



**AGENDA FOR ORDINARY MEETING
TO BE HELD IN COUNCIL CHAMBERS, BUNDABERG
ON TUESDAY 31 MAY 2022, COMMENCING AT 10.00 AM**

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Item

31 May 2022

Item Number:

E1

File Number:**Part:**STRATEGIC PROJECTS &
ECONOMIC DEVELOPMENT**Portfolio:**

Executive Services

Subject:

Specialised Supplier Design Services During Construction of Aquatic Centre

Report Author:

Chris Sampson, Manager Strategic Projects

Authorised by:

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

Link to Corporate Plan:

Our community and environment - 1.1 Economic growth and prosperity - 1.1.4 Develop a sustainable pipeline of strategic projects that support organisational and economic development objectives, including procuring external grant funding.

Background:

The design of the Aquatic Centre has been managed by Cardno (QLD) Pty Ltd's Hervey Bay office. This engagement was to produce designs up to and including the issue of 'For Construction' documentation and building approval. At the time this engagement commenced, Council had not committed to when the Aquatic Centre was going to be built and what was to be included in the centre. These uncertainties prevented the inclusion of *Design Services During Construction* in the scope of the original engagement.

Stantec Australia Pty Ltd have purchased select Cardno businesses, including the Hervey Bay office. As such the existing design contract for the Aquatic Centre has been novated from Cardno to Stantec, with all personnel and sub-consultants continuing to deliver the same scope.

Design Services During Construction includes responding to requests for information and clarifications from the construction contractor (once awarded), reviewing shop drawings from fabricators, conducting inspections and certification of construction, assistance with the commissioning of pool plant and equipment. This engagement is expected to be via a schedule of rates. These services have been included within the cost estimates for the delivery of the aquatic centre.

This procurement is considered to be specialised because the knowledge the design consultant has acquired through the development of the designs is unique to going

through the design process and essential in delivering the services during construction in a cost-effective fashion.

Stantec (Cardno) have acquired unique knowledge of the Aquatic Centre through undertaking the detailed design to a 'For Construction' standard. Attempting to engage another consultant to deliver the services will incur additional costs, take additional time and is unlikely to result in a service of the same quality.

Associated Person/Organization:

Cardno (QLD) Pty Ltd

Stantec Australia Pty Ltd

Consultation:

Portfolio Spokesperson: Acting Mayor, Cr WR 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 implications.

Risk Management Implications:

There appears to be no risk implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council enter into an arrangement with Stantec Australia Pty Ltd for the provision of Design Services During the Construction of the Aquatic Centre without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

**Item****31 May 2022****Item Number:**

E2

File Number:**Part:**STRATEGIC PROJECTS &
ECONOMIC DEVELOPMENT**Portfolio:**

Executive Services

Subject:

Eat, Breathe, Live - STEM-based Health Literacy Program

Report Author:

Andrew Beckenhauer, Economic Development Officer

Authorised by:

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

Link to Corporate Plan:

Our community and environment - 1.2 Safe, active, vibrant and inclusive community - 1.2.2 Support and facilitate community programs, networks, projects, networks, projects and events that promote social connectedness; and active and healthy community life.

Background:

In early 2020 Council, in partnership with Health & Wellbeing Queensland (HWQ) and the Queensland Department of Sport and Recreation, established the Building a Healthy Bundaberg Alliance (the Alliance).

The Alliance is made up of over 30 local health and well-being organisations who have come together to address the region's chronic level of obesity. The Alliance meets every second month and is administered by Council, HWQ and the Queensland Department of Sport and Recreation. Council's Sport and Recreation portfolio Councillor, Vince Habermann attends all Alliance meetings.

The Alliance has ambitiously set a goal to 'reduce the region's obesity rate to below the national level by 2030'. The Building a Healthy Bundaberg program is one of Council's current public advocacy items.

The advocacy item supports Council's other human capital advocacy items, namely the Bundaberg Jobs Commitment and the Building a Resilient Bundaberg Trial. Combined, these advocacy items are designed to ensure Bundaberg has engaged, healthy and resilient young people as part of building Australia's best regional community.

It is hard to envision Australia's best regional community without healthy, engaged, and resilient young people.

Since 2020 the Queensland Government has invested over \$800,000 toward project work in the Bundaberg Region (this figure does not include investments in broader state-wide initiatives through which the Bundaberg region is likely to benefit). Investment has been made in the following initiatives:

- Behavioural Science Strategy (delivered by Evidn)
- Building a Healthy Bundaberg Implementation Plan (currently being delivered by Evidn)
- Financial support towards a 4-year PhD research project that explores the impact of investing in health as a pathway to improving economic performance
- Coordination of Pick of the Crop in local schools

Moreover, the State will contribute up to \$134,600 towards Council's Active and Healthy Bundaberg Program (to which Council contributed \$75,000). This program is set to conclude in June 2022, and new projects will be required to continue work toward our goal of reducing the region's obesity rate.

All initiatives are place-based and aim to improve health and wellbeing outcomes for Bundaberg residents.

While it may be argued that innovative approaches to improving local health and wellbeing outcomes is not a direct responsibility of local government, it is fair to say that without new and innovative place-based solutions being designed through the Alliance, that conventional health approaches will not work.

Between 2009/10 and 2017/18 Bundaberg's adult obesity rate grew from 57% to 69% (Source: Queensland Health, Queensland Survey Analytic System). By comparison, the most current national obesity rate was 67% in 2017/18 (Source: Australian Institute of Health and Welfare, Australian Government).

Further, 8 in 10 Bundaberg adults rated their health as excellent or very good while only 29% of adults are in fact a healthy weight (measured by BMI).

The successful Alliance model that Council has established with the Queensland Government is a great way to partner on improving local health outcomes. Indeed, HWQ was established in recognition that conventional state-wide approaches to health and wellness were not working, with the Bundaberg Alliance recognised as one of the state's best new local partnerships to improve outcomes.

What's Proposed

One of the new strategies being investigated by the Alliance to reduce obesity is Eat Breathe Live. Councillors were recently provided an interesting presentation of the project by Reuben Meerman.

The project takes a scientific approach to teaching students (and adults) about human metabolism, nutrition, and how the two are intertwined to affect health outcomes and obesity. The objective of Ruben's work is to improve health outcomes and reduce obesity rates in the Bundaberg region by improving knowledge of science and health literacy.

Ruben has already garnered support from a number of organisations across the region. These relationships extend to health and wellbeing organisations who serve

the general public (eg, Bundaberg Health Promotions and UQ Rural Clinical School), and opportunities to work with members of the Building a Healthy Bundaberg Alliance.

Ruben has also established relationships with schools throughout the region, having met with 36 schools between 2018 to 2021. Together, these schools currently educate more than 11,400 Prep to Year 12 students (99%) in the 4670 postcode. Ruben will soon begin delivering elements of Eat Breathe Live at Avoca State School, including presentations for students and professional development for teachers. It is important to note that Eat Breathe Live is not solely targeted to students and may be delivered to a broader, adult audience.

Based on a 3-year program timeframe, the cost for delivering Eat Breathe Live is estimated to be between \$200,000 and \$250,000 (inclusive of resources and full-time employee commitments).

Raising this funding is required to deliver the project in Bundaberg.

It is anticipated that both government (grant) and non-government funding will be sourced by the Alliance and Ruben Meerman for the project.

To support the attraction of non-government funding, it is proposed that the project becomes a priority of the Alliance.

By Council providing a provisional \$30,000 commitment towards the project, it will help attract other non-government funding. For example, other partners will be likely to contribute if the Alliance has \$30,000 on the table.

Council's contribution would be contingent upon significantly greater non-government, or government funding. While government grants, like those Council has already been successful in, often operate on a 2:1 basis, it is anticipated that the total ratio of funding against Council's contribution would be 7 to 10 times. For example, between \$200,000 to \$300,000, or adequate to meet project needs.

While future grant applications may invite Council to make a greater cash contribution, this initial commitment will help the project attract funding from other sources.

The Building a Healthy Bundaberg initiative is a long-term endeavour and will evolve over time as new projects begin and old projects come to an end. Council's proposed contribution towards Eat Breathe Live will help to secure additional funding from other tiers of government (as well as local organisations) and help continue building a healthy Bundaberg.

Associated Person/Organization:

Ruben Meerman, creator of the *Eat, Breathe, Live* initiative

Consultation:

Portfolio Spokesperson: Cr Vince Habermann

Divisional Councillor: not applicable

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:

Council is proposing to make a provisional \$30,000 commitment towards the project, where the provision includes securing equal or greater State, Federal or other funding.

If funding from Council is approved, Council would dedicate effort toward submitting future funding applications for the project. If funding from the State or Federal Government is secured, in addition to the cash contribution, Council would need to dedicate nominal resource time toward funding agreement administration (e.g., reporting, milestone tracking, etc.).

Risk Management Implications:

There appears to be no risk implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council approve a provisional \$30,000 cash commitment towards Eat Breathe Live, contingent upon securing equal or greater State, Federal or other funding.

**Item****31 May 2022****Item Number:**

F1

File Number:**Part:**

FINANCE

Portfolio:

Executive Services

Subject:

Interim Management Report for 2022 Financial Audit

Report Author:

Simon Muggeridge, Chief Financial Officer

Authorised by:

Christine Large, Chief Legal Officer

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:

As part of the annual financial audit, Council's external auditors provide an interim management report summarising the findings of their interim audit. There were no matters raised.

Associated Person/Organization:

Pitcher Partners and Queensland Audit Office.

Consultation:

Audit & Risk Committee.

Chief Legal Officer's Comments:

Pursuant to section 213 of the *Local Government Regulation 2012*, the Mayor must present a copy of the auditor-general's observation reports to the next Ordinary meeting of Council.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

Audit costs are provided for in the 2021/2022 budget.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

↓1 Interim Management Report BRC 2022

Recommendation:

That the Interim Management Report for the 2022 Financial Audit, be noted by Council.



Bundaberg Regional Council

29 April 2022





29 April 2022

Councillor Bill Trevor
Acting Mayor
Bundaberg Regional Council
190 Bourbong Street
BUNDABERG QLD 4670

Dear Councillor Trevor

2022 Interim report

We present to you our interim report for Bundaberg Regional Council for the financial year ending 30 June 2022.

This report details the results of our interim work performed to 1 April 2022. In this we assessed the design and implementation of your internal controls, and whether they are operating effectively. The internal controls that we assessed are those key controls we intend to rely on in auditing your financial statements. Our audit does not assess all controls that management have implemented across the organisation.

Under the Australian Auditing Standards, we are required to communicate to you any significant deficiencies in your control environment identified from our audit process. We have not identified any such significant deficiencies.

We have also undertaken work over the areas of audit focus that were communicated in our external audit plan. To date, our work has not identified any significant deficiencies in your internal controls or any new financial reporting issues.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

The *Auditor-General Act 2009* requires the Auditor-General to report to parliament on an issue raised during an audit if they consider it to be significant. The results of our audit will be included in our report to parliament on the results of local government audits 2021-22.

If you have any questions or would like to discuss the audit report, please contact me on 3222 8444 or the engagement manager Clayton Russell on 3222 8304.

