where development creates such unnecessary competition, it can create an oversupply of commercial land and drive commercial development away from the areas nominated by the activity centre hierarchy. Such activity would result in less traffic and economic hardship to established, legitimate businesses within Bargara's District and Local activity centres. Furthermore, such development can result in planned activity centres not being fully realised due to an investment in out of centre commercial activities and could mean that other coastal towns, such as Burnett Heads and Elliott Heads would be unable to be provide sufficient services for their communities.

The Applicant's Economic Need and Impact Assessment supports the above assertions in Part 3.1 where it is stated that "*Typically, veterinary clinics primarily meet the needs of the local community. However, the service area includes Burnett Heads and Elliott Heads in consideration of the absence of veterinary services in these areas*". In part 3.4 of the report it is stated that "*As at June 2020, there is an estimated theoretical demand for approximately three veterinary clinics in the defined service area. Estimated demand is forecast to remain at three veterinary clinics by 2036*". This advice provided by the Applicant would evidence if the development were to be approved, that the further development of a Veterinary Service in Burnett Heads or Elliott Heads would result in an oversupply of such services in the Applicants 'defined service area' which undermines the planned centres in these localities as well as reduces the ability for such services to be provided to these communities. While these impacts can be seen when assessing the demand and supply for Veterinary Services, they would be replicated by other commercial activities that would locate within the Applicant's conceptual structure plan.

It should be noted that the Applicant's Economic Need and Impact Assessment does not provide comment on the expansion of the nearby Local activity centre depicted in their town planning report, however, it would be anticipated that such expansion would

result in an economic impact on existing commercial activities and activity centres in the coastal urban district.

Further to the anticipated economic impacts resulting from the development, it should be noted that the conceptual plans provided by the Applicant would anticipate the creation of a new District activity centre in Bargara. This is evident when comparing the land size proposed as part of the Applicant's conceptual plans (approx 12 ha) and the existing District activity centre in Bargara (5.523 ha). The creation of an additional District activity centre in Bargara would undermine the role and function of Bundaberg City as the primary urban area and principal activity centre for the region which is envisioned by Strategic Outcome 3.3.1(b) & (h) of the Settlement Pattern Theme or by the Wide Bay Burnett Regional Plan 2011. This could result in the loss of place identity in Bargara as an alternative lifestyle option for residents to the more urban environments of Bundaberg. Despite being requested to in Council's information request, the submitted Economic Need and Impact Assessment does not provide information demonstrating the economic impacts of either the proposed use or the anticipated unplanned expansion of the Rifle Range Road centre on any existing or planned activity centre. Given the extent of additional commercial land proposed, it is reasonable to conclude that any approval of this proposal will inevitably lead to significant economic loss for existing centres.

The information provided by the Applicant is considered insufficient to determine that there is a gap in available land for commercial purposes, specifically for a Veterinary Service, and that the use of the subject site is necessary to provide this type of business service to the surrounding community. Additionally, the proposal is considered to undermine the activity centre network provided for in the planning scheme and will create economic impacts on existing commercial activities and activity centres in the coastal urban district.

Infrastructure

Part 3.6 of the Strategic Framework, Infrastructure and Services Them, Key Concept (a) states that "*Infrastructure and services that are provided in an integrated, timely, coordinated and efficient manner, in conjunction, in conjunction with development*".

This is achieved through Part 3.6.1, Strategic Outcome (a) which states that "*Coordinated planning and delivery of infrastructure and services directs growth within the Bundaberg Region to reflect the pattern of settlement, best utilise public resources, efficiently meet the community's needs, preserve corridors and sites for essential infrastructure services and minimise impacts on the environment*".

It is noted that the subject site is located outside of the Priority Infrastructure Area (PIA) which identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031.

Being located outside of the PIA, development of the subject site would represent development that is beyond the capacity of Council's existing and planned trunk infrastructure until at least 2031. Coordinated planning and delivery of infrastructure and services directs growth within the region to reflect the pattern of settlement, therefore plans for trunk infrastructure within the PIA identify the networks that are intended to service the existing and assumed future urban development at a desired standard of service.

Currently Council does not have a strategy for the provision of reticulated sewerage network in the coastal urban district outside of the PIA. While it is acknowledged that

existing sewerage infrastructure is proximate to the site there is no capacity for Council's sewerage network to receive additional wastewater resulting from the proposal and if the subject site were to be connected to the sewerage network, the development could displace wastewater services for urban development in the PIA that is projected to be serviced by 2031. It should also be noted that the Applicant has not provided sufficient details to determine whether the subject site has the land area required for an on-site wastewater treatment system to be provided in the interim. As such, in order for the development to be serviced to a suitable urban standard, changes would be required to the development application to facilitate an interim sewerage solution which has the ability to compromise additional land area associated with the Central Coastal Urban Growth Area.

In relation to transport infrastructure, the proposal identifies the location of a new T-intersection to be constructed in order to service the site, however, the location of the access is based on a best fit for the proposed development, rather than a solution that would form part of a broader transport corridor strategy for the locality. It should also be noted that the location and design of the proposed T-intersection restricts right turns from the new road onto Hughes Road requiring south-bound traffic to undertake a U-turn at the Watsons and Hughes Road roundabout. Additionally, the proposed access solution results in a part of Wearing Road, west of the Hughes Road intersection, becoming redundant and proposes no further connectivity between the proposed road and back to the Wearing Road reserve. While Council officers could recommend a condition that connects the new road to Wearing road, such a condition would be considered to prejudice the future development pattern and structure planning of the balance of the development site (Proposed Lot 5) in that it would create road corridors and potentially new allotments (See "Conceptual Layout Overall Site, Plan GC20-246-0 prepared by InsiteSJC) that do not form part of the proposal and have not been considered as part of the development assessment process. Additionally, the lack of such condition would reduce accessibility to the property to the south of west of the Hughes & Wearing Road intersection (Lot 24 on SP259464). The Applicant has also not provided suitable consideration of what is to come of the now redundant part of Wearing Road (ie whether it is to be closed through a formal road closure) and how this may impact future settlement pattern of neighbouring premises.

The land to the West of Hughes Road (including the subject site) is also recognised as having stormwater issues relating to a drainage path that traverses the premises, travelling North towards Watsons Road. While it is likely that stormwater infrastructure can be appropriately designed for the proposed Veterinary Service, future planning for this corridor has not determined what the infrastructure obligations for the developer ought to be.

The land in which the development proposal resides locates outside the PIA and as such, is an out of sequence development that is not consistent with the strategic outcomes of the Infrastructure and Services Theme. Without broader planning having been undertaken for this corridor, Council cannot ensure best use of public resources are maintained, that community needs are met in an efficient manner nor that impacts on the environment are minimised through preserving corridors and sites for essential and sustainable infrastructure services. Furthermore, Council cannot secure the relevant infrastructure corridors for the broader locality, as is normally required as part of the first stage of development, as such corridors have not yet been identified due to structure planning not being completed for the site.

It is pertinent to note that while certain infrastructure is located in the nearby vicinity of the subject site, the capacity of these systems are planned and based around the development yields within the PIA and not emerging community areas outside this. Subsequently, it cannot be assumed that sufficient capacity in these infrastructure systems is available to service developments outside the PIA and further structure planning would need to be undertaken to provide details about infrastructure servicing for land outside the PIA.

Approval of the proposed development without the benefit of local structure planning would commit the Council to providing infrastructure to the broader locality in accordance with the strategy provided by the Applicant. Similarly to the first section of this report, this would prejudice Council's ability to undertake structure planning and associated community engagement in an inclusive, appropriate, open, honest and meaningful way as required by the Planning Act 2016.

In accordance with the above assessment, it is considered that the proposal does not comply with the Infrastructure and Services Theme of the Strategic Framework.

Prematurity

As highlighted above and within the Applicant's proposal, Council has not yet completed a Local Structure Plan for the Bargara Identified Major Urban Growth area yet. The Applicant within the submitted material recognises that no planning has been done for the area yet by submitting their own concept structure plan.

Furthermore, the site locates outside of the PIA which identifies the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2031 and it cannot be assumed that there is sufficient capacity in Council's existing infrastructure network to facilitate the proposed development.

The proposed development requires Council to commit to infrastructure solutions, such as the proposed road access from Hughes Road, which prejudices Council's requirement to undertake community engagement as part of local structure planning in an open, transparent and meaningful way.

The proposed development also undermines the function and role of Bargara in the regional economy, and proposes an expansion of existing activity centres beyond what is reasonably anticipated for the life of the Bundaberg Regional Council Planning Scheme.

It is considered that once the Local Area Planning for the area bounded by Watsons Road, Seaview Road, Windermere Road and Hughes Road area has been undertaken, the best and highest use of both the site and area surrounding area will be identified. Infrastructure alignments and requirements will also be identified through this planning.

Given the above, it is considered that the proposed development of the subject site, for any type of development, is premature. Further the development does not bring any over-riding benefit in terms of community benefit as it will not be delivering any infrastructure that might be used as trunk infrastructure when the surrounding area is developed.

If the Council decided to approve the proposed development, appropriate conditioning around Built Form and Design, Carparking and Waste Services, Nuisance and Sea Turtle Sensitive Areas would need to be considered. Such matters have been discussed in the following part of the report.

Built Form and Design

The proposed development includes the construction of the new veterinary service building over two stages as well as the associated carparking, landscaping and pedestrian pathway. The Business uses code, Landscaping code and different Centre zone codes provide a number of development outcomes relating to built form and design expectations for new development. In summary, these outcomes ensure that new development incorporates a high level of architecture that provide an attractive interface to public spaces which incorporate landscaping that integrates with the built form of the development.

The proposed development includes the construction of a new building which features a range of external building materials/cladding breaks in roof form and horizontal wall lengths as well as awnings over the main entry and adjacent to the northern elevation of the proposed waiting rooms.

The proposal includes a 3 m wide landscaping strip adjacent to the northern and eastern aspects of the proposed carpark and building where it features an interface to an existing or proposed new road. A 1.5m wide landscaping strip is proposed adjacent to the western property boundary where it will adjoining the balance lot (Proposed Lot 10).

It is considered that for the most part the proposal is able to comply with the development outcomes listed above. There is some concern that the southern elevation of the structure which features 2 breaks in its horizontal length, utilises a single building material for its fascia (brick) and only 5 small windows does not achieve the standard of architectural and built design anticipated by the relevant development codes. Additionally, no landscaping is proposed to be planted adjacent to the southern property boundary.

Despite these concerns it is considered that appropriate conditioning, such as requiring a landscaping plan to be prepared by a suitably qualified person and submitted to Council for approval, would be able to satisfy compliance with these requirements. Such condition would require for the landscaping design to appropriately integrate into the design of the southern and eastern elevations of the structure where it has an interface to Hughes Road as well as additional shade trees within the proposed carpark. Additionally, the construction of the new road, which would be required to be assessed and approved as part of a future Operational Works application could include the provision of street trees to be integrated into the footpath design.

It is considered that the proposed development is able to comply or can be appropriately conditioned to comply with the relevant development outcomes relating to built form, design and landscaping.

Transport and Parking & Waste Services

The proposal provides a car park to be constructed over two stages which includes twenty (20) car parking spaces in Stage 1 and an additional eighteen (18) car parking spaces in Stage 2. The Transport and Parking Code prescribes a minimum car parking rate of 1 space per 25 m²GFA, 1 Small Rigid Vehicle (SRV) and 1 bicycle space per 400 m² GFA (minimum 4 spaces). It is considered that the proposal is able to comply or be conditioned to comply with the car parking provisions.

It is noted that a “bin store” is located adjacent to the proposed western property boundary of Lot 5. While the size and location is likely sufficient to cater for the anticipated waste generation of the site and ease of access for waste contractors, it is noted that the location is likely not suitable for potential future sensitive land uses which would be able to locate adjacent to the bin store area. To ensure a suitable outcome for potential future land uses, a condition can be imposed requiring for the bin storage area to locate a minimum of 1.5 m from the side property boundary and to continue the landscaping adjacent to this boundary. The separation distance and landscaping would provide a suitable level of acoustic and odour protection in the case that the land directly adjoining the proposed bin store area is developed for a residential use or other sensitive land use. It is likely that such a condition would mean the loss of proposed carpark no 32, however, it is considered that the reduction in the number of carparks would not offend the outcomes of the Transport and Parking Code.

Nuisance Code & Sea Turtle Sensitive Area Overlay Code

The proposed development includes internal kennels to allow for boarding of animals overnight where associated with the veterinary service. The Applicant has stated that the kennels will not feature any wall/window openings and will utilise internal noise attenuation through wall and ceiling insulation. The Nuisance Code provides for the following development outcomes specifically relating to acoustic amenity:

Overall Outcome (2)(a) – Development is located, designed, constructed and operated to maintain appropriate levels of amenity and environmental performance by: -

- (i) Not imposing unacceptable noise, light, glare, dust or odour emissions on surrounding sensitive land uses; and*
- (ii) Ensuring that proposed sensitive land uses are not subject to unacceptable nuisance emissions generated from surrounding development, and*

Overall Outcome (2)(b) – Environmental values are protected by preventing or minimising potential environmental harm or environmental nuisance resulting from the release of contaminants or emissions, particularly noise, odour, light, glare, dust and particulates.

Performance Outcome 1 – Development is located, designed, constructed and operated to ensure that noise emissions do not adversely impact upon surrounding sensitive land uses.

While the Applicant does not provide specific detail to the level of insulation proposed to be utilised as part of the building, conditions can be imposed requiring that all noise produced by the use does not exceed the background noise level plus 5db(A) between 7 am and 10 pm or background level plus 3db(A) between 10 pm and 7 am at the site boundaries. Such condition would allow for the Developer to investigate the appropriate level of insulation required to achieve these standards to ensure that nearby existing and future sensitive land uses do not experience undue noise impacts.

As the premises is located within the Sea turtle sensitive area overlay lighting impacts are also required to be considered as to whether the development creates harm to sea turtle nesting and sea turtle activity. While the Applicant has not provided an assessment against the Sea Turtle Sensitive Area Overlay Code, it is likely that compliance with the code can be achieved through appropriate conditions relating to shielding of artificial lights and windows, brightness of artificial lighting and requiring external building materials, colours and finishes as well as impervious materials to be non-reflective.

Public Notification

The following matters were raised by submitters:

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
The submitter was concerned about the impacts/implications the development would have on the ability to access land adjacent to Wearing Road.	Proposal Plan 19598-1-SK01 Rev C. dated November 2019 accurately portrays the proposed new road and intersection from Hughes Road. Wearing Road has not been proposed to be closed. Access from Wearing Road, through Seaview Road is anticipated to continue.

4. REFERRALS**4.1 Internal Referrals**

Advice was received from the following internal departments:

Internal department	Referral Received	Comments
Development Assessment - Engineering	10 June 2021	
Water and Wastewater	1 October 2020	
Regulatory Services	30 September 2020	
Engineering Services	6 October 2020	
Strategic Planning	8 October 2020 & 25 March 2020	

Any significant issues raised in the referrals have been included in section 3 of this report.

4.2 Referral Agency

Not Applicable

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 15 business days from 14 January 2020 until 8 February 2021. The Applicant submitted documentation on 9 February 2021 advising that public notification had been carried out in accordance with the *Planning Act 2016*. Council received one (1) submission in relation to this development application during this period. Any significant issues raised have been included in section 3 of this report.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
 Required

Attachments:

- ↓1 Locality Plan
- ↓2 Site Plan
- ↓3 Proposal Plans

Recommendation:

That the Development Application 525.2020.19.1 detailed below be decided as follows:

1. Location details

Street address: Wearing Road, Bargara
Real property description: Lot 5 on SP259466
Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Combined (MCU, ROL,) (Veterinary Service, Subdivision & Access Easement)

3. Decision

Decision details: Refused

4. Referral agencies for the application

Nil

5. Details of refusal

The Bundaberg Regional Council was not directed to refuse the application by a referral agency.

6. Reasons for refusal

Under section 63(2)(f)(ii) of the *Planning Act 2016*, the Bundaberg Regional Council must set out reasons for the decision to refuse the application.

The reasons for this refusal are:

1. The proposed development does not comply with the provisions of the Bundaberg Regional Council Planning Scheme 2015, namely:
 - (a) The proposed development does not comply with the key concept 3.3(d) and strategic outcome 3.3.3 and 3.3.5 of the Strategic Framework settlement pattern theme, because:
 - (i) The development of local development areas and other major greenfield areas must be undertaken in accordance with local structure planning undertaken by the Council.

- (ii) Council has not yet undertaken local structure planning for the area bounded by Seaview Road, Windermere Road, Hughes Road and Watsons Road which includes the subject site.
 - (iii) Approval of the development will prejudice Council's ability to create a well-planned and integrated urban community within the surrounding Emerging Community zoned land.
 - (iv) The development supports the expansion of the nearby Local activity centre (60 Rifle Range Road) to a size consistent with a District activity centre which is not anticipated within the Central Urban Coastal Growth Area.
 - (v) Compliance with key concept 3.3(d) and strategic outcome 3.3.3 and 3.3.5 of the Strategic Framework settlement pattern theme cannot otherwise be achieved because the local structure planning has not been undertaken.
- (b) The proposed development does not comply with the key concept (b) and strategic outcome 3.4.2 of the Strategic Framework economic development theme, because:
- (i) The development proposes the establishment of a centre activity outside of an identified activity centre.
 - (ii) The proposal does not provide sufficient evidence to demonstrate that the proposed development could not appropriately locate in an established or planned centre.
 - (iii) The proposal supports the spread of strip commercial development conducive to a Specialised Centre, however, sufficient evidence has not been provided to demonstrate that there is a need for an additional Specialised Centre in the Central Coastal Urban Growth Area Local Plan area.
 - (iv) As a consequence of items (i)-(iii) above, the development will undermine the activity centre network described by Strategic Outcome 3.4.2 of the economic development theme.
- (c) The proposed development does not comply with the key concept (a) and strategic outcome 3.6.2 of the infrastructure and services theme, because:
- (i) The proposed development is located outside of the Priority Infrastructure Area (PIA) which identifies land in which the provision of trunk infrastructure is prioritised.
 - (ii) Despite the development site being within close proximity to existing infrastructure services in the locality, the capacity of these systems are planned and based around the development yields within the PIA and not the surrounding greenfield areas.
 - (iii) As a consequence of items (i) & (ii) above, it is considered that the capacity of existing infrastructure systems are not adequate to service the proposed development.
 - (iv) As a consequence of items (i)-(iii) above, it is considered that the development is out of sequence. Any infrastructure that would be provided to service the development would not be done in an integrated, timely, coordinated and efficient manner that is consistent with community needs and expectations, minimises

impacts on the environment and makes best use of public resources.

- (d) The proposed development does not comply with the purpose of the Central Coastal Urban Growth Area Local Plan Code, because:
 - (i) The development does not facilitate the creation of a complete and vibrant community comprising of interconnected residential neighbourhoods and supporting local services, community facilities and open space.
 - (ii) The development does not reflect a pattern of settlement, land use composition and configuration of movement networks in accordance with a local area structure plan undertaken by the Council.
- (e) The proposed development does not comply with the Overall Outcomes of the Central Coastal Urban Growth Area Local Plan Code, because:
 - (i) The development undermines the network of centres anticipated for the broader Central coastal area by locating a business use with a “district centre” catchment outside of the nominated district centre zone.
 - (ii) The development does not demonstrate a need for a new activity centre for a “district centre” catchment in the proposed location of the Veterinary Service.
 - (iii) The development does not include a mix of uses associated with the establishment of a new activity centre.
- (f) The proposed development does not comply with the purpose of the Emerging Community Zone Code, because:
 - (i) The development has not been designed and prepared in accordance with a local structure plan undertaken by the Council.
 - (ii) As a result of (i) the development does not provide for the timely conversion of non-urban land to land for urban purposes.
- (g) The proposed development does not comply with the Overall Outcomes and Performance Outcomes 1, 9, 13 & 15 of the Emerging Community Zone Code, because:
 - (i) The development does not facilitate the creation of a complete and vibrant community comprising of interconnected residential neighbourhoods, integrated with existing communities or provided with necessary supporting services, facilities, infrastructure and open space.
 - (ii) The development has not been designed and prepared in accordance with a local structure plan undertaken by the Council.
 - (iii) As a result of (ii), the development has not appropriately addressed the outcomes of the local plan which applies to the premises.
 - (iv) The development locates outside of the PIA where it is considered that Council’s existing infrastructure systems do not have capacity for the proposed development.
 - (v) As a result of (i)-(iv) the proposal development is not considered to occur in a logical sequence of development which facilitates the efficient and timely provision of infrastructure and services or for

the timely conversion of non-urban land to land for urban purposes.