Yours sincerely

Jason Evans
Partner

cc. Mr Stephen Johnston, Chief Executive Officer
Mr Stephen Coates, Audit and Risk Committee Chair

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2022 Interim report

1. Summary

We completed our audit planning phase and issued an external audit plan on 27 January 2022. This report details our audit findings from the work we performed on the key controls identified during the audit planning phase over revenue, expenditure, payroll, property, plant and equipment, and information technology systems.

Internal controls

No new internal control deficiencies or financial reporting matters have been raised as a result of our interim audit work. There are no unresolved matters brought forward from prior years.

Based on the results of our testing completed to date and the resolution of prior year issues, we have determined your internal control environment supports an audit strategy that can rely upon these controls.

Areas of audit focus

We have also performed work over the areas of audit focus identified in our external audit plan. Our progress against the areas of audit focus is on track.

Milestones—On track

To date, all milestones set out in our external audit plan and agreed to by management have been met. We do not currently anticipate any slippages in future deliverables.

Audit fees—On track

- Invoiced to date: \$47,400
- Remaining fee: \$110,600

SENSITIVE

1

2022 Interim report

2. Status of issues

Internal control issues

The following table identifies the number of deficiencies in internal controls and other matters we have identified. As reflected, we have not identified any new control deficiencies during our interim audit, and there are no outstanding issues brought forward from previous periods.

Internal control issues by COSO element	Number of significant deficiencies		Number of deficiencies		Rating
	Current year issues	Prior year unresolved issues	Current year issues	Prior year unresolved issues	
Control environment <i>Structures, policies, attitudes and values that influence daily operations</i>	-	-	-	-	●
Risk assessment <i>Processes for identifying, assessing and managing risk</i>	-	-	-	-	●
Control activities <i>Implementation of policies and procedures to prevent or detect errors and safeguard assets</i>	-	-	-	-	●
Information and communication <i>Systems to capture and communicate information to achieve reliable financial reporting</i>	-	-	-	-	●
Monitoring activities <i>Oversight of internal controls for existence and effectiveness</i>	-	-	-	-	●

Our ratings: **Effective** – No significant deficiencies identified; **Partially effective** – One significant deficiency identified; **Ineffective** – More than one significant deficiency identified.

Financial reporting issues

No new financial reporting issues were identified through the performance of our interim audit testing. There are no unresolved financial reporting issues brought forward from prior years.

SENSITIVE

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**Item****31 May 2022****Item Number:**

F2

File Number:**Part:**

FINANCE

Portfolio:

Executive Services

Subject:

Financial Summary as at 3 May 2022

Report Author:

Doug Taylor, Deputy Chief Financial Officer

Authorised by:

Simon Muggerridge, Chief Financial Officer

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 3 May 2022.

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.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

↓1 Financial Summary 3 May 2022

Recommendation:

That the Financial Summary as at 3 May 2022 be noted by Council.

Financial Summary
as at 03 May 2022



	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 - 83%</i>															
Recurrent Activities															
<i>Revenue</i>															
Rates and Utility Charges	165,535,396	166,000,095	100%	85,023,584	85,060,095	100%	16,622,122	16,550,000	100%	32,497,802	32,440,000	100%	31,391,888	31,950,000	98%
Less: Pensioner Remissions	(1,695,214)	(1,704,000)	99%	(1,695,214)	(1,704,000)	99%	-	-	-	-	-	-	-	-	-
	163,840,182	164,296,095	100%	83,328,370	83,356,095	100%	16,622,122	16,550,000	100%	32,497,802	32,440,000	100%	31,391,888	31,950,000	98%
Fees and Charges	26,682,394	31,394,294	85%	16,887,576	20,610,741	82%	7,002,148	7,849,503	89%	1,015,245	1,017,000	100%	1,777,425	1,917,050	93%
Interest Revenue	1,114,439	1,285,800	87%	1,114,439	1,285,800	87%	-	-	-	-	-	-	-	-	-
Grants, Subsidies and Donations	16,463,915	13,867,971	119%	16,068,509	13,657,971	118%	395,406	210,000	188%	-	-	-	-	-	-
Sale of Developed Land Inventory	1,557,808	560,000	278%	1,557,808	560,000	278%	-	-	-	-	-	-	-	-	-
Total Recurrent Revenue	209,658,738	211,404,160	99%	118,956,702	119,470,607	100%	24,019,676	24,609,503	98%	33,513,047	33,457,000	100%	33,169,313	33,867,050	98%
<i>Expenses</i>															
Employee Costs	66,998,669	78,214,009	86%	52,557,210	60,908,189	86%	5,412,888	6,216,593	87%	4,441,707	5,439,956	82%	4,586,864	5,649,271	81%
Materials and Services	52,635,041	75,403,629	70%	29,389,264	44,423,824	66%	9,646,315	12,634,941	76%	6,518,999	8,128,983	80%	7,080,463	10,215,881	69%
Finance Costs	3,264,851	3,909,695	84%	1,325,586	1,553,695	85%	492,633	605,000	81%	1,252,905	1,520,000	82%	193,727	231,000	84%
Depreciation	44,749,627	53,699,553	83%	31,854,794	38,225,753	83%	939,083	1,126,900	83%	5,930,833	7,117,000	83%	6,024,917	7,229,900	83%
Total Recurrent Expenditure	167,648,188	211,226,886	79%	115,126,854	145,111,461	79%	16,490,919	20,583,434	80%	18,144,444	22,205,939	82%	17,885,971	23,326,052	77%
Operating Surplus	42,010,550	177,274		3,829,848	(25,640,854)		7,528,757	4,026,069		15,368,603	11,251,061		15,283,342	10,540,998	
<i>Transfers to</i>															
NCP Transfers	1	-		(15,018,179)	(18,021,816)		831,907	998,288		7,374,197	8,849,036		6,812,076	8,174,492	
Total Transfers	1	-		(15,018,179)	(18,021,816)		831,907	998,288		7,374,197	8,849,036		6,812,076	8,174,492	
Movement in Unallocated Surplus	42,010,549	177,274		18,848,027	(7,619,038)		6,696,850	3,027,781		7,994,406	2,402,025		8,471,266	2,366,506	
Unallocated Surplus/(Deficit) brought forward	43,629,253	43,629,253		(26,006,941)	(26,006,941)		13,086,220	13,086,220		17,223,889	17,223,889		39,326,085	39,326,085	
Unallocated Surplus/(Deficit)	85,639,802	43,806,527		(7,158,914)	(33,625,979)		19,783,070	16,114,001		25,218,295	19,625,914		47,797,351	41,692,591	
Capital Activities															
Council Expenditure on Non-Current Assets	49,307,753	93,406,685	53%	37,835,843	74,949,342	50%	762,871	3,704,752	21%	2,738,515	3,984,221	69%	7,970,524	10,768,370	74%
Loan Redemption	5,538,295	6,673,000	83%	2,807,227	3,384,000	83%	614,765	741,000	83%	1,821,641	2,193,000	83%	294,662	355,000	83%
Total Capital Expenditure	54,846,048	100,079,685	55%	40,643,070	78,333,342	52%	1,377,636	4,445,752	31%	4,560,156	6,177,221	74%	8,265,186	11,123,370	74%
Cash															
Opening balance	149,144,168	149,144,168													
Movement - increase/(decrease)	34,288,047	(2,035,884)													
Closing balance	183,432,215	147,108,284													

Further to the Financial Summary Report as of 3 May 2022, the following key features are highlighted.

Financial Overview				
	YTD Actual*	YTD Budget		Variance
Operating Income	182.4m	176.2m	✓	6.2m
Operating Expenditure	167.6m	176.0m	✓	-8.4m
Operating Surplus/(Deficit)	14.8m	0.2m	✓	14.6m
Capital Expenditure	49.3m	80.3m	✗	-31.0m
Cash	183.4m	138.4m	✓	45.0m

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

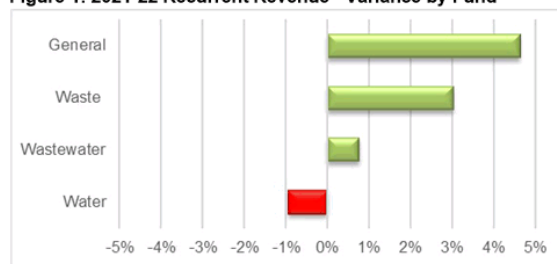
Overall

- The projected year end surplus will be substantially higher than the \$200k revised budget, although it is difficult to predict the level of surplus at this stage. Cash position is higher than forecast as result of early Financial Assistance Grant payment, operational projects and capital delivery being financially lower than budget.

Recurrent Revenue

- Rates and utility charges were levied in January 2022 for the second half year period and pensioner remissions applied. The levied amounts are consistent with the budget, including the expected lower water consumption in the first half of the financial year.
- Fees and charges are tracking in line with year-to-date (YTD) budget. There has been positive influence from development activity with plumbing activity and private works budget for Water and Sewerage Funds being ahead of YTD budget.
- Interest revenue is in line with the YTD budget. Interest on overdue rates is lower due to historically low levels of arrears, whilst Interest on Investments is trending ahead of budget - due to the cash balance at this point in the financial year.
- Grants, Subsidies and Donations are less than the YTD budget. This is expected and reflects the payment cycle of many grants being paid quarterly or at milestones. The budget includes an assumption of advance payment of Financial Assistance (FA) Grant with the Federal Budget 2022 (released in late March 2022) indicating the allocation will be higher than forecast in the 2021/22 budget. Whilst this advance payment will assist with 2021/22, it will conversely disadvantage the 2022/23 operational result.
- Council has settled seven parcels of Land Developed for Sale this financial year and one lot subject to conditional building process along with a further 3 lots at unconditional contract stage. Any conditional contracts are not reflected in the financial summary.

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



- Figure 1 presents the view across the funds, General Fund variance related to FA grant and Water Fund related to water consumption, with comments outlined above.

Recurrent Expenditure

- Employee Costs are tracking slightly higher than budget, with budgets being monitored closely. Employee’s delivery of the capital program and end of year leave adjustments can impact this expense.
- Materials and Services are lower comparative to YTD budget. Non-capital projects overall are comparatively underbudget (\$3.5 million spend against \$10.1 million budget, or 35%). At a fund level, Water shows a higher percentage under budget comparative to other funds.
- Finance Costs and Depreciation are set to be in line with YTD budget.

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

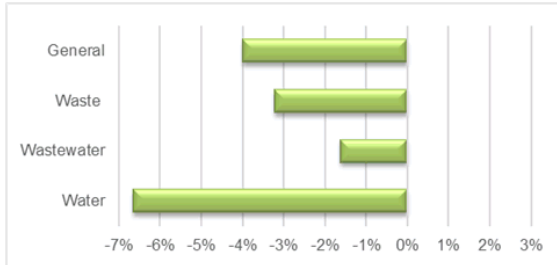


Figure 2 shows the Funds as favourable comparatively to approximate budget.