- (h) The proposed development does not comply with the purpose of the Business Uses Code, because:
 - (i) The development is for a business activity and locates outside of an existing or planned activity centre.
 - (ii) The proposal is of a size, scale and anticipated catchment consistent with a business activity which would ordinarily locate within a District activity centre.
 - (iii) The proposal does not demonstrate a need for an additional District activity centre in the Central Coastal Growth Area, nor does it demonstrate that the development could not already be accommodated on appropriately zoned land.
 - (iv) As a result of (i)-(iii), the proposed development is considered to be inconsistent with the Bundaberg Region Activity Centre Network.
- (i) The proposed development does not comply with the Overall Outcomes and Performance Outcome 1 of the Business Uses Code, because:
 - (i) The proposed development does not locate within an existing or planned activity centre.
 - (ii) The proposal does not demonstrate a need for a new activity centre.
 - (iii) As a result of (i) & (ii) above, the proposed development is not of a type, scale and intensity which is consistent with the role, function and intentions of the zone it is located within.
- (j) The development does not comply with the purpose of the local government infrastructure plan (LGIP), because:
 - (i) A local structure plan has not been completed by the Council to inform land use planning or infrastructure provision and corridors for the subject site and the immediate land located within the Emerging community zone.
 - (ii) As a result, the LGIP has not anticipated infrastructure required to be provided as part of the development or broader locality. The LGIP has therefore not integrated infrastructure planning with the land use planning identified in the planning scheme.
 - (iii) The proposal bases infrastructure provision on unproven assumptions that have not been borne from local structure planning. Approval of such infrastructure provision strategies prejudices Council's ability to undertake future infrastructure and planning for the locality.
 - (iv) As the proposal locates outside of the PIA it cannot be assumed that Council's existing infrastructure network has the capacity for the proposed development.
 - (v) As the proposal is outside of the PIA and beyond the assumptions of the LGIP, trunk infrastructure has not been planned and cannot be provided in an efficient and orderly manner.

- (k) The development will cause a significant economic impact because:
 - (i) The proposed development would result in unnecessary competition with existing and planned activity centres in the Central Coastal Growth Area.
 - (ii) Development of the site and the expansion of the Local activity centre would result in an oversupply of commercial land where there is already an abundance of vacant or underdeveloped commercial land.
 - (iii) Such competition and oversupply of commercial land will result in significant economic impact to existing and planned activity centres in the Central Coastal Growth Area.
 - (iv) Existing and planned activity centres would remain underdeveloped and residents of those communities would not be provided with a range of different services as anticipated.
 - (v) The creation of a new District activity centre in Bargara will conflict with its role in the regional economy by directly competing with the higher role and function of Bundaberg as the main employer and service provider of the region.
- (l) Given the identified conflicts with the Strategic Framework, LGIP, Emerging Community Zone Code and the Business Uses Code approval of the use would unreasonably prejudice the Council's land use and infrastructure planning for this area.
- (m) There is no need for the proposal to be located on this land when appropriately zoned land is sufficiently available within the intended catchment of the use. The identified non-compliance with the planning scheme warrants refusal because:
 - (i) The proposal is premature in that the land use and infrastructure planning necessary to allow for conversion of the Emerging Community zoned land to urban purposes has not been completed;
 - (ii) If approved, that proposal would fetter or unreasonably prejudice Council's land use and infrastructure planning;
 - (iii) The ad-hoc creation of an unplanned commercial use and activity centre does not facilitate the orderly or efficient provision of necessary infrastructure including sewerage and drainage;
 - (iv) The development relies on the creation of an extension of the existing identified Local Activity Centre on Rifle Range Road to support its approval in circumstances where such extension is not planned for and inconsistent with the level of centre designated;
 - (v) An expansion of the Rifle Range Road Local Activity Centre of the nature envisaged would result in a higher order centre in circumstances where there is no identified need for another District Activity Centre; and
 - (vi) If approved, the proposal and subsequent creation of a District Activity Centre would be likely to have a significant adverse impact on existing established and planned centres.
- (n) The proposed development is inconsistent with the purpose of the Planning Act 2016, because:

- (i) The development has not been prepared in accordance with a local structure plan which would ordinarily be undertaken in accordance with a major planning scheme amendment requiring extensive community engagement
- (ii) The development, if approved, would prejudice Council's ability to undertake such community engagement associated with future local structure planning in a way that was inclusive and appropriate, and undertaken in an open, honest and meaningful way.
- (iii) The development, if approved, would undermine the processes provided for in the Act in order to establish an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning.

Findings on material questions of fact

- The subject site is located in the Emerging Community Zone of the Bundaberg Regional Council Planning Scheme 2015.
- The development application was made for a Material Change of Use for Veterinary Service and Reconfiguring a Lot for Subdivision and Access Easement on 15 September 2020.
- The subject site is located at Lot 5 on SP259466, Wearing Road, and is adjacent to the Hughes and Wearing Road intersection comprising an area of 4.591ha.
- The land to the east of the subject site is predominantly located within the Low density residential zone and improved by residential activities commensurate to the intent of the zone. The land immediately to the north, south and west of the subject site is located within the Emerging community zone and is improved by single Dwelling houses, rural activities such as Animal Husbandry or Cropping or otherwise is unimproved.
- Local area structure planning for the subject site and the land immediately surrounding the site within the Emerging community zone has not been undertaken by the Council.
- Bundaberg Regional Council, as the statutory Assessment Manager, undertook assessment of the development application against the applicable assessment benchmarks identified by the Local categorising instrument and the *Planning Regulation 2017*.

Evidence or other material on which the findings were based

- The development application;
- The Bundaberg Regional Council Planning Scheme 2015;
- The *Planning Act 2016*;
- The *Planning Regulation 2017*: and
- State Planning Policy 2017.

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Robert Elliott Pearson	23 Pandanus Crescent, Innes Park	Robandrob8@bigpond.com

8. Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

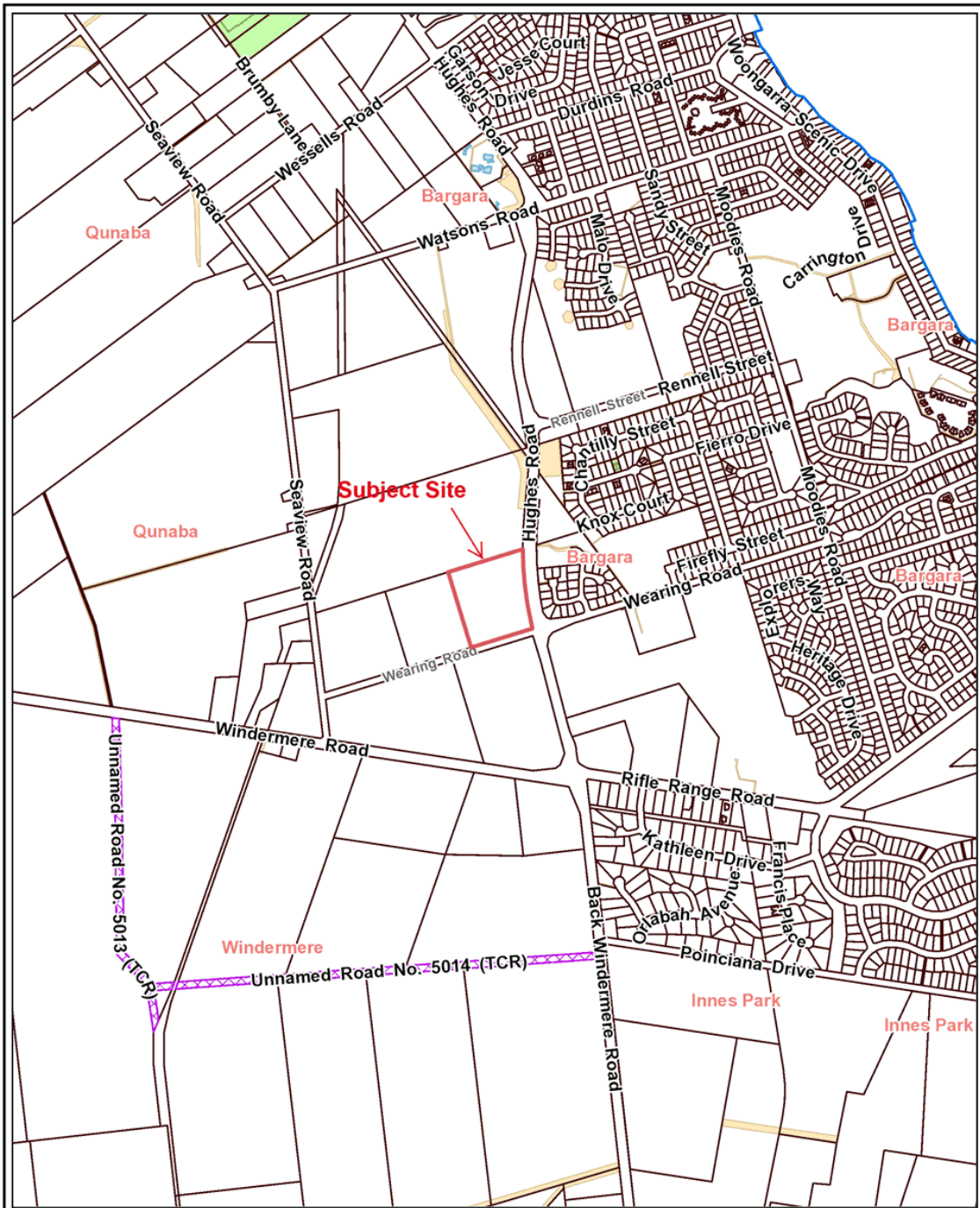
Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in Section 229 of the *Planning Act 2016*.

Schedule 1 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights.