Capital Expenditure and Capital Grants

- Year-to-date capital expenditure is \$49.3 million (YTD budget \$80.3 million; total budget \$93.4 million (excluding loan redemption \$6.7 million and donated assets \$7.5 million)).
- 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). Historically the second half of financial year has higher expenditure particularly Roads (Reseal/Resurface) Program. All 3 graphs exclude loan redemption and donated assets.
- Capital grants are predominately on track.

Figure 3: 2021-22 Capital Expenditure

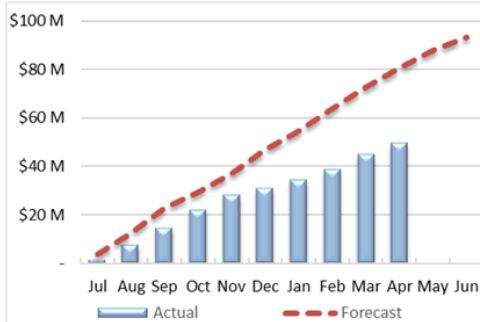


Figure 4: 2021-22 Capital Expenditure (financial delivery)

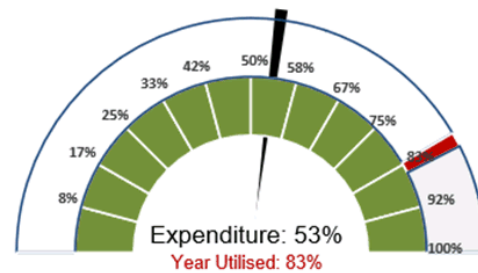
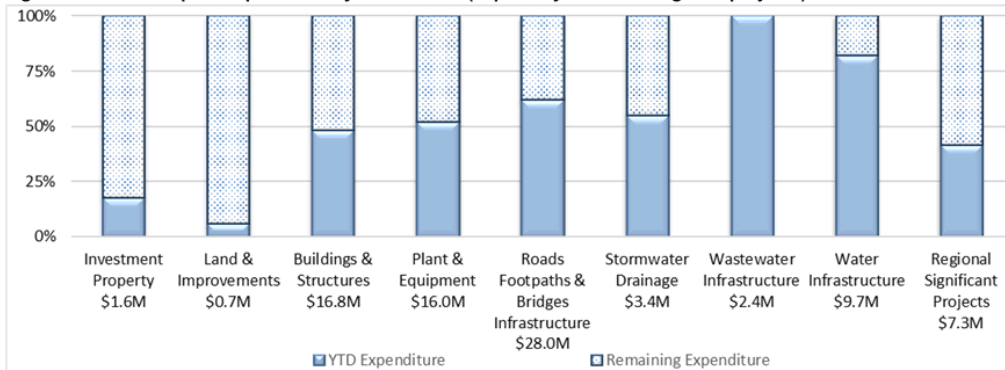


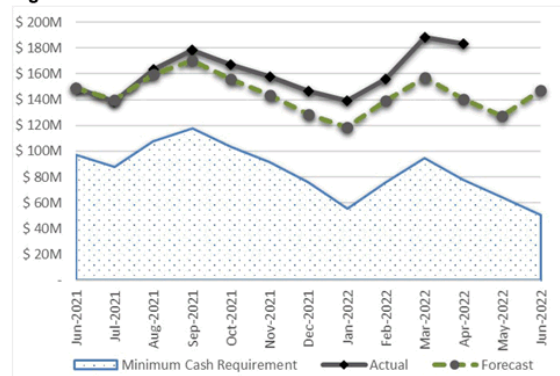
Figure 5: 2021-22 Capital Expenditure by Asset Class (separately identified regional projects)



Cash

- The cash balance at close of business on 30 April was \$183.4 million, being a decrease of \$5.0 million from last month (\$188.4 million).
- No short-term liquidity issues are foreseeable.
- The actual and forecast cash movement is illustrated in Figure 6.
- Actual is higher due to early payment of FA Grant and delivery of the capital program being financially lower than approximate budget, as indicated in the comments in earlier sections.

Figure 6: 2021-22 Cash Profile



Rates Debtor

- Rates outstanding at the end of April 2022 were \$4.8 million (2.7%), comparative to last month was \$8.0 million (4.4%).
- Sale of land for rate arrears was undertaken on 7 April 2022 with 5 properties remaining on the list (down from the previous 15 properties). Four properties that were sold at auction have been settled with the fifth property currently in negotiation.

Other Debtors

- Infringements at 30 April 2022 total \$402,000 with 2,581 infringements (comparatively last month was \$393,000 with 2,564 infringements). Parking infringements represent 42% the infringements outstanding (after SPER write-offs), with the remaining related to local laws, environmental health and development compliance.
- There has been more than \$36k of SPER debt written-off this financial year. These are reflected in the statistics in the above infringement bullet points.

Borrowings

- As reported last month, loans balance was \$68.1 million as at 31 March 2022
- Council's \$33.5 million borrowing application was approved during April 2022, with drawdown being requested early May, therefore will be reflected in May monthly finance report.

**Item****31 May 2022****Item Number:**

G1

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Esri Australia Pty Ltd

Report Author:

Steven Bowden, GIS Delivery & Support Team Leader

Authorised by:

Christine Large, Chief Legal Officer

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus - 3.2.5 Provide and review systems, programs and processes to ensure effective, innovative and efficient service delivery to meet community expectations.

Background:

The suite of ArcGIS software is used to provide services across the organisation and to the community:

- ArcGIS Desktop for the GIS, Assets, Strategic Planning and Infrastructure Planning teams for data editing, analysis and map production.
- ArcGIS Collector and Survey123 for mobile data collection and business automation projects.
- ArcGIS Server for Geocortex (GTX) which is used by approximately 500 internal staff and the publicly accessible Interactive Map and Flood Gauge Mapping system.
- Publicly accessible Story Maps for presentation of information eg Venues & Facilities for Hire, RV Parking, Botanic Gardens Story Maps etc.
- A platform for OpenData hosting.

Council's existing 3 year Licence Agreement with Esri Australia Pty Ltd to use the ArcGIS software suite is due to expire on 31 July 2022. Council has been utilising this software for the last 15 years and therefore it would not be cost effective to change to another system when the existing system is still functionally fit for purpose.

Associated Person/Organization:

Esri Australia Pty Ltd (ABN 16 008 852 775)

Consultation:

Internal Procurement Section

Procurement Board

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 implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council enter into an arrangement with Esri Australia Pty Ltd for the supply of the ArcGIS software suite, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

**Item****31 May 2022****Item Number:**

G2

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Civica Authority

Report Author:

Mitch Miller, Chief Information Officer

Authorised by:

Christine Large, Chief Legal Officer

Link to Corporate Plan:

Our community and environment - 1.1 Economic growth and prosperity - 1.1.1 Promote and support use of new technology across the organisation and region's economy as part of the Intelligent Communities Strategy.

Background:

Council provisioned the services of Civica for Council-wide Enterprise Resource Planning (ERP) in 2005, and a comprehensive review of Council's ERP and Enterprise Asset Management (EAM) system was undertaken in 2017. It was decided that Council will retain and enhance Authority and proceed to investigate EAM options. An Authority upgrade was undertaken in 2018 with additional integrations implemented through several third-party applications including Formbird (Water Services & Fleet/Trade Services Works Management), Snap Send Solve and various web forms to enhance and streamline the user experience of Council's customers.

Council is currently a beta site for Civica's updated version of the ERP Altitude, which was recently launched. Altitude is cloud based and offers enhanced security whilst modernising user experience, enabling the implementation of a new Procure to Pay (P2P) system.

Whilst there are several providers of ERP systems, the integrations developed to other core systems in Council are integral to daily operational matters; as such it is impractical to source quotes from alternate ERP providers to undertake the system, support and maintenance for Council's ERP.

Associated Person/Organization:

Civica Authority – Enterprise Resource Planning

Consultation:

Internal Procurement Section

Procurement Board

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 implications.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council enter into an arrangement with Civica Altitude – Enterprise Resource Planning for the supply of Enterprise Resource Management system, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.

**Item****31 May 2022****Item Number:**

G3

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Objective Corporation Ltd

Report Author:

Mitch Miller, Chief Information Officer

Authorised by:

Christine Large, Chief Legal Officer

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus - 3.2.5 Provide and review systems, programs and processes to ensure effective, innovative and efficient service delivery to meet community expectations.

Background:

Council provisioned the services of Objective in 2015 to provide a Council-wide Electronic Documents and Records Management System (EDRMS). Objective is a core system to Council's business addressing compliance and audit for recordkeeping purposes as legislated by the State government.

Objective has been customised to have integrations with our Enterprise Resource Planning system (Altitude) and is widely respected and utilised in many other local, state and federal government agencies including the Queensland Police Service and the Australian Defence Force.

Council undertook a large update of Objective in 2020 which saw huge improvements in its functionality, availability and modernisation of workflows. Whilst there are several providers of EDRMS, the integrations developed to other core systems in Council are integral to daily operational matters.

Associated Person/Organization:

Objective Corporation Ltd

Consultation:

Internal Procurement Section

Procurement Board

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.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council enter into an arrangement with Objective Corporation Limited for the supply of Electronic Documents and Records Management System, support and maintenance without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*.



Item

31 May 2022

Item Number:

G4

File Number:

.

Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Council Policy Review

Report Author:

Amy Crouch, Senior Governance Officer

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

Link to Corporate Plan:

Our organisational services - 3.2 Responsible governance with a customer-driven focus - 3.2.4 Exercise whole-of-Council adherence to, and compliance with, Council's policies and procedures, in keeping with our corporate values and community's expectations.

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.

The final policies have been reviewed and amendments across all policies includes:

- Replacing 'staff' and 'officer' throughout with employee and including a definition for same.
- Update policy owner to simply read the role title.
- Rephrasing of some sentences/paragraphs.
- Reorder of definitions and other lists to alphabetical.

Other specific changes for policies are listed below:

Buy Local Policy

- New definitions added.

- Review and redraft of clause 5 relating to the application of the 30% local content value which will now embed a common and consistent approach to local content value for all procurement activities (ie goods, services and construction).
- Clause 6 redrafted to remove the provision for the different treatment of construction procurement activities.
- The new local content rating, whilst still retaining the 30% buy local commitment will be:
 - 10% - regionally located/head-quartered
 - 10% - regionally employed people/hired local plant
 - 10% - regionally made/built/assembled/grown goods
- Clause 9 deleted.

Media Relations Policy

- Clause 6 has been updated.

Planning Protocols Policy

- Numbering added to rows for Appendix 1 – Roles of Stakeholders.
- Amendment to planning stage number 8 – Council employees bullet point number 2.

Associated Person/Organization:

Not applicable

Consultation:

Councillors, Executive Leadership Team and Policy Owners

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:

A Human Rights Assessment was undertaken for each policy and the policies are compatible with human rights.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

- ↓1 Buy Local Policy
- ↓2 Media Relations Policy
- ↓3 Planning Protocols Policy

Recommendation:

That Council:

- 1. rescind the following policies:**
 - **Buy Local Policy, version 4 (CP-3-046);**
 - **Media Relations Policy, version 3 (CP-3-009); and**
 - **Planning Protocols Policy, version 3 (CP-3-051).**

- 2. Adopt the following policies:**
 - **Buy Local Policy, version 5 (CP-3-046);**
 - **Media Relations Policy, version 4 (CP-3-009); and**
 - **Planning Protocols Policy, version 4 (CP-3-051).**



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

Employee means a local government employee as defined pursuant to the *Local Government Act 2009*.

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

Local government area means the Bundaberg Regional Council area as gazetted by the Queensland Government and referenced at www.qgso.qld.gov.au/issues/10941/qld-lga-asgs-2021-bundaberg.pdf.

Local services means services employed and or hired within the local government area and may include but are not limited to hire of labour, subcontractors, maintenance, repair, overhaul, transport carriers, holding yards, distribution warehouses and/or plant/equipment hire.

Local supplies means supplies grown, made and or manufactured within in the local government area and may include but are not limited to goods, materials (natural, raw, semi-finished or finished), products, assembly, fabrication, etc.

Main business location means the supplier's current "Main Business Location" as recorded on the ABN Lookup reference site (www.abr.business.gov.au/) immediately prior to a contract being awarded for which their offer has been submitted.

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

Sound contracting principles means as defined in the *Local Government Act 2009*.

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.

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Policy No. CP-3-046
Adopted Date: 31/05/2022 Version: 5
Responsible Department: Organisational Services

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Buy Local Policy

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 all procurement activities (i.e., goods, services, construction, information, communication, technology, etc.).

This weighting is to be based on categorisations of main business location, local services content, and local supplies content.

To demonstrate the local benefits or effect on the region directly attributable to any contract awarded, in addition to a supplier having their main business location in, and conducting business within the local government area, the purpose of the local services content, and local supplies content categorisations is to determine whether the supplier is providing or is contributing towards:

- Utilisation of Bundaberg regional goods, materials, or services, including locally made products, materials, and/or assembly and fabrication in the region;
- Use of local transport carriers, holding yards or distribution warehouses;
- Use of local supplier/contractors, sub-contractors/supplier and/or labour hire; and
- Local employment, apprenticeships, or other community or local business 'multiplier' benefits or effect on the region.

Buy Local Sub-Categorisations	Local content preferential weighting
5.1 Main Business Location	10%
5.2 Local Services Content	10%
5.3 Local Supplies Content	10%
Buy Local Total Assessment	30%

5.1 Main Business Location

Score	Category	Description
10%	A	<ol style="list-style-type: none"> 1. Is a developing or established business in the Bundaberg Regional Council local government area directly employing local FTEs (includes sole traders); or 2. An incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or

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Buy Local Policy

Score	Category	Description
		3. An indigenous business within the local government area directly employing local FTEs.
8%	B	Has a branch office within the local government area directly employing a minimum of 10 FTEs (not contractors).
6%	C	Has a branch office within the local government area, established for a minimum of 6 months, directly employing less than 10 FTEs (not contractors).
4%	D	Has a business in the adjacent local government areas (Gladstone, North Burnett, Fraser Coast).
2%	E	Is a Queensland business.
1%	F	Is an interstate business.
0%	G	Is an overseas business.

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

- Has its main business location 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; (noting that it 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 within the local government area; or
- Is an indigenous business in the Council area directly employing local FTEs within the local government area.

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 the supplier's registered main business location is outside of the local government area; and
- Constitute a physical address within the local government area, not a post office box, other mailing address, or short-term (less than 12 months) temporary leased premises or desks.

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

5.2 Local Services Content

To determine the cost of local services content, suppliers are to provide and detail as part of any offer to Council, a dissection of the cost of local services content included in their total financial offer.

The level of detail is to be limited to head/lead supplier (1st Tier) and then first level of subcontractors and suppliers (2nd Tier). Local services content below these levels will not be included in the calculations for policy assessment purposes.

The calculated percentage of the cost of local services employed and or hired within the local government area will be attributed a preferential weighting toward the supplier's overall

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Buy Local Policy

buy local benefit scoring for evaluation purposes.

Weighting to be attributed	Cost of Local Services employed and/or hired within the local government area percentage of total financial Offer*
10 %	>80 - 100%
8%	>60% - 80%
6%	>40% - 60%
4%	>20% - 40%
2 %	1% - 20%
0 %	< 1 %

* Percentage calculations are to be round to nearest whole numbers for purposes of categorisation assessment.

5.3 Local Supplies Content

To determine the cost of local supplies content, suppliers are to provide and detail as part of any offer to Council, a dissection of the cost of local supplies content included in their total financial offer.

The level of detail is to be limited to head/lead supplier (1st Tier) and then first level of subcontractors and suppliers (2nd Tier). Local supplies content below these levels will not be included in the calculations for policy assessment purposes.

The calculated percentage of the cost of local supplies grown, made and or manufactured within in the local government area will be attributed a preferential weighting toward the Supplier's overall Buy Local benefit scoring for evaluation purposes.

Weighting to be attributed	Cost of Local Supplies grown, made and or manufactured within in the local government area percentage of total financial Offer *
10 %	>80 - 100%
8%	>60% - 80%
6%	>40% - 60%
4%	>20% - 40%
2 %	1% - 20%
0 %	< 1 %

* Percentage calculations are to be round to nearest whole numbers for purposes of categorisation assessment.

6. Council employees may exercise reasonable discretion to consider sound contracting principles when evaluating tender results.

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Policy No. CP-3-046
Adopted Date: 31/05/2022 Version: 5
Responsible Department: Organisational Services

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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 by the Procurement Board of a Premarket Plan submission) 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.

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

Manager Strategic Procurement and Supply.

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Policy No. CP-3-046
Adopted Date: 31/05/2022 Version: 5
Responsible Department: Organisational Services

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Media Relations Policy

HEAD OF POWER

- *Local Government Act*, section 9

INTENT

The purpose of this policy is to ensure effective communications that protect and enhance the reputation of Council, inform the community, promote a positive image of the Bundaberg Region and raise awareness about Council services and activities.

SCOPE

This policy applies to all aspects of Council's operations and is relevant to all employees, Councillors and Councillor Advisor (Mayor's Chief of Staff).

Social media is recognised as media for the purpose of this policy.

DEFINITIONS

Employee means a local government employee as defined pursuant to the *Local Government Act 2009*.

POLICY STATEMENT

1. Council will ensure all communications with media are consistent, accurate, timely and appropriate.
2. The Mayor, Chief Executive Officer and Communications Manager are authorised to act as spokespeople for Council.
3. The Councillor Advisor is authorised to act as spokesperson for the Mayor.
4. The Mayor may nominate a Councillor to act as media spokesperson on matters related to their portfolio or division.
5. The Chief Executive Officer and Communications Manager may nominate an employee to act as media spokesperson on matters related to their responsibilities and expertise.
6. Authorisation is not required for Councillor communication through non-Council social and digital media platforms, individual newsletters, media interviews, media releases or personal communications where the Councillor is not seeking to represent the official position of Council.
7. Individual employees may express personal views to the media on issues that are unrelated to Council but will not identify as a Council employee or Council spokesperson without authorisation by the Chief Executive Officer or the Communications Manager

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Policy No. CP-3-009

Adopted Date: 31/05/2022 Version: 4

Responsible Department: Communications

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Media Relations Policy

8. Council employees may assist the Mayor with maintaining official social media accounts and Councillors with research and fact checking.
9. Council's Caretaker Period Protocol supersedes this policy during the election caretaker period.

ASSOCIATED DOCUMENTS

- Caretaker Period Protocol
- Communications Plan
- Corporate Plan
- Code of Conduct for Councillors in Queensland
- Employee Code of Conduct Policy

DOCUMENTS CONTROLS

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

POLICY OWNER

Communications Manager, Communications.

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Policy No. CP-3-009
Adopted Date: 31/05/2022 Version: 4
Responsible Department: Communications

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Planning Protocols Policy

HEAD OF POWER

- *Local Government Act 2009*
- *Planning Act 2019*, Chapters 2 and 3

INTENT

The purpose of this policy is to manage the participation of various stakeholders within development application and plan making processes.

DEFINITIONS

Councillor means the Mayor and Councillors of the Bundaberg Regional Council.

Employee means a local government employee as defined pursuant to the *Local Government Act 2009*.

Development application has the meaning in the *Planning Act 2016*.

Developer means an applicant for a development approval or a prospective applicant for a development approval, their advisors, and representatives including consultants. It includes any lobbyist acting on behalf of a developer. If the applicant is a body corporate, the term includes office holders and employees of the applicant. If the applicant is a partnership, the term includes partners and employees of the applicant. It also includes the owner of land that is the subject of a development application or prospective development application.

Interaction means a pre-arranged engagement in relation to a development matter (including face to face, virtual or by telephone).

Lobbyist has the same meaning as defined in the *Integrity Act 2009*, that is, a person or entity who carries out lobbying for a third-party client.

Local Planning Instrument has the meaning in the *Planning Act 2016* and also includes Infrastructure Charges Resolutions, Flood Hazard Area Resolutions, Amenity and Aesthetic Policy or other similar documents created to form part of the development assessment process.

Submitter is a person who has made a submission, or expressed an intention to make a submission, about a development application or Local Planning Instrument as provided under the *Planning Act 2016*. It includes any lobbyist or consultant acting on behalf of a submitter.

SCOPE

This policy applies to all employees, Councillors and the Councillor Advisor (Mayor's Chief of Staff), and is consistent with the legislative requirements relating to councillors in the *Local Government Act 2009*, the *Planning Act 2016* and the *Integrity Act 2009*.

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Policy No. CP-3-051
Adopted Date: 31/05/2022 Version: 4
Responsible Department: Development

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Planning Protocols Policy

This policy does not apply to unanticipated or social engagements that occur from time to time between Councillors, developers or submitters. However, Councillors should carefully consider the implications of social engagements with these persons and be mindful at all times of their obligations under the *Local Government Act 2009* and the Code of Conduct for Councillors in Queensland.

This policy also applies to Councillor interactions with the community related to the making of planning instruments such as planning scheme amendments, new planning scheme preparation, infrastructures charges resolutions, neighbourhood/local area plans or the like.

POLICY STATEMENT

1. This policy has been developed to provide clear guidance of the various roles and responsibilities involved with the planning and development application processes.
2. Council has delegated to the Chief Executive Officer powers under the *Planning Act 2016* to decide development applications. Some of these powers have then been subdelegated to appropriate employees.
3. The *Local Government Act 2009* outlines the particular requirements for Councillors in relation to managing prescribed conflicts of interests and declarable conflict of interests. This policy will also assist Councillors to avoid any potential conflicts of interests relating to development applications made to Council.
4. Council will also, from time to time, make or amend its Local Planning Instruments relevant to the regulation and assessment of development. This policy assists the stakeholders in determining when and how interactions between the relevant stakeholders should take place.
5. Appendix 1 outlines the roles of each stakeholder in the development application process and responsibilities for same, to ensure good governance and decision making.
6. Appendix 2 outlines the guidelines for Councillor interactions with Developers, Lobbyists and Submitters.
7. If a Councillor has a prescribed or a declarable conflict of interest in relation to a development application which is under assessment they must not:
 - a. Interact with a developer or submitter in relation to that matter; or
 - b. Influence, attempt to influence or discuss the matter with another Councillor who is partly responsible or an employee who is wholly or partly responsible for deciding the matter.
8. Councillors and employees are required to adhere to the limits of their roles outlined in the Appendix. They will also assist other external parties to understand and act within the roles ascribed to them.