LOCALITY PLAN
Wearing Road, Bargara
525.2020.19.1

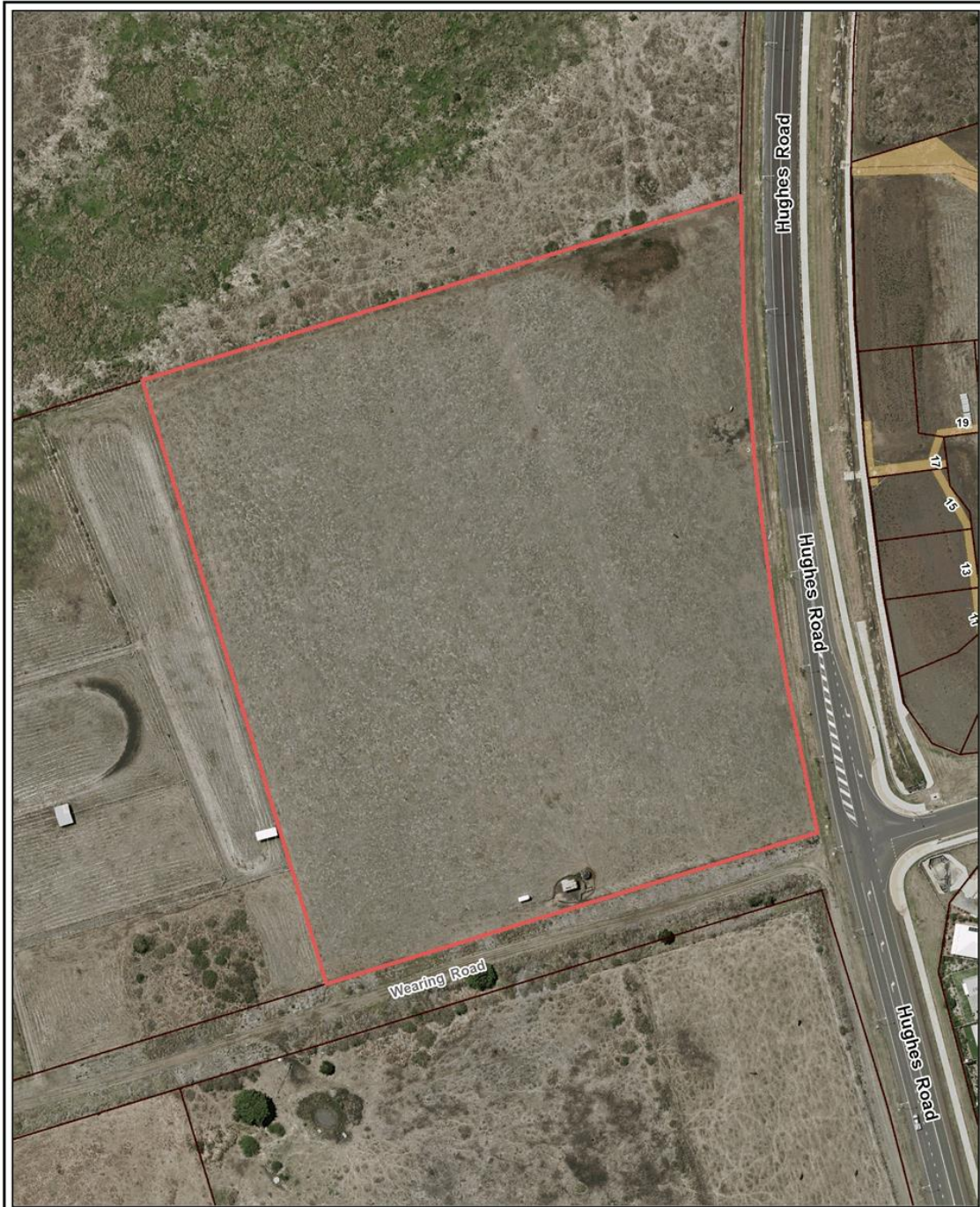
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Scale 1 : 16,000.00 on A4 Sheet

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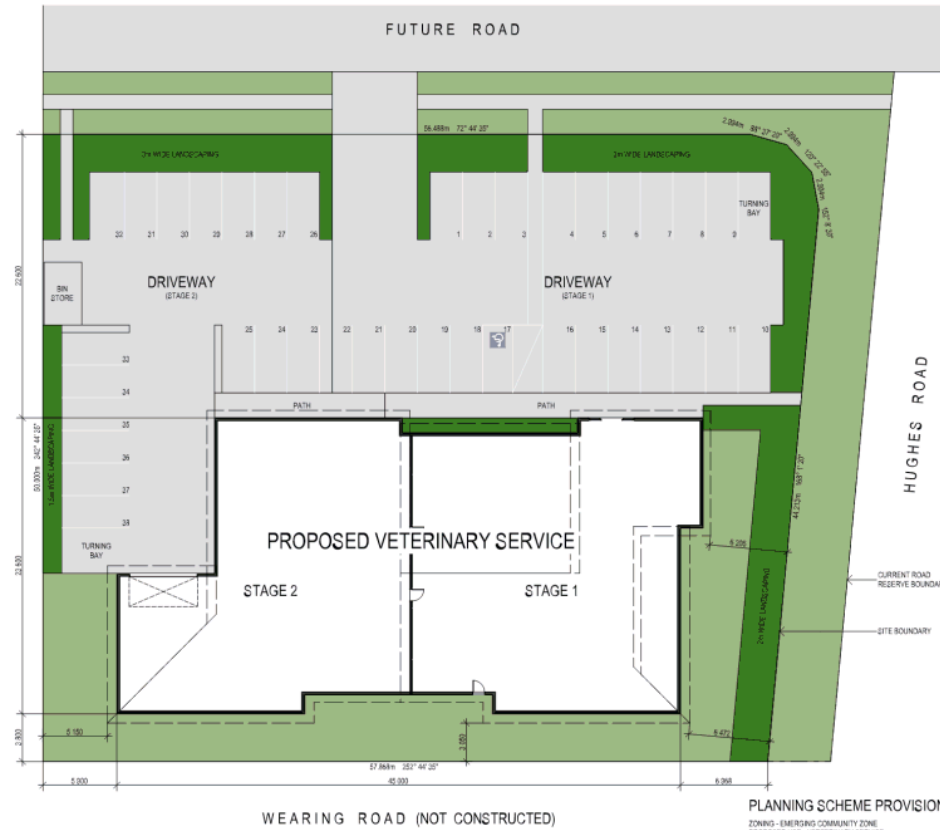
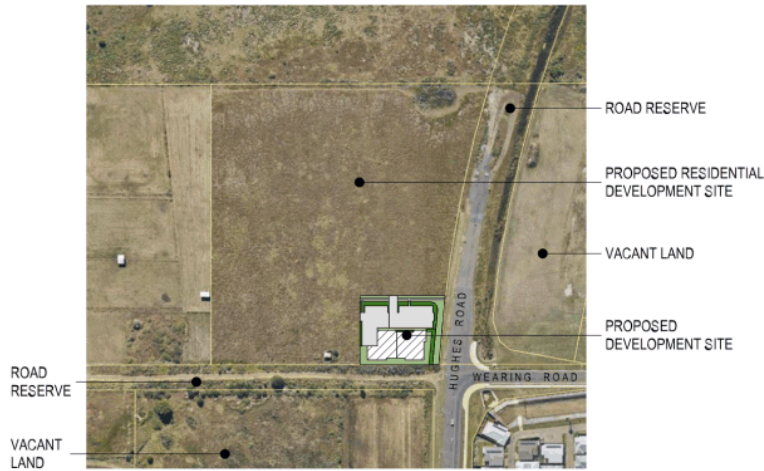
Author: -Author-



		<p>SITE PLAN Wearing Road, Bargarra 525.2020.19.1</p>
<p>Projection: WGS_1984_Web_Mercator_Auxiliary_Spheroid Date: 6/8/2021 9:25 AM Scale 1 : 2,000.00 on A4 Sheet</p>		
<p><small>© The State of Queensland (Department of Natural Resources and Mines) 2020. Based on Cadastral Data provided with the permission of the Department of Natural Resources and Mines 2020. The information contained within this document is given without acceptance of responsibility for its accuracy. The Bundaberg Regional Council (and its officers, servants and agents), contract and agree to supply information only on that basis.</small></p>		<p><small>While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines and the Bundaberg Regional Council makes no representation or warranties about its accuracy, reliability, completeness or stability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.</small></p>
<p>40.00 0 20.00 40.00 METERS Author: -Author-</p>		

NOTE:
REFER TO DD04 - STAGING PLAN
FOR STAGED WORKS

PROPERTY DESCRIPTION:
LOT 5 ON SP250466
LOCAL GOVERNMENT: BUNDABERG R.C.
LOCALITY: BARGARA
SITE AREA: 3 000m²



LOCALITY PLAN
SCALE 1:2500

SITE PLAN
SCALE 1:250



PLANNING SCHEME PROVISIONS:

ZONING - EMERGING COMMUNITY ZONE
PROPOSED USE - VETERINARY SERVICE
ZONE CODE - EMERGING COMMUNITY ZONE CODE
USE CODE - BUSINESS USE CODE
GENERAL CODES:
- WORKS, SERVICES AND INFRASTRUCTURE CODE
- BUSINESS CODE
- LANDSCAPING CODE
- TRANSPORT AND PARKING CODE

SITE AREA = 3 000m²
MAXIMUM TOTAL SITE COVER = 70% = 2 100m²
PROPOSED SITE COVER = 94%

PROPOSED GROSS FLOOR AREA (GFA)
STAGE 1 = 509m²
STAGE 2 = 440m²

CAR PARKING CALCULATIONS OF GFA
(VETERINARY SERVICE - 1:1.25m²)

STAGE 1
CAR PARKING SPACES REQUIRED - 33
TOTAL CAR PARKING SPACES PROVIDED - 33

STAGE 2
CAR PARKING SPACES REQUIRED - 18
TOTAL CAR PARKING SPACES PROVIDED - 18



BUNDABERG HERVEY BAY
9 Targo Street 49 Hunter Street
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info@designdirect.net.au
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REV	DESCRIPTION	DATE	BY
A	DA UPGRADE	06/11/2020	TL
*	ORIGINAL	01/06/2021	TL