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Policy No. CP-3-051
Adopted Date: 31/05/2022 Version: 4
Responsible Department: Development

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Planning Protocols Policy

ASSOCIATED DOCUMENTS

- Acceptable Requests Guidelines Policy
- Amenity and Aesthetics, and Building Work Involving Removal or Rebuilding Policy (November) 2017
- *Bundaberg Regional Council Planning Scheme 2015*
- Charges Resolution (No.1) 2021
- Code of Conduct for Councillors in Queensland
- Contact with Lobbyists Policy
- Flood Hazard Area Resolution 1/2019
- *Integrity Act 2009*
- Media Relations Policy
- *Public Records Act 2002*
- Recordkeeping Policy

DOCUMENT CONTROLS

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

POLICY OWNER

Group Manager Development.

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Policy No. CP-3-051
Adopted Date: 31/05/2022 Version: 4
Responsible Department: Development

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Planning Protocols Policy

Appendix 1 – Roles of stakeholders

PLANNING STAGE	ROLES			
	Applicant/developer/lobbyist	Councillors	Council employees	Submitters/public
1. Local Planning Instrument Preparation	Nil	<ul style="list-style-type: none"> Raise policy issues with employees Formulate and review policy positions and strategic direction including confidential workshops/briefings 	<ul style="list-style-type: none"> Provide information to Council and document Council's planning intentions 	Nil
2. Local Planning Instrument notification	<ul style="list-style-type: none"> Provide input/submissions during industry stakeholder meetings and public consultation Make a submission 	<ul style="list-style-type: none"> Attend stakeholder/public consultation meetings to listen to community input Refer issues raised by stakeholders to employees 	<ul style="list-style-type: none"> Prepare draft planning instruments for public advertising and conduct Stakeholder/public consultation 	<ul style="list-style-type: none"> Make a submission Provide input/submissions during public consultation
3. Local Planning Instrument Adoption	Nil	<ul style="list-style-type: none"> Not accept lobbying/submissions within 24 hours prior to Ordinary Council meeting Adopt Local Planning Instruments by Council resolution 	<ul style="list-style-type: none"> Prepare final report to Council including outcomes of consultation 	Nil
4. Development Application Pre-application Meetings	<ul style="list-style-type: none"> Submit preliminary development application information and attend pre-application meeting with employees 	<ul style="list-style-type: none"> Not attend formal pre-application meetings Receive developer information but avoid offering support or comment, either personally or on behalf of Council, to developers until employees assessment is completed Respond to factual inquiries following advice from senior employees, discussing only matters that are publicly known when discussing with the general public Request details/information from employees on pre-application discussions in accordance with Acceptable Requests Guidelines Policy Must not interact with the developer if a conflict of interest is likely 	<ul style="list-style-type: none"> Co-ordinate pre-application meeting and provide notes Provide Councillor updates on major developments Provide copies of pre-application meeting minutes to the Divisional Councillor 	Nil

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	Applicant/developer/lobbyist	Councillors	Council employees	Submitters/public
5. Development Application	<ul style="list-style-type: none"> Submit application 	<ul style="list-style-type: none"> Councillors notified of new applications on a regular basis Request details / information on any application in accordance with Acceptable Requests Guidelines Policy Call any application up to a Council meeting for determination at any time 	<ul style="list-style-type: none"> Receive and acknowledge application Issue an application briefing note to all Councillors and Chief Executive Officer for moderate and high complexity applications Provide Councillors updates on major developments as needed 	<ul style="list-style-type: none"> Request details/information on any application via PD Online or by contacting the Duty Planner
6. Information and Referral Stage	<ul style="list-style-type: none"> Respond to request for additional information and refer application to referral agency (if required) 	<ul style="list-style-type: none"> Request details / information on any application in accordance with Acceptable Requests Guidelines Policy 	<ul style="list-style-type: none"> Issue request for further information (if required) Receive referral agency response Engage with stakeholders to the application as necessary to progress its assessment 	<ul style="list-style-type: none"> Request details/information on any information request via PD Online or by contacting the Duty Planner
7. Public Notification (where required)	<ul style="list-style-type: none"> Advertise the application in accordance with Act requirements 	<ul style="list-style-type: none"> Receive informal objections and encourage a properly made submission to be made Forward any material received to the Chief Executive Officer or Group Manager Development Listen to applicant and/or submitter but avoid offering support or opinion until employees assessment is completed and report prepared for Ordinary meeting. In the case of delegated authority applications, advice is received from senior employees (Group Manager/Manager) 	<ul style="list-style-type: none"> Make file available for viewing via PD Online and as requested in person Acknowledge submissions Provide an updated briefing note to the Councillors and Chief Executive Officer including the issues raised by submitters 	<ul style="list-style-type: none"> Make a submission Send copy to Councillors

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	Applicant/developer/lobbyist	Councillors	Council employees	Submitters/public
8. Decision (delegated)	Nil.	<ul style="list-style-type: none"> Request details/information on any application in accordance with the Acceptable Requests Guidelines Policy Raise any concerns with the Group Manager Development, or Chief Executive Officer Applications recommended for refusal discussed with Chief Executive Officer and Divisional Councillor prior to issue Any Councillor can request that the application be reported to an Ordinary Council meeting for determination 	<ul style="list-style-type: none"> Assess and decide application Provide a copy of the employees' delegated report to the Divisional Councillor and the Chief Executive Officer to allow them to either ask questions or refer the application to Council for decision Where a Divisional Councillor has declared a Conflict of Interest in the application, the Chief Executive Officer will provide a copy of the employee's report to all Councillors prior to exercising his delegation in accordance with the adopted procedure Where the Chief Executive Officer has declared a conflict of interest, the Group Manager Development will provide a copy of the employee's report to the Divisional Councillor or (where the Divisional Councillor has a conflict of interest) all Councillors Issue decision notice Chief Executive Officer or Group Manager may refer application to Ordinary Council meeting for determination 	<ul style="list-style-type: none"> Any properly made submission receives a copy of the decision notice – request further information about decision from employees

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	Applicant/developer/lobbyist	Councillors	Council employees	Submitters/public
9. Decision (Reported to Council)	<ul style="list-style-type: none"> Request to address Councillors at a Councillor Consultation Day Applicant is notified of the date that the employee's report is being presented to the Council meeting 	<ul style="list-style-type: none"> Listen to applicant and/or objector contact but avoid offering support or opinion until employees assessment is completed and report prepared for Ordinary Council meeting Not accept lobbying/submissions within 24 hours prior to Ordinary Council meeting Genuinely consider the development application, any submissions to the application, council's report, including the assessment and recommendations by employees, prior to them making a decision on the proposed development Decide application by resolution of Council Where the decision is not consistent with employee recommendation, provide written reasons for the alternate recommendation Make public comment on the decision of Council in accordance with Council's Media Relations Policy 	<ul style="list-style-type: none"> Prepare assessment report and recommendation for inclusion in Ordinary Meeting Agenda Issue Decision Notice in accordance with decision of Council 	<ul style="list-style-type: none"> Request to address Councillors at a Councillor Consultation Day Submitters are notified of the date that the employee's report is being presented to the Council meeting Any properly made submission receives a copy of the decision notice – request further information about decision from employees or Councillors
10. Negotiated decision (delegated)	<ul style="list-style-type: none"> Submit representations 	<ul style="list-style-type: none"> Request details/information on any application in accordance with the Acceptable Requests Guidelines Policy Not attend formal meetings between employees and applicants/consultants to discuss representations on conditions of approval. Not interact with the developer or submitter/s in relation to the decision until after the appeal period has expired 	<ul style="list-style-type: none"> Decide representations and issue Negotiated Decision Notice 	

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PLANNING STAGE	ROLES			
	Applicant/developer/lobbyist	Councillors	Council employees	Submitters/public
11. Negotiated decision (reported to Council if original decision made by Council other than for minor changes)	<ul style="list-style-type: none"> Submit representations 	<ul style="list-style-type: none"> Not attend meetings between employees and parties to the application to discuss representations Not accept lobbying/submissions within 24 hours prior to Ordinary Council meeting Where required, decide representations by resolution Where the decision is not consistent with employee recommendation, provide written reasons for the alternate recommendation Not interact with the developer or submitter/s in relation to the decision until after the appeal period has expired 	<ul style="list-style-type: none"> Prepare assessment report and recommendation for inclusion in Ordinary Meeting Agenda Issue Negotiated Decision Notice 	
12. Appeal	<ul style="list-style-type: none"> Lodge appeal with Planning and Environment Court or elect to be a co-respondent to any submitter appeal Restrict contact with Council to via legal representatives 	<ul style="list-style-type: none"> Refrain from interactions with the appellants or co-respondents and should avoid commenting publicly about matters before the Planning and Environment Court 	<ul style="list-style-type: none"> Implement Council's adopted Planning Appeal Protocol Provide confidential Councillor updates as required Liaise with Council's solicitors and experts as required 	<ul style="list-style-type: none"> Lodge appeal with Planning and Environment Court or elect to be a co-respondent to any applicant appeal Restrict contact with Council to via legal representatives

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Appendix 2 – Guidelines for Councillor Interactions with Developers, Lobbyists and Submitters

Adopting a structured approach to Councillors' interactions with developers and submitters will allow Councillors to engage appropriately in the public interest and reduce their risk of engaging in misconduct or corrupt conduct.

1. If a developer or lobbyist wants to discuss a development matter with a Councillor, this should be referred to the Chief Executive Officer or other nominated employee, to coordinate and diarise a meeting appointment. A meeting in this context may be face-to-face, virtual or by telephone.
2. If the request to discuss a development matter is made either after the holding of a formal pre-lodgement meeting or the lodgement of a development application, the developer or lobbyist will be encouraged to present the discussion to the whole Council at an upcoming Council consultation day.
3. When meeting with a developer or submitter about a development application, a Councillor must conduct the meeting in the presence of an appropriate third party. Some examples of an appropriate third party are the Mayor, the Chief Executive Officer, the Group Manager Development, or other appropriate senior employee.
4. All meetings with a developer or submitter, including public meetings, must either be electronically recorded with the knowledge of the developer or submitter *or* a contemporaneous written record prepared. At a minimum this record should include:
 - the date of the interaction.
 - the format of the interaction.
 - all parties or persons involved in the interaction.
 - a summary of the matter/s raised with the Councillor.
 - a summary of the Councillor's response/s.
 - When interacting with a developer or submitter about a development application, Councillors should:
 - state that any opinions expressed by the Councillor are personal to the Councillor and do not in any way represent a formal Council view.
 - make it clear that a final decision can only be made after all relevant material has been prepared and considered.
 - make clear that they can provide general information on the application process but cannot give definitive advice about a proposed development's prospects of success.
 - maintain the confidentiality of any information, records, briefings, and discussions that, if released at a particular point in time, could prejudice the interests of Council, the public at large, or another party.
 - suggest that the developer or submitter seeks independent professional advice where relevant.

Councillors must disclose to other Councillors who were not at the meeting (and the Chief Executive Officer if not present), the recording or other record made of the meeting, so that all decision makers have access to the same information. The record of the meeting should be stored in accordance with Council's Recordkeeping Policy.

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5. While Councillors are entitled to express a personal opinion about a development application, they should be aware that the expression of a personal opinion, whether positive or negative, may impact on the perception of their impartiality as a decision maker should they be required to decide the matter.
6. Under the *Integrity Act 2009*, lobbyists are required to inform Councillors that they are a lobbyist when making initial contact (for example, when seeking to arrange a meeting). In addition to the record keeping requirements detailed above, interactions between Councillors and lobbyists must be recorded in Council's *Register of Contact with Lobbyists*. Nothing in this policy requires a Councillor to meet with a lobbyist at any time.

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Item

31 May 2022

Item Number: G5	File Number: .	Part: GOVERNANCE
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Portfolio:

Organisational Services

Subject:

Delegations Register Review

Report Author:

Amy Crouch, Senior Governance Officer

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

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:

In accordance with section 257 of the *Local Government Act 2009* (the Act) Council may, by resolution, delegate a power under the Act, or another Act, to the Mayor or the Chief Executive Officer.

The power to make a decision under legislation may be given to the 'local government' or 'Council' or 'the entity' and it is expected that Council exercises the powers. However, where a power is given in this way, Council can delegate the powers to its Chief Executive Officer, except for powers that require a resolution by Council. The Chief Executive Officer may then further sub-delegate to other positions of Council, with the exception where legislation specifically prohibits this.

Section 257(5) of the Act requires Council to review all delegations to the Chief Executive Officer at least annually. The Local Government Association of Queensland (LGAQ) Delegation Register service is updated by King & Company Solicitors during the two major Queensland Parliamentary recesses (summer and winter) when they can be confident there will be no changes to Acts.

Delegations to the Chief Executive Officer

LGAQ provided an update in April 2022 which has been reviewed by Governance and Legal Services and includes the following changes:

New registers added

- *Building Regulation 2021*

- *Medicines and Poisons (Pest Management Activities) Regulation 2021*
- *Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021*
- *Retail Shop Leases Act 1994*
- *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021*

Changes of substance to existing registers:

- *Acquisition of Land Act 1967*
- *Animal Management (Cats and Dogs) Act 2008*
- *Public Health Act 2005*
- *Residential Tenancies and Rooming Accommodation Act 2008*

Repealed legislation (these registers are removed completely):

- *Building Regulation 2006*
- *Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2019*

The proposed amendments to the existing Register of Delegations are provided in the attached document.

Associated Person/Organization:

LGAQ.

Consultation:

All Councillors.

Chief Legal Officer's Comments:

The local government's powers are delegated in accordance with section 257 of the *Local Government Act 2009*.

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.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

- [↓1](#) Register of Delegations - Council to Chief Executive Officer

Recommendation:

Pursuant to section 257(1)(b) of the *Local Government Act 2009*, the “Register of Delegations – Council to Chief Executive Officer” be varied to reflect:

- 1. the new and changed powers as outlined in the report and the table appended to the report; and**
- 2. the repealed legislation outlined in the report is removed.**



REGISTER OF DELEGATIONS – COUNCIL TO CHIEF EXECUTIVE OFFICER

Changes to existing registers

Acquisition of Land Act 1967					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, where the estate or interest is such that provision is made by the <i>Land Title Act 1994</i> for its registration, to apply to the Registrar of Titles for registration, to produce a gazette copy of the gazette resumption notice and pay the prescribed fee.	Section 12(2A)		New
2.	Chief Executive Officer	Power to refer the determination of the amount of compensation to be paid under subsection (4) to the Land Court.	Section 17(5)		New
Animal Management (Cats and Dogs) Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a supplier of a dog, to give the other person a notice containing the information listed in subsection 43ZF(1).	Section 43ZF		New
Building Regulation 2021					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, in the circumstances listed in subsection 56(1), to take enforcement action against the builder.	Section 56(2)		New
2.	Chief Executive Officer	Power, in the circumstances listed in subsection 56(3), to notify the QBCC of the builder's non-compliance with the enforcement notice.	Section 56(3)(a)		New
3.	Chief Executive Officer	Power, as a referral agency in the circumstances listed in subsection 65(1), to give the builder and the building certifier a notice stating it will not inspect the building work or inspect or test the service.	Section 65(2)		New
4.	Chief Executive Officer	Power, as a referral agency in the circumstances listed in subsection 65(1), to: <ul style="list-style-type: none"> (a) inspect the work or inspect or test the service; (b) give the builder and the building certifier a notice stating the referral agency aspects comply with the building development approval or the referral agency aspects do not comply with the approval, and the reasons why they do not comply 	Section 65(3)		New
Public Health Act 2005					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a relevant person in the circumstances listed in subsection 362MAH(1), to disclose the relevant information in compliance with the subsection.	Section 362MAH(2)		New



Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to give a tenant a copy of body corporate by-laws when giving the written agreement to the tenant for signing.	Section 69		Amendment
2.	Chief Executive Officer	Power to pay a rental bond to the authority and to give the authority a notice, in the approved form, about the rental bond.	Section 116(1)		Amendment
3.	Chief Executive Officer	If rental bond instalments are payable under a residential tenancy agreement, power to pay the rental bond to the Residential Tenancies Authority once all rental bond instalments have been received and to give the Authority a notice, in the approved form about the instalments.	Section 117		Amendment
4.	Chief Executive Officer	If rental bond instalments are payable under a rooming accommodation agreement, the power to pay the rental bond to the Residential Tenancies Authority once all rental bond instalments have been received or within 3 months after receiving the rental bond instalment, and to give the authority a notice, in the approved form about the instalments.	Section 118		Removed
5.	Chief Executive Officer	Power, as a provider in the circumstances set out in subsection 118(4), to pay the instalments received by the provider to the authority and to give the authority a notice, in the approved form about the instalments.	Section 118(4)		New
6.	Chief Executive Officer	Power to pay to the Residential Tenancies Authority an amount equal to the maximum rental bond for the agreement if financial protection against breach of the agreement by the tenant is given to Council.	Section 119		Removed
7.	Chief Executive Officer	Power to make an application to the tribunal for an order about the payment of a rental bond.	Section 136B(2)		New
8.	Chief Executive Officer	Power, where an application has been made to the tribunal, to give the authority written notice of the application.	Section 136B(4)		New
9.	Chief Executive Officer	Power, as an interested person, to make a written request to the authority for an extension of the claim period.	Section 136C(2)		New
10.	Chief Executive Officer	Power, after receiving the notice ending tenancy interest, to inform the vacating tenant whether the lessor proposes to apply to the tribunal under section 308H to have the notice set aside.	Section 308C(2)		New
11.	Chief Executive Officer	Power, if there are other tenants for the residential tenancy agreement, to inform the vacating tenant of the matters set out in subsection 308C(3).	Section 308C(3)		New
12.	Chief Executive Officer	Power, in the circumstances set out in subsection 308E(1), to give each remaining tenant for the agreement a continuing interest notice.	Section 308E(3)		New
13.	Chief Executive Officer	Power to apply to the tribunal for an order setting aside the notice because it does not comply with section 308B.	Section 308H(2)		New
14.	Chief Executive Officer	Power, as lessor, to: (a) give the tenant's personal representative or relative written notice that the agreement ends because of the tenant's death; (b) agree with the tenant's personal representative or relative on a day for the tenancy to end; (c) apply to the tribunal to decide the day for the tenancy to end.	Section 324A(1)		New
15.	Chief Executive Officer	Power to agree with a resident's personal representative or relative on a day for a rooming accommodation agreement to end.	Section 366(7) (e)	Item G4 20-Aug-2019	Removed



Organisational Services
Governance & Legal Services

Residential Tenancies and Rooming Accommodation Act 2008					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
16.	Chief Executive Officer	Power to apply to a tribunal for an order deciding the day a rooming accommodation ends due to the death of a sole resident.	Section 366(7)(d)	Item G4 20-Aug-2019	Removed
17.	Chief Executive Officer	Power, after receiving the notice ending residency interest, to inform the vacating resident whether the provider proposes to apply to the tribunal under section 381H to have the notice set aside.	Section 381C(2)		New
18.	Chief Executive Officer	Power, if there are other residents for the rooming accommodation agreement, to inform the vacating resident of the matters set out in subsection 381C(3).	Section 381C(3)		New
19.	Chief Executive Officer	Power, in the circumstances set out in subsection 381E(1), to give each remaining resident for the agreement a continuing interest notice.	Section 381E(3)		New
20.	Chief Executive Officer	Power to apply to the tribunal for an order setting aside the notice because it does not comply with section 381B.	Section 381H(2)		New
21.	Chief Executive Officer	Power, as a provider, to:- (a) give the resident's personal representative or relative written notice that the agreement ends because of the resident's death; (b) agree with the resident's personal representative or relative on a day for the agreement to end; (c) apply to the tribunal to decide the day for the agreement to end.	Section 387A(1)		New

New Registers

Medicines and Poisons (Pest Management Activities) Regulation 2021					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a person given a hard copy document evidencing a pest management licence, to apply to the chief executive for a replacement of the document if the document is lost, stolen or damaged.	Section 70(2)		New

Medicines and Poisons (Poisons and Prohibited Substances) Regulation 2021					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a person given a hard copy document evidencing a substance authority for a dealing with a regulated poison, to apply to the chief executive for a replacement of the document.	Section 83(2)		New