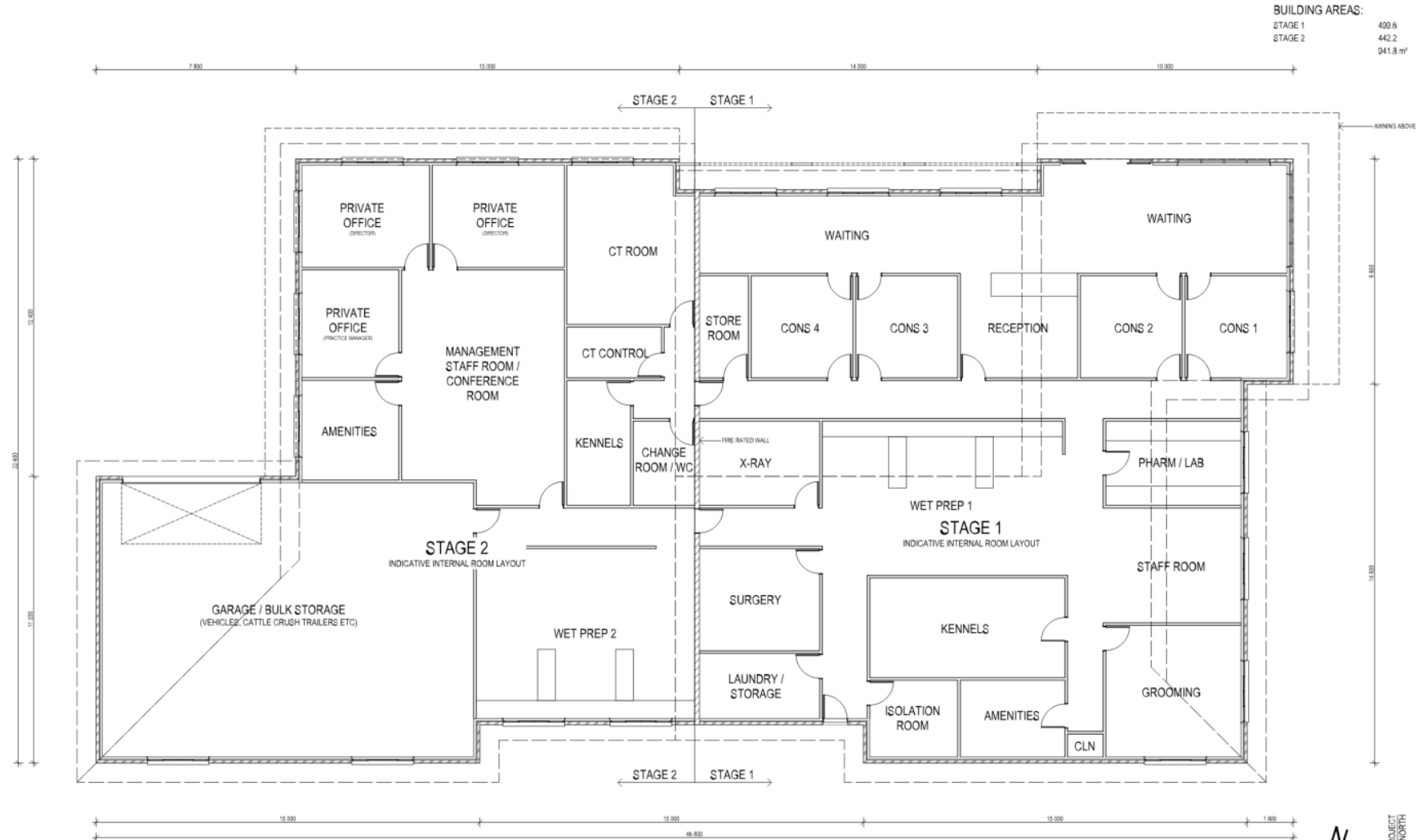
PROJECT
PROPOSED VETERINARY SERVICE DEVELOPMENT

CLIENT
INSITE SJC

LOCATION
LOT 5 CNR HUGHES & WEARING RD, BARGARA

TITLE
LOCALITY & SITE PLAN

PAGE NO.	SCALE	START DATE	DESIGNED
A2	1:250	JULY 2020	TL
	1:2500		CHECKED
BCA CLASS	PROJECT NO.	DRAWING NO.	REVISION
5	200705	DD01	A

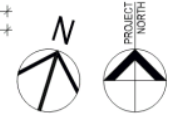


BUILDING AREAS:

STAGE 1	490.6
STAGE 2	442.2
TOTAL	941.8 m²

FLOOR PLAN
SCALE 1:100

NOTE:
INTERNAL LAYOUT SHOWN IS CONCEPTUAL FOR PURPOSE OF SHOWING ELEMENTS OF BUILDING AND IS SUBJECT TO CHANGE



design direct
BUILDING DESIGNERS

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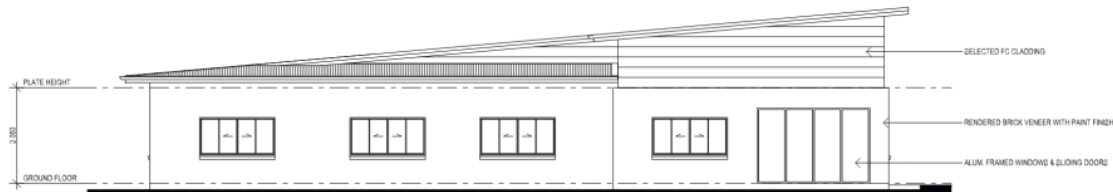
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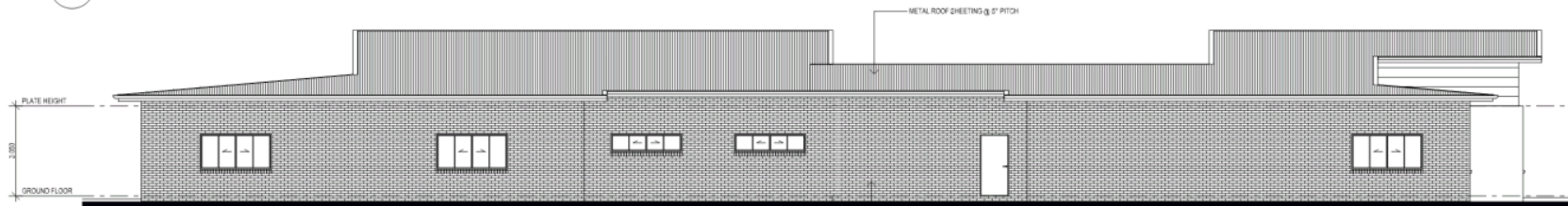
PROJECT	PROPOSED VETERINARY SERVICE DEVELOPMENT	LOCATION	LOT 5 CNR HUGHES & WEARING RD, BARGARA	PAGE SIZE	A2	SCALE	1:100	START DATE	JULY 2020	DESIGNED	TL
CLIENT	INSITE SJC	TITLE	FLOOR PLAN	BCA CLASS	5	PROJECT NO.	200705	DRAWN	TL	CHECKED	ME
REV	DESCRIPTION	DATE	BY	DRAWING NO.	DD02	REVISION					A



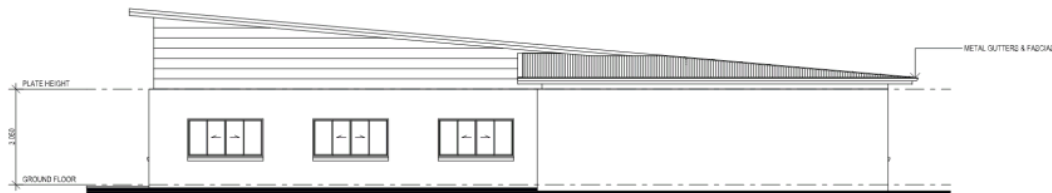
NORTH ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



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REV	DESCRIPTION	DATE	BY
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*	ORIGINAL	01/06/2021	TL

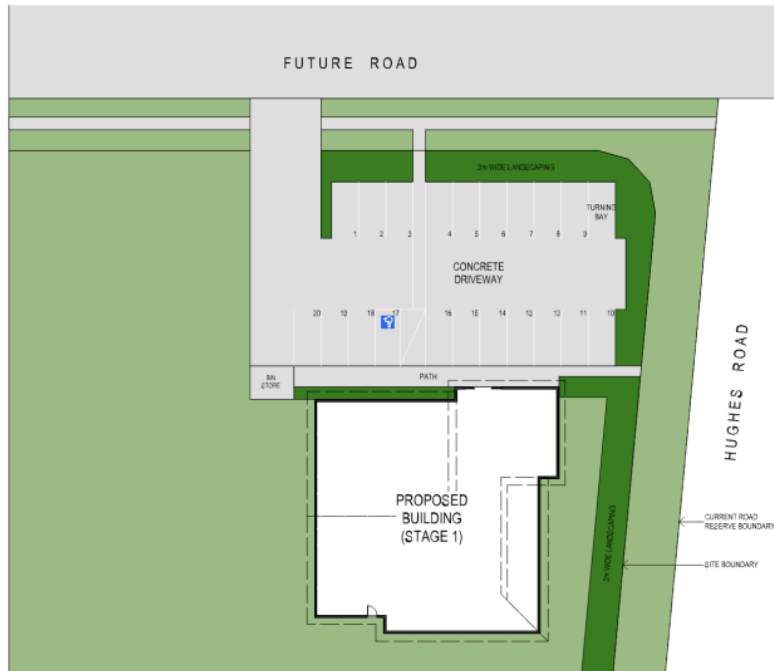
PROJECT
PROPOSED VETERINARY SERVICE DEVELOPMENT

CLIENT
INSITE SJC

LOCATION
LOT 5 CNR HUGHES & WEARING RD, BARGARA

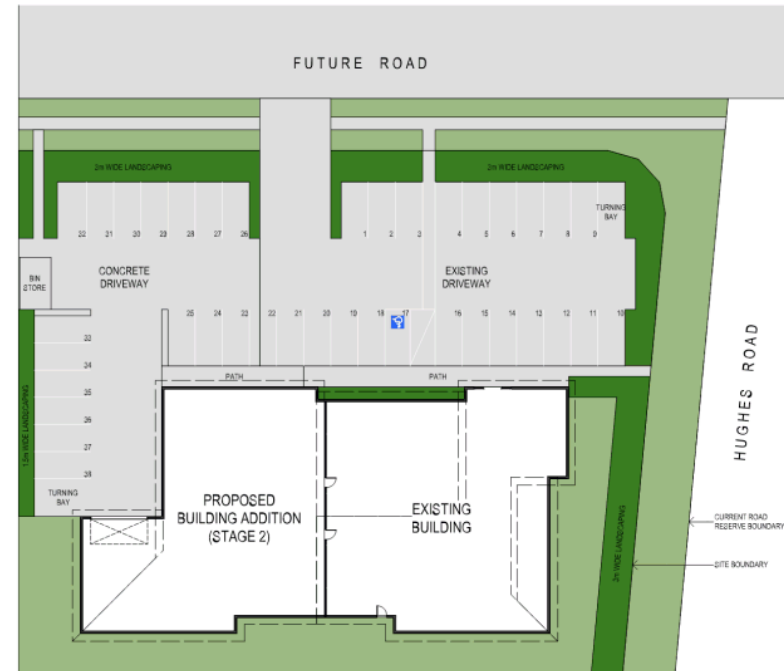
TITLE
ELEVATIONS

PAGE NO.	SCALE	START DATE	DESIGNED
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BCA CLASS	PROJECT NO.	DRAWING NO.	REVISION
5	200705	DD03	A



WEARING ROAD (NOT CONSTRUCTED)

STAGE 1
SCALE 1:300



WEARING ROAD (NOT CONSTRUCTED)

STAGE 2
SCALE 1:300



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REV	DESCRIPTION	DATE	BY
A	DA UPGRADE	26/11/2020	TL
*	ORIGINAL	31/08/2020	TL

PROJECT	PROPOSED VETERINARY SERVICE DEVELOPMENT	LOCATION	LOT 5 CNR HUGHES & WEARING RD, BARGARA	PAGE SIZE	A2	SCALE	1:300	START DATE	JULY 2020	DESIGNED	TL
CLIENT	INSITE SJC	TITLE	STAGING PLAN	BCA CLASS	5	PROJECT NO.	200705	DRAWING NO.	DD04	CHECKED	ME
										REVISION	A



Insite SJC 67 Barolin Street
 P.O. Box 1688
 BUNDABERG QLD 4670
 ABN 62 329 746 582 admin@insitesjc.com.au
 Phone: 07 4151 6677 www.insitesjc.com.au

PLAN OF PROPOSED SUBDIVISION
 Proposed Lots 5 & 10, Easement A in Lot 5
 and New Road
 Cancelling Lot 5 on SP259466
 Wearing Road, Bargarra

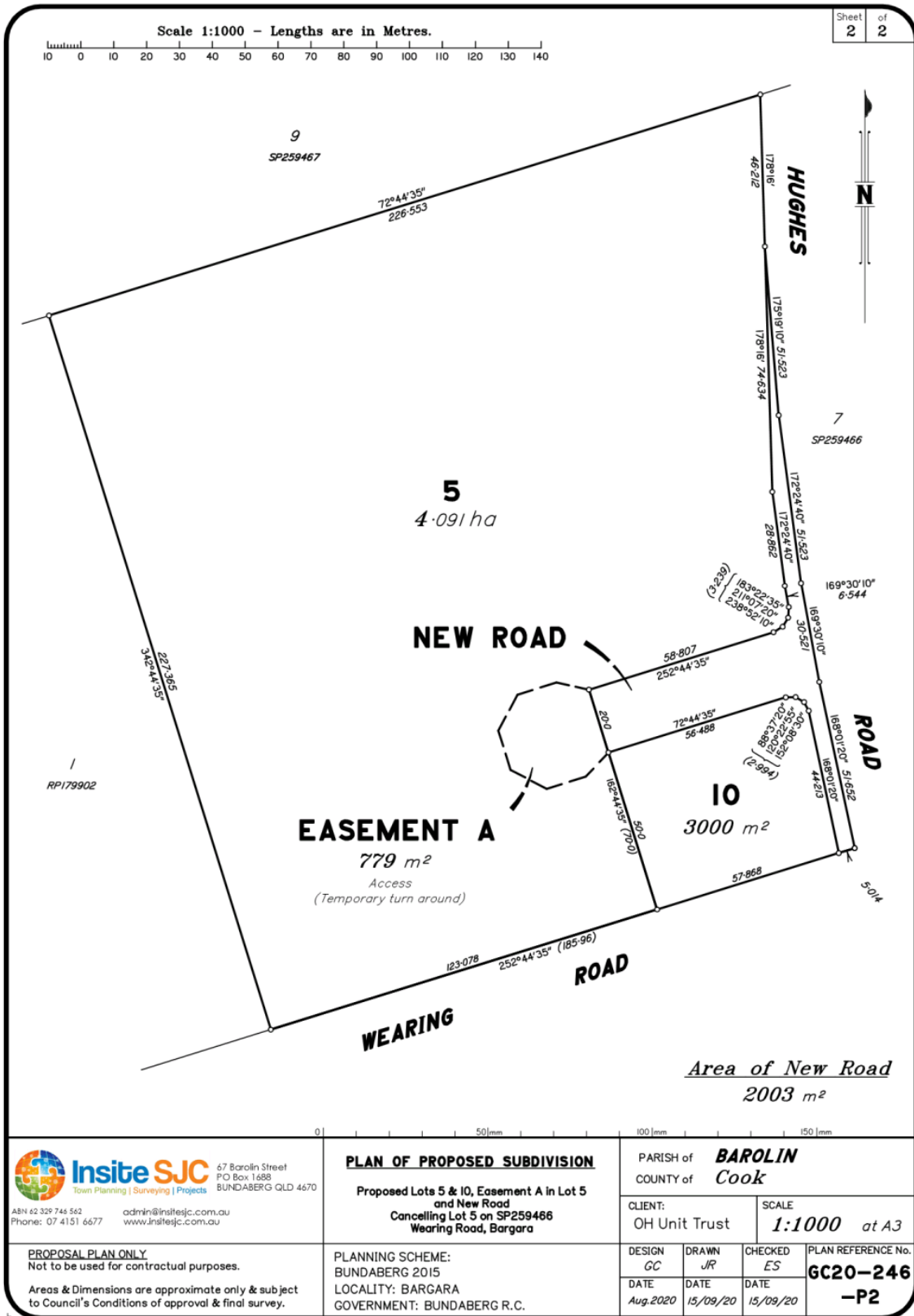
PARISH of **BAROLIN**
 COUNTY of **Cook**

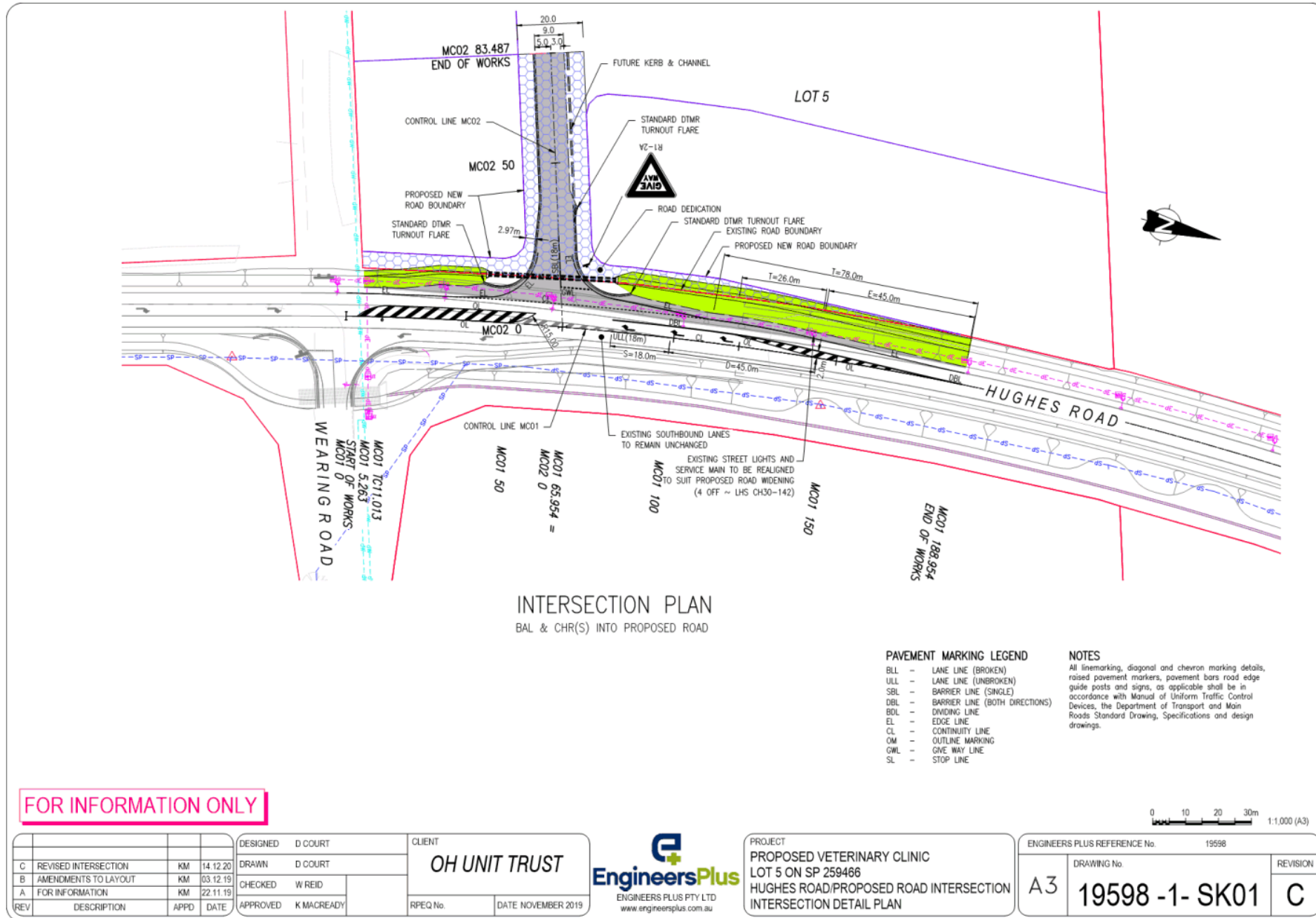
CLIENT: OH Unit Trust SCALE: 1:1000 at A3

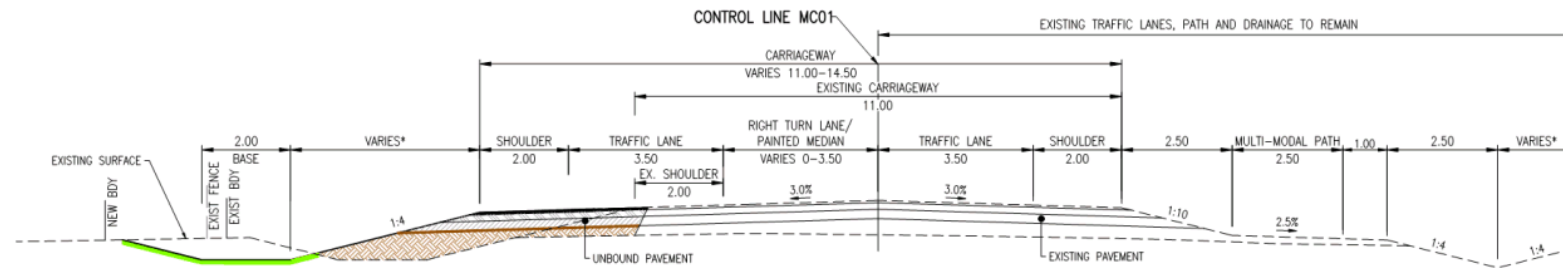
PROPOSAL PLAN ONLY
 Not to be used for contractual purposes.
 Areas & Dimensions are approximate only & subject
 to Council's Conditions of approval & final survey.

PLANNING SCHEME:
 BUNDABERG 2015
 LOCALITY: BARGARA
 GOVERNMENT: BUNDABERG R.C.