Retail Shop Leases Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power, as a lessor, to give the prospective lessee: (a) a draft of the lease; and (b) a disclosure statement.	Section 21B(1)		New
2.	Chief Executive Officer	Power, as a prospective lessee, to give the lessor a waiver notice.	Section 21B(2)		New
3.	Chief Executive Officer	Power, as a prospective sublessor, to request a head lessor disclosure statement from the lessor and pay the lessor's reasonable expenses incurred for preparation of the head lessor disclosure statement.	Sections 21C(1) and (2)(b)		New
4.	Chief Executive Officer	Power, as a lessor, to give the prospective sublessor a head lessor disclosure statement	Section 21C(2)(a)		New
5.	Chief Executive Officer	Power, as a lessor, to give the lessee a current disclosure statement.	Section 21E(2)		New
6.	Chief Executive Officer	Power, as a lessee, upon receiving the current disclosure statement, to give the lessor a written notice stating that the renewal notice is withdrawn.	Section 21E(4)		New
7.	Chief Executive Officer	Power, as a lessee in the circumstances set out in subsection 21F(1), to terminate the retail shop lease by giving written notice to the lessor.	Section 21F(1)		New
8.	Chief Executive Officer	Power, as the assignor of a retail shop lease for a leased shop, to give a prospective assignee a disclosure statement and a copy of the current lease.	Section 22B		New
9.	Chief Executive Officer	Power, as a prospective assignee, to give the assignor a waiver notice.	Section 22B(1A)(b)		New
10.	Chief Executive Officer	Power, as a prospective assignee, to give a disclosure statement to the assignor.	Section 22B(2)		New
11.	Chief Executive Officer	Power, as an assignor, to give the lessor a copy of the disclosure statement given to the assignee to the lessor.	Section 22B(3)		New
12.	Chief Executive Officer	Power, as a lessor, to give the prospective assignee a disclosure statement and a copy of the lease.	Section 22C(1)		New
13.	Chief Executive Officer	Power, as a prospective assignee, to give the lessor a waiver notice.	Section 22C(2)(b)		New
14.	Chief Executive Officer	Power, as a lessor, to disclose the information permitted by the section.	Section 26(2)		New
15.	Chief Executive Officer	Power, as a lessee, to agree to a person given information under subsection 26(2)(b)(i), (ii) or (iii) disclosing the information to someone else.	Sections 26(3)(b) and 4(b)		New
16.	Chief Executive Officer	Power, as a major lessee before the lease is entered, to give the lessor a written notice stating the lessee agrees that subsections 27(2) to (7) do not apply in relation to the lease.	Section 27(8)(b)		New
17.	Chief Executive Officer	Power, as a major lessee before the lease is entered, to give the lessor a written notice stating the lessee agrees that part 6, division 4, subdivision 2 does not apply in relation to the lease	Section 27A(1A)(b)		New
18.	Chief Executive Officer	Power, as a lessee, to give written notice to the lessor asking or the current market rent to be determined.	Section 27A(2)		New
19.	Chief Executive Officer	Power, as a lessee or a lessor, to agree on the current market rent.	Section 27A(2)		New
20.	Chief Executive Officer	Power, as a lessee or a lessor, to agree on the specialist retail valuer.	Section 28(2)		New
21.	Chief Executive Officer	Power, as a lessee or a lessor, to give a submission to the valuer and give a copy to the other party.	Section 28A(5)		New



Retail Shop Leases Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
22.	Chief Executive Officer	Power, as a lessee or a lessor, who receives a copy of a submission to give the valuer a written response to it.	Section 28A(6)		New
23.	Chief Executive Officer	Power, as a lessor, to give the valuer the relevant information required by the valuer.	Section 30(1)		New
24.	Chief Executive Officer	Power, as a lessee or a lessor, to agree to the valuer disclosing the information obtained under section 28A or 30 to someone else.	Section 35(1)(b)		New
25.	Chief Executive Officer	Power, as a lessee or a lessor, to agree with the valuer about the reasonable compensation to be paid by the valuer.	Section 35(3)		New
26.	Chief Executive Officer	Power, as a lessor, to give the lessee an outgoings estimate.	Section 38A		New
27.	Chief Executive Officer	Power, as a lessor, to give the lessee an audited annual statement.	Section 38B		New
28.	Chief Executive Officer	Power, as a lessee in the circumstances set out in subsection 38C(1), to withhold payment of apportionable outgoings.	Section 38C(2)		New
29.	Chief Executive Officer	Power, as a lessor, to pay maintenance amounts paid by the lessee for the credit of the sinking fund into an interest bearing account.	Section 40(3)		New
30.	Chief Executive Officer	Power, as a lessee, to give the lessor written notice of the loss or damage mentioned in subsection 43(1)	Section 43(2)		New
31.	Chief Executive Officer	Power, as a lessor or a lessee, to agree on the amount of compensation payable under part 6, division 7.	Section 44		New
32.	Chief Executive Officer	Power, as a lessor, to give the lessee a written notice that complies with subsection 44A(3).	Section 44A(2)		New
33.	Chief Executive Officer	Power, as a lessor, to agree with the prospective secured creditor about the matters listed in subsection 45(2).	Section 45(2)		New
34.	Chief Executive Officer	Power, as a lessor, to give the lessee written notice of the option date.	Section 46(2)		New
35.	Chief Executive Officer	Power, as a lessor, to by written notice to the lessee:- (a) offer the lessee a renewal or extension of the lease on terms, including terms about rent, stated in the notice; or tell the lessee that the lessor does not intend to offer the lessee a renewal or extension of the lease.	Section 46AA(2)		New
36.	Chief Executive Officer	Power, as a lessor, to revoke an offer made under subsection 46AA(2)(a).	Section 46AA(3)		New
37.	Chief Executive Officer	Power, as a lessee, to, by written notice to the lessor, ask for an extension of the lease.	Section 46AA(4A)		New
38.	Chief Executive Officer	Power, as a lessee, to terminate the lease before the extended period ends by giving written notice.	Section 46AA(5)		New
39.	Chief Executive Officer	Power, as a lessor, to give the lessee a relocation notice.	Section 46D		New
40.	Chief Executive Officer	Power, as a lessee who has received a relocation notice, to give the lessor a written notice terminating the lease.	Section 46E(1)		New
41.	Chief Executive Officer	Power, as a lessor or lessee, to agree on the day the lease terminates.	Section 46E(2)(a)		New
42.	Chief Executive Officer	Power, as a lessor or lessee, to agree on an alternative retail shop.	Section 46E(3)		New
43.	Chief Executive Officer	Power, as a lessor or lessee, to agree on the lessee's reasonable costs of relocation.	Section 46G(2)		New
44.	Chief Executive Officer	Power, as a lessor, to give a lessor's termination notice.	Section 46I		New



Organisational Services
Governance & Legal Services

Retail Shop Leases Act 1994					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
45.	Chief Executive Officer	Power, as a lessee who has received a lessor's termination notice, to give the lessor a lessee's termination notice.	Section 46J		New
46.	Chief Executive Officer	Power, as a lessor or lessee, to agree on reasonable compensation for loss or damage suffered by the lessee.	Section 46K(3)(a)		New
47.	Chief Executive Officer	Power, as a lessee, to give the lessor full particulars of a proposed assignment of the lease and asked the lessor, in writing, to consent to it.	Section 50(1)(b)		New
48.	Chief Executive Officer	Power, as a party to a retail tenancy dispute that is within a mediator's jurisdiction under section 97, to lodge notice of the dispute with the chief executive.	Section 55		New
49.	Chief Executive Officer	Power, as a party to a retail tenancy dispute, to represent Council at the mediation conference and conduct Council's case.	Section 57		New
50.	Chief Executive Officer	Power, as a party to a retail tenancy dispute, to reach an agreement on the solution of the dispute and sign the mediation agreement.	Section 61		New
51.	Chief Executive Officer	Power, as a party to a retail tenancy dispute, to apply, as provided under the QCAT Act, to QCAT for an order to resolve the dispute	Section 64(1)		New
52.	Chief Executive Officer	Power to, by written notice given to the chief executive, withdraw a dispute notice lodged for a retail tenancy dispute	Section 91(1)		New
53.	Chief Executive Officer	Power, as a party to the dispute resolution process, to agree to the mediator or former tribunal member disclosing coming to the knowledge of the mediator or member during the dispute resolution process or the hearing	Section 113(2)(a)		New

Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021					
NO.	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	ADOPTED BY COUNCIL	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
1.	Chief Executive Officer	Power to sign a clearance declaration.	Section 13(1)		New
2.	Chief Executive Officer	Power to apply to an authorised officer to extend the period for complying with a defect notice.	Section 14(1)		New
3.	Chief Executive Officer	Power to apply to the chief executive for approval to modify a light vehicle.	Section 21		New
4.	Chief Executive Officer	Power to apply to the chief executive for approval of an interstate modification of a light vehicle.	Section 22		New
5.	Chief Executive Officer	Power to apply to the chief executive for a safe movement permit.	Section 58		New
6.	Chief Executive Officer	Power to apply to the chief executive for approval to remove an identification plate or modification plate from a light vehicle.	Section 103(1)		New
7.	Chief Executive Officer	Power to give the decision-maker the information the decision-maker reasonably needs to decide the application.	Section 107(3)		New

**Item****31 May 2022****Item Number:**

G6

File Number:**Part:**

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Audit and Risk Management Committee Minutes

Report Author:

Nicole Miller, Business Improvement Lead

Authorised by:

Anthony Keleher, Acting General Manager Organisational Services

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:

The Audit and Risk Management Committee met on the 20 January 2022, and the minutes are attached for Council's Information.

Associated Person/Organization:

N/A

Consultation:

Representatives of Audit and Risk Committee

Chief Legal Officer's Comments:

There appears to be no legal implications.

Policy Implications:

The recommendations within this report comply with Council's governance framework.

Financial and Resource Implications:

The annual budget provides for costs associated with the Committee, comprising the total remuneration for the external committee members.

Risk Management Implications:

The various audit issues identified will be addressed by Council.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

[↓](#)1 Audit and Risk Management Committee Minutes 20 January 2022

Recommendation:

That the minutes of the Audit and Risk Committee meeting held on 20 January 2022 be received and noted.



AUDIT & RISK COMMITTEE MINUTES

Meeting held Thursday 20 January 2022, commencing at 10.15 am
Online via Microsoft Teams

Committee Attendance:

Stephen Coates (Chair and External Representative)
Cr Jack Dempsey (Mayor and Council Representative)
Cr Steve Cooper (Council Representative)

By Invitation via Teleconference:

Internal Attendees

Christine Large, Chief Legal Officer
Gavin Steele, General Manager Community & Environment
John McMullen, Quality Auditor
Simon Muggerridge, Acting Chief Financial Officer
Stephen Johnston, Chief Executive Officer
Stuart Randle, General Manager Infrastructure Services
Vanessa Langtry, Governance Officer
Nicole Miller, Business Improvement Lead Organisational Services (Minuter)

External Attendees

Clayton Russell, Pitcher Partners
David Howie, KPMG Risk Advisor
Deborah Arghyros, KPMG Internal Audit
Jason Evans, Pitcher Partners
Michael Claydon, Queensland Audit Office

1. Welcome & Apologies

Stephen Coates welcomed all attendees to the meeting and apologies were noted from the below:

- Mitchell Petrie (External Representative)
- Amanda Pafumi, General Manager Organisational Services
- Alan Diano, Queensland Audit Office

2. Conflict of Interest & Declaration of Members

No new conflicts of interest & declaration of members were noted.

3. Confirmation of Minutes and Outstanding Action

It was agreed that the minutes of the meeting held 7 October 2021, be taken as read and confirmed.
Action items were noted during the meeting.

4. CEO Verbal Update

Stephen Johnston provided a verbal update on Council's management of Covid-19 and the return to work of staff. The enterprise bargaining agreement has been lodged and discussion was held on the changes to grant funding from the State.

5. Strategic Projects Update

a. Bundaberg Regional Aquatic Facility Update

Chris Sampson presented the report on a new aquatic facility, noting the contract has gone out to tender and shortlisting will begin next week.

It was agreed that the information contained in the report, be noted by the Committee.

Action: Chris Sampson to provide minutes of progress group meetings and report quarterly on the management of high-risks and any issues arising.

11:00 am Chris Sampson left, and David Howie entered meeting.

6. Assessment of Risks

a. Matter of Emerging Risk

Stephen Coates spoke to emerging risks and a discussion was held.

11:16 am Deborah Arghyros entered meeting.

b. Quarterly Risk Update

David Howie presented the strategic risk review for December 2021. Discussion was held on residual risk ratings not meeting target risk ratings and the time putting frameworks in place but confirmation of current controls are not tested.