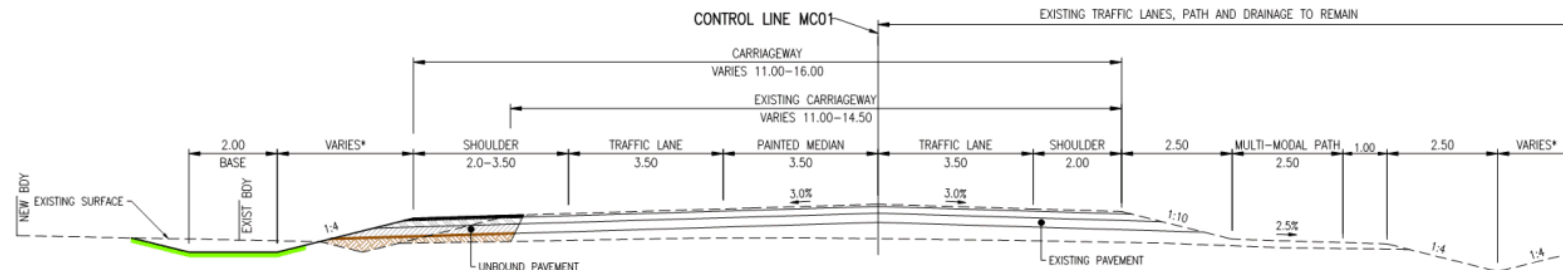
DESIGN GC	DRAWN JR	CHECKED ES	PLAN REFERENCE No. GC20-246
DATE Aug.2020	DATE 15/09/20	DATE 15/09/20	-P2



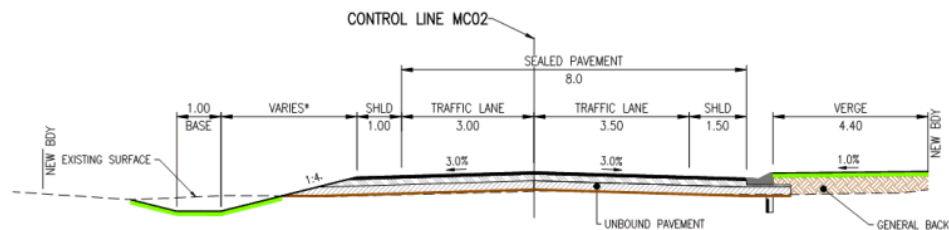




TYPICAL SECTION – MC01
CHR(S) INTO PROPOSED ROAD



TYPICAL SECTION – MC01
BAL INTO PROPOSED ROAD



TYPICAL SECTION – MC02

FOR INFORMATION ONLY

REV	DESCRIPTION	APPD	DATE
C	REVISED INTERSECTION	KM	14.12.20
B	AMENDMENTS TO LAYOUT	KM	03.12.19
A	FOR INFORMATION	KM	22.11.19

DESIGNED	D COURT
DRAWN	D COURT
CHECKED	W REID
APPROVED	K MACREADY

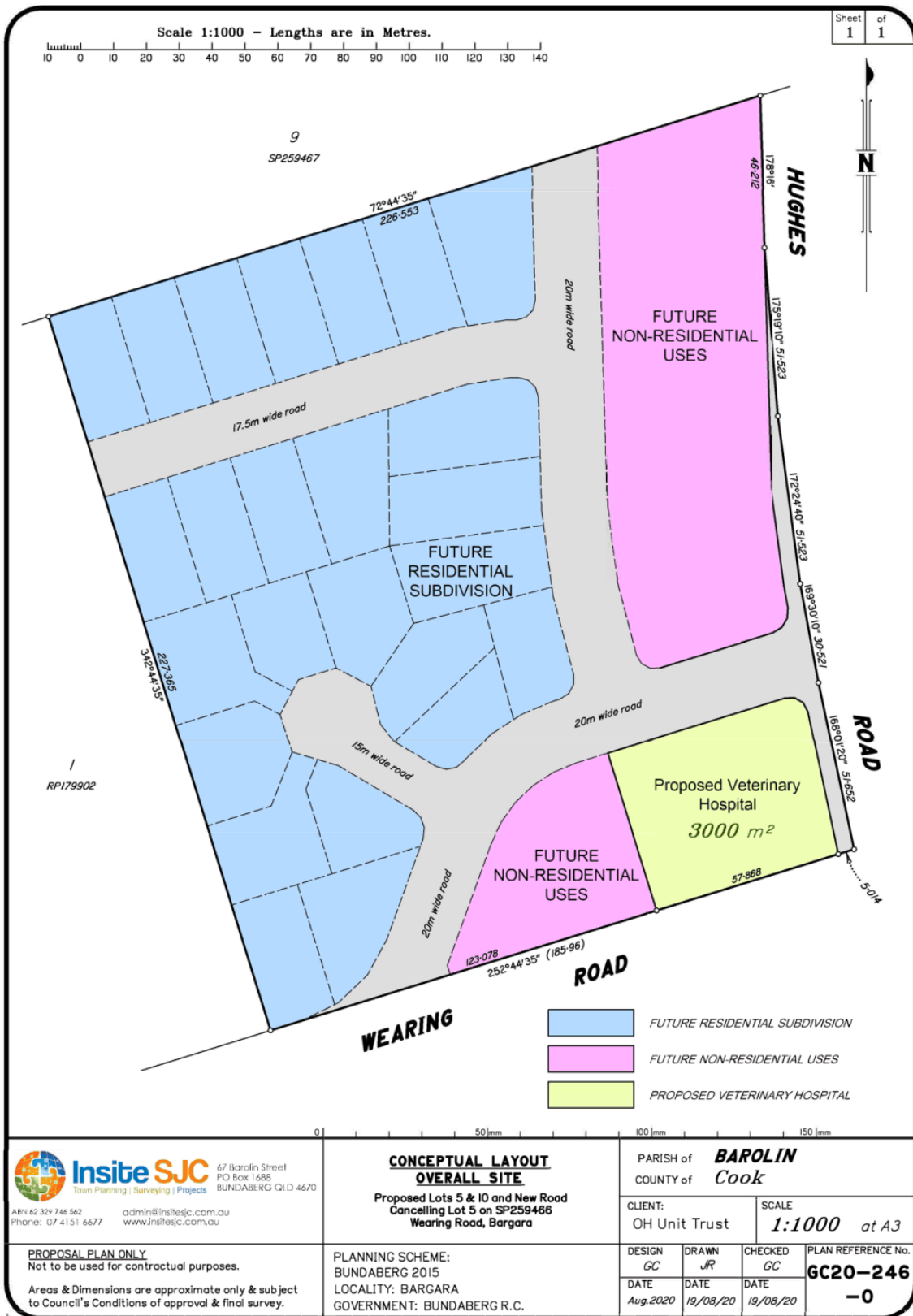
CLIENT	OH UNIT TRUST
RPEQ No.	DATE NOVEMBER 2019



PROJECT	PROPOSED VETERINARY CLINIC LOT 5 ON SP 259466 HUGHES ROAD/PROPOSED ROAD INTERSECTION TYPICAL CROSS SECTIONS
---------	--

ENGINEERS PLUS REFERENCE No.	19598
DRAWING No.	A3
REVISION	C
19598 -1- SK02	





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BUNDABERG QLD 4670
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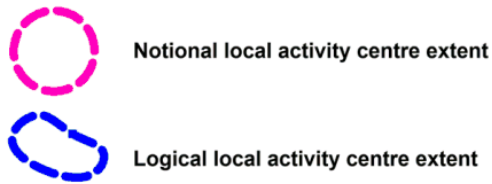
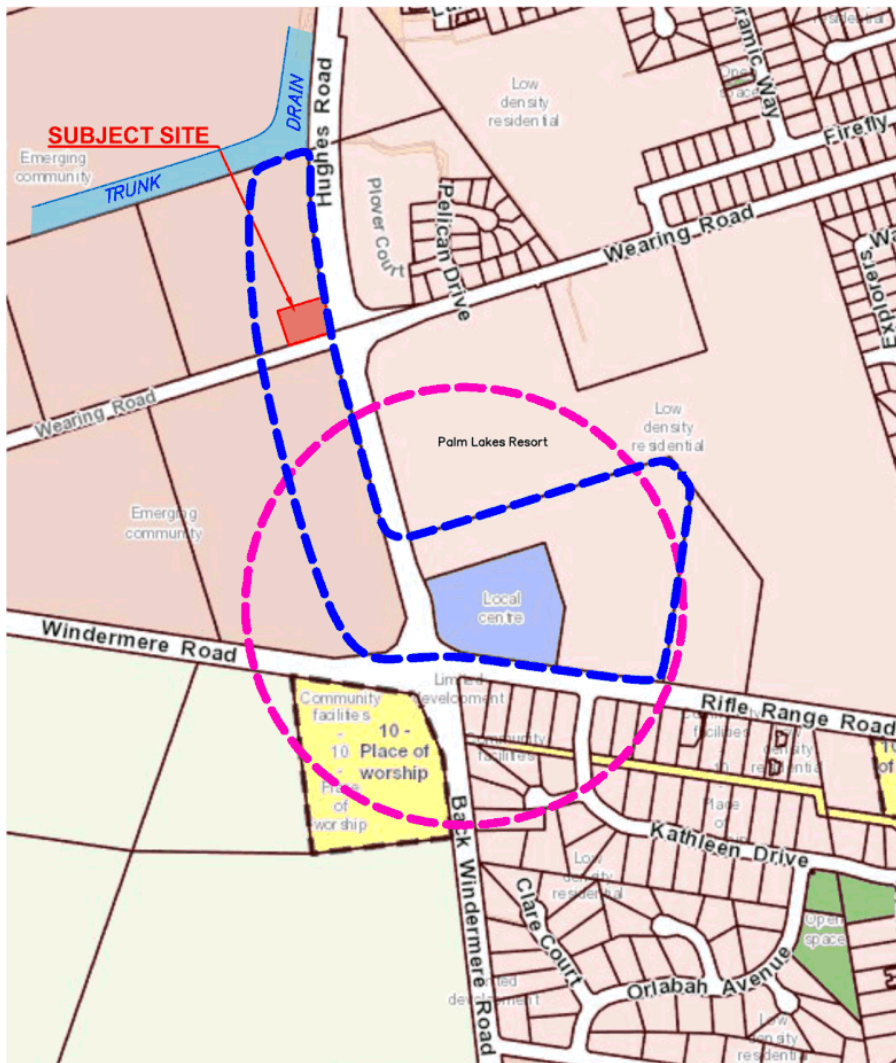
**CONCEPTUAL LAYOUT
OVERALL SITE**
Proposed Lots 5 & 10 and New Road
Cancelling Lot 5 on SP259466
Wearing Road, Bargarra

PARISH of **BAROLIN**
COUNTY of **Cook**
CLIENT: OH Unit Trust
SCALE: 1:1000 at A3


PROPOSAL PLAN ONLY
Not to be used for contractual purposes.
Areas & Dimensions are approximate only & subject to Council's Conditions of approval & final survey.

PLANNING SCHEME:
BUNDABERG 2015
LOCALITY: BARGARA
GOVERNMENT: BUNDABERG R.C.

DESIGN GC	DRAWN JR	CHECKED GC	PLAN REFERENCE No. GC20-246
DATE Aug.2020	DATE 19/08/20	DATE 19/08/20	-0



0 50mm 100mm 150mm

 Insite SJC Town Planning Surveying Projects 67 Barolin Street PO Box 1688 BUNDABERG QLD 4670 ABN 62 329 746 562 Phone: 07 4151 6677 admin@insitesjc.com.au www.insitesjc.com.au	BARGARA SOUTH LOCAL CENTRE EXTENT ANALYSIS Wearing Rd, Hughes Rd, Rifle Range Rd & Windermere Rd	PARISH of BAROLIN COUNTY of Cook	
		CLIENT: OH Unit Trust	SCALE: Not To Scale
PROPOSAL PLAN ONLY Not to be used for contractual purposes. Areas & Dimensions are approximate only & subject to Council's Conditions of approval & final survey.	PLANNING SCHEME: BUNDABERG 2015 LOCALITY: BURNETT HEADS GOVERNMENT: BUNDABERG R.C.	DESIGN: GC DRAWN: JR CHECKED: GC DATE: Jan.2021	PLAN REFERENCE No. GC20-246 -S

**Item****31 August 2021****Item Number:**

O1

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Lease - Part of Lot 1 on SP199509 - Creative Regions Limited

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Peta Browne, A/General Manager Community & Environment

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus – 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Background:

1 Quay Street, Bundaberg Central at Lot 1 on SP199509 is a State owned reserve for park which Council is the trustee ('Property').

Creative Regions Limited ('Tenant') is a community organisation and registered not for profit organisation. Council entered into a Lease with the Tenant on 18 October 2018 which expires on 17 October 2021. The Tenant wishes to renew their lease for a term of 3 years.

The proposed rent is less than market value which is acceptable under the *Local Government Regulation 2012* given that the lease is to a community group. Rent will increase annually by 3%. The terms and conditions of the lease are to be as per Council's standard terms.

Council proposes to apply the exception to the tender/auction requirements contained in section 236(1)(b)(ii) of *Local Government Regulation 2012* given that the disposal is for the purposes of a lease to a community organisation.

Associated Person/Organization:

Creative Regions Limited ACN 130 604 732

Consultation:

Nil

Chief Legal Officer's Comments:

Pursuant to section 236(1)(b)(ii) of the *Local Government Regulation 2021*, Council may dispose of the property by way of lease to Creative Regions Limited without first offering the lease by way of tender given that the proposed lessee is a community organisation.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:-

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a Lease to Creative Regions Limited for part of Lot 1 on SP199509.**



Item

31 August 2021

Item Number:

O2

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Lease - Part of Lot 2 on SP314446 - Bargara Administration Centre - Bundaberg Fruit and Vegetable Growers Cooperative Limited

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Peta Browne, A/General Manager Community & Environment

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus – 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Background:

Council is the owner of the freehold property at Lot 2 on SP314446, known as 160 Hughes Road, Bargara ('Property'). The Bargara Administration Centre is built on this land and is the home of the Agtech Precinct.

Bundaberg Fruit and Vegetable Growers Cooperative Limited ('BFVG') is a community organisation and not for profit organisation. BFVG has expressed interest in leasing a 10 m² office space at the Property.

Council is working towards a commencement date of no earlier than 17 September 2021. The lease will be for an initial term of 1 year with 2 options of 1 year each. The proposed rent is the concessional rate for a not for profit organisation at this Property which is acceptable under the *Local Government Regulation 2012* given that the lease is to a community group and the economic benefits the Agtech Precinct will have for the region. Rent will increase annually by 2% or CPI whichever is higher. The terms and conditions of the lease are to be as per Council's standard terms.

Council proposes to apply the exception to the tender/auction requirements contained in section 236(1)(b)(ii) of *Local Government Regulation 2012* given that the disposal is for the purposes of a lease to a community organisation.

Associated Person/Organization:

Bundaberg Fruit and Vegetable Growers Cooperative Limited

Consultation:

Nil

Chief Legal Officer's Comments:

Pursuant to section 236(1)(b)(ii) of the *Local Government Regulation 2012*, Council may dispose of the property by way of lease to Bundaberg Fruit and Vegetable Growers Cooperative Limited without first offering the lease by way of tender given that the proposed lessee is a community organisation.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:-

- 1. Council apply the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012*; and**
- 2. the Chief Executive Officer be authorised to enter into a Lease to Bundaberg Fruit and Vegetable Growers Cooperative Limited for part of the Bargara Administration Centre, known as Lot 2 on SP314446.**

**Item****31 August 2021****Item Number:**

O3

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Lease Renewal - Lot 1 on RP146536 - Bundaberg and District Meals on Wheels Incorporated

Report Author:

Nicole Sabo, Property & Leases Officer

Authorised by:

Peta Browne, A/General Manager Community & Environment

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus – 3.2.3 Administer statutory compliant governance operations incorporating insurance; risk management; property management and Council policies and procedures.

Previous Items:

O1 - Lease Renewal - Lot 1 on RP146536 - Bundaberg and District Meals on Wheels Incorporated - Ordinary Meeting - 29 Jun 2021 10.00 am

Background:

Council is the freehold owner of Lot 1 on RP146536 at 10 Eastgate Street, East Bundaberg ('Property').

Council previously made a resolution on 29 June 2021 to renew the lease for a term of 10 years, however this resolution does not reflect the terms required by the Lessee. The Lessee is applying for substantial grants to expand their building to allow them to meet increased demand on their service. The Lessee has advised that a lease for 10 year term will not meet the requirements of the grants funding.

The Lessee wishes to enter into a new lease for a term of 10 years with a further option of 10 years. Rent is proposed to be at the community rate.

The Lessee is also responsible for 100% of outgoings. It is proposed that the remaining terms of the lease will be on Council's standard lease.

Council has previously applied the exception to the tender/auction requirements contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) given that the disposal is for the purposes of renewing the lease of land to a community organisation.

Associated Person/Organization:

Bundaberg and District Meals on Wheels Incorporated

Consultation:

N/A

Chief Legal Officer's Comments:

Given the requested change in the term of the new lease, Council will be required to repeal the second part of the previous resolution and make a new resolution for the term plus the requested option period, if Council is minded to do so.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

There appears to be no financial or resource implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That:

- 1. Council rescinds part 2 of the resolution made in relation to Item O1 "Lease Renewal – Lot 1 on RP146536 – Bundaberg and District Meals on Wheels Incorporated)" on 29 June 2021 at its Ordinary meeting, viz**
 - "2. the Chief Executive Officer be authorised to enter into a 10-year Lease to Bundaberg and District Meals on Wheels Incorporated over Lot 1 on RP146536."***; and
- 2. the Chief Executive Officer be authorised to enter into a 10-year Lease with a 1 x 10 year option to Bundaberg and District Meals on Wheels Incorporated over Lot 1 on RP146536.**

**Item****31 August 2021****Item Number:**

O4

File Number:**Part:**

COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Specialised Supplier Arrangement - Entertainment Acts, 2021 Milbi Festival - The Harbour Agency Pty Ltd

Report Author:

Justyne Wilson, Branch Manager Arts, Culture, Tourism Facilities and Events

Authorised by:

Peta Browne, A/General Manager Community & Environment

Link to Corporate Plan:

Our community and environment - 1.3 A creative and environmentally friendly place - 1.3.2 Provide leadership in creative innovation and opportunities for learning and community social and cultural development.

Background:

Milbi Festival returns in 2021 from 29 October to 7 November 2021. The festival will celebrate the region's iconic turtle encounters, and First Nation connection to salt water and freshwater country, making the festival unique to this region. The 2021 program will feature new and returning elements which include the March of the Reef launch event, Milbi at the Lighthouse, Indigenous Dining Experience, Milbi Gala Ball, and film program and tours. The festival will also provide a range of opportunities for artists, arts and community organisations to get involved.

Tourism and Events seeks a decision by Council to enter into an arrangement with the Harbour Agency to engage specialist entertainment acts to feature for the duration of the festival including Alex Lloyd, and Ash Grunwald, who are solely represented by the Harbour Agency. The nature of their specialised services and representation makes it unreasonable to seek competitive quotations.

Associated Person/Organization:

The Harbour Agency Pty Ltd

Consultation:

Nil

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

Costs for these engagements are in accordance with Council's budget.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That Council engage The Harbour Agency Pty Ltd (ABN 36 001 672 555) for the provision of entertainment acts for the 2021 Milbi Festival without first seeking written quotations, pursuant to Section 235(b) of the *Local Government Act 2012*.

**Item****31 August 2021****Item Number:**

O5

File Number:**Part:**COMMUNITY & CULTURAL
SERVICES**Portfolio:**

Community & Environment

Subject:

Specialised Supplier Arrangement - Entertainment Acts, 2021 Milbi Festival - Bella Management Group Pty Ltd

Report Author:

Justyne Wilson, Branch Manager Arts, Culture, Tourism Facilities and Events

Authorised by:

Peta Browne, A/General Manager Community & Environment

Link to Corporate Plan:

Our community and environment - 1.3 A creative and environmentally friendly place - 1.3.2 Provide leadership in creative innovation and opportunities for learning and community social and cultural development.

Background:

Milbi Festival returns in 2021 from 29 October to 7 November 2021. The festival will celebrate the region's iconic turtle encounters, and First Nation connection to salt water and freshwater country, making the festival unique to this region. The 2021 program will feature new and returning elements which include the March of the Reef launch event, Milbi at the Lighthouse, Indigenous Dining Experience, Milbi Gala Ball, and film program and tours. The festival will also provide a range of opportunities for artists, arts, and community organisations to get involved.

Tourism and Events seeks a decision by Council to enter into an arrangement with the Bella Management Group to engage a specialist entertainment act to feature for the duration of the festival, Mitch Tambo, who is solely represented Bella Management Group. The nature of their specialised services and representation makes it unreasonable to seek competitive quotations.

Associated Person/Organization:

Bella Management Group Pty Ltd

Consultation:

Nil

Chief Legal Officer's Comments:

Section 235(b) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that it would be impractical or disadvantageous for the Council to invite quotes or tenders as this is a specialised supplier.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

Costs for these engagements are in accordance with Council's budget.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Attachments:

Nil

Recommendation:

That Council engage Bella Management Group Pty Ltd (ABN 20 132 411 427) for the provision of an entertainment act for the 2021 Milbi Festival without first seeking written quotations, pursuant to Section 235(b) of the *Local Government Act 2012*.