It was agreed that the information contained in the report, be noted by the Committee.

Note: Going forward the Committee would like to have an overview of risk targets and how they relate to risk appetite. Simon Muggeridge is going to discuss further with ELT.

11:26 am Jack Dempsey left & Michael Claydon entered meeting.

7. Internal Audit Update

a. Progress Report

Deborah Arghyros presented the January Internal Audit Status Report and completed Contract Management audit report.

It was agreed that the information contained in the report, be noted by the Committee

11:36 am David Howie & Deborah Arghyros left & John McMullen & Clayton Russell entered meeting.

8. Quality Audit Update

a. Update on Quality Audit

John McMullen spoke to his quality audit report, providing an overview on the Qunaba Waste Management Facility Environmental Authority Compliance audit report and Resource Requirements of ISO/IEC 17025 audit report. The status of 33 outstanding corrective actions was provided. The Strategic Quality Audit Plan 2022-2025 and Annual Quality Audit Plan 2022 were tabled for endorsement by the Committee.

It was agreed that the information contained in the report, be noted by the Committee, and the Annual Quality Audit Plan 2022 be endorsed by the Committee.

John McMullen's retirement was announced to the Committee and Stephen Coates gave thanks for his work in Quality Audit. Simon Muggeridge provided an update on how Council will manage the role of Quality Auditor going forward.

11:51 am John McMullen left & Jack Dempsey, Jason Evans, Emma Edwards & Jodie Bowden entered meeting.

9. External Audit

a. 2022 External Audit Plan

Jason Evans, Clayton Russell and Michael Claydon spoke to the 2022 External Audit Plan and addressed any queries raised.

It was agreed that the information contained in the paper, be noted by the Committee.

10. Financial Reporting

a. Assessment of Financial Information

Simon Muggeridge presented the financial summary 1 December 2021, adopted by Council on 21 December 2021.

It was agreed that the information contained in the report, be noted by the Committee.

12:10 pm Michael Claydon, Clayton Russell, Jason Evans, Emma Edwards & Jodie Bowden left meeting.

11. Legal & Governance Update

a. Legal Update

Christine Large presented the legal update for the period end 31 December 2021 and addressed any queries raised.

It was agreed that the information contained in the report, be noted by the Committee.

12. Other Reports/Business

a. Self-Assessment Survey

Simon Muggeridge spoke to the report and addressed any queries raised. There was discussion on the importance of risk and inclusion of deep dives into high-risk areas which was spoken to on the Aquatic Centre.

Note: Discussion will be held offline on risks that are topical to Council, which can be presented to the Committee.

It was agreed that the information contained in the report, be noted by the Committee.

b. Audit and Risk Committee Charter

Simon Muggeridge presented the Audit and Risk Committee Charter, noting the changes made to the engagement of external members to be staggered, avoiding loss of knowledge within the committee from changing membership.

It was agreed that the information contained in the report be noted and the Audit and Risk Committee Charter be endorsed by the Committee for Council adoption.

Next Meeting – 12 May 2022

Meeting Closed – 12.25pm



Stephen Coates

Committee Chair

Outstanding Action List

Audit & Risk Management Committee Open Action List 2022					
Date	Description	Action	Responsible Officer	Update	Status
20-Jan-22	Strategic Projects Update	Provide minutes of progress group meetings and report quarterly on the management of high-risks and any issues arising.	Chris Sampson	Update was provided in Mays meeting	Complete

**Item****31 May 2022****Item Number:**

G7

File Number:

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Part:

GOVERNANCE

Portfolio:

Organisational Services

Subject:

Specialised Supplier Arrangement with Assetic Pty Ltd for continuation of the Assetic Annual Service Agreement

Report Author:

Mitch Miller, Chief Information Officer

Authorised by:

Anthony Keleher, Acting 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:

Council currently has an Annual Service Agreement with Assetic Pty Ltd for the provision, update and annual service of Assetic MyData, Asset myValuer, Assetic SMP, Predictor 5 and Assetic Fleet.

Entering into an agreement with Assetic for a one year only period provides Council flexibility to determine what best meets the business requirements when the alternative Works Management and Fleet software installations (FormBird) have been finalised by Water Services and Fleet & Trade Service.

Other potential suppliers for these functionalities were evaluated in 2018 and Assetic was the chosen supplier following this formal evaluation process. Changing suppliers at this time introduces risks and increased training requirements.

For the abovementioned reasons it is proposed by officers that Council resolve because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders at this stage. This resolution if made will provide sufficient time for a review to be undertaken of the future requirements without the risk of interrupting core business activities of Council.

Associated Person/Organization:

Assetic Pty Ltd

Consultation:

Strategic Procurement & Supply Section

Procurement Board

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:

Budget has been approved in the 2022-23 IS Operational 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:

- a) Council enter into an arrangement with Assetic Pty Ltd for the provision of Assetic MyData, Asset myValuer, Assetic SMP, Assetic Fleet and Predictor 5 without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulations 2012*; and**
- b) this arrangement be made for a period of one-year commencing 1 July 2022 to 30 June 2023.**

**Item****31 May 2022**

Item Number:	File Number:	Part:
I1	.	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier with Civica Pty Ltd for Reflect Software

Report Author:

Chris Robinson, Branch Manager Civil Works

Authorised by:

Stuart Randle, General Manager Infrastructure Services

Link to Corporate Plan:

Our infrastructure and development - 2.2 Sustainable and affordable essential services - 2.2.1 Connect our people, places and industries by maintaining and improving road transport, pathway and drainage networks.

Background:

Council acquired Reflect software in 2011 to provide a maintenance management system for the management of both Council roads and Transport and Main Roads (TMR) Road Maintenance Performance Contracts (RMPC).

Since this time, the software has become embedded in Council workflows with integration into Council's core software package Civica. Reflect software is considered by TMR to be the preferred maintenance software throughout Queensland with the majority of all RMPC contracted councils in Queensland utilising the software.

It is impractical to invite competitive tenders as moving to another software platform would result in significant reskilling costs and loss of productivity.

Therefore, it is recommended that Council exercise the specialised supplier option offered under section 235(b) of the *Local Government Regulation 2012*.

Associated Person/Organization:

Civica Pty Ltd

Consultation:

Internal Procurement Section

Procurement Board

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:

	Year 1	Year 2	Year 3	Total
Estimated Annual Subscription Fee AUD excl GST	\$45,000	\$45,000	\$45,000	\$135,000

Risk Management Implications:

There appear to be no risk management implications.

Human Rights:

There appear to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appear to be no ILUA implications.

Attachments:

Nil

Recommendation:

That:

- a) Council enter into an arrangement with Civica Pty Ltd for the supply of Reflect software without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for a period of 3 years from 1 July 2022 to 30 June 2025.

**Item****31 May 2022**

Item Number:	File Number:	Part:
I2	TEN/1677 - A6430583	ROADS & DRAINAGE

Portfolio:

Infrastructure Services

Subject:

Specialised Supplier with Green Energy Trading - Sale of Large-scale Generation Certificates (LGC)

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 - 2.1.2 Apply renewable and clean energy strategies in operational management and project development and construction.

Background:

Any Solar PV system over 100kW's is eligible to create LGC's under the Renewable Energy Electricity Act and traded to offset the capital cost of investment.

Council now has 2 large scale solar power generation sites:

- Millbank WWTP - 101kw
- Rubyanna WWTP - 360kw

LGC's can only be traded through a recognised trading company. Prices are determined by the spot market on any given day with the value being dictated by factors of supply and demand.

Although there are multiple traders that can do this, research highlighted that there are only 2 suppliers that manage the entire process of registering the site, creating, and selling the certificates on behalf of the trader, these being Green Energy Trading and Emerging Energy Solutions.

They are also the only suppliers that will lock pricing for a longer-term contract. Green Energy Trading is the only supplier that can do a 12-month contract, Emerging Energy will do a maximum of 3 months. All other traders require Council to register the site and create the LGC's independently.

Council has been selling LGC created from the Millbank WWTP solar system through Green Energy Trading since May 2018.

Revenue of approximately \$23,000 per annum for both Council sites.

Associated Person/Organization:

Green Energy Trading

Consultation:

Craig Doyle, Manager Strategic Procurement & Supply

Sean Askew, Manager Process and Asset Management

Doug Taylor, Deputy Chief Financial Officer

Murray Bradford, Procurement Business Partner

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.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That:

- a) Council enters into an arrangement with Green Energy Trading (ABN 28 128 476 406) for the Sale of Large-Scale Generation Certificates (LGC) without first seeking competitive quotations or tenders from industry pursuant to Section 235(b) of the *Local Government Regulation 2012*; and
- b) this arrangement be made for an initial period of 5 years until the end of financial year 2027.

**Item****31 May 2022**

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

Planning & Development Services

Subject:

2 Sienna Boulevard, Ashfield - Material Change of Use for Child Care Facility

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 - 2.3.2 Provide an efficient, effective and transparent development assessment service consistent with community and statutory expectations.

Summary:

APPLICATION NO	522.2021.276.1
PROPOSAL	Material Change of Use for Child Care Facility
APPLICANT	Belle Eden Estate Pty Ltd
OWNER	Belle Eden Estate Pty Ltd
PROPERTY DESCRIPTION	Lot 200 on SP219795
ADDRESS	2 Sienna Boulevard Ashfield
PLANNING SCHEME	Bundaberg Regional Council Planning Scheme 2015
ZONING	Low Density Residential Zone
OVERLAYS	Acid Sulphate Soils Overlay Airport and Aviation Facilities Overlay Biodiversity Areas Overlay Flood Hazard Overlay Steep Land Overlay Agricultural Land Overlay Infrastructure Overlay
LEVEL OF ASSESSMENT	Impact
SITE AREA	6,321 m ²
CURRENT USE	Vacant Land – Advertising Device (Estate Signage)
PROPERLY MADE DATE	8 September 2021
STATUS	The 35 business day decision period ends on 25 May 2022
REFERRAL AGENCIES	Department of State Development, Infrastructure Local Government and Planning

NO OF SUBMITTERS	One (1)
PREVIOUS APPROVALS	Not applicable
SITE INSPECTION CONDUCTED	10 September 2021
LEVEL OF DELEGATION	C2

1. INTRODUCTION
1.1 Proposal

The Applicant seeks a Development Permit for a Material change of Use for a Child Care Centre. The proposed Child Care Centre comprises a total gross floor area of 1,063 m² and is intended to provide for a total of one hundred and fifty (150) children and twenty-six (26) staff members.

The proposed Child Care Centre is in the form of a single storey, ‘L’ shaped structure containing 8 child care rooms (2 of which have associated cot rooms) for up to 150 children aged between 0 and 5 years old. The structure primarily fronts the Ring Road and Sienna Boulevard with associated play areas located between the proposed centre and southern property boundary and adjacent to the northern elevation of the structure. A 1.8 m high acoustic barrier is proposed to enclose the outdoor play areas. The proposed centre also includes a kitchen, laundry, drying court, office and staff rooms and a number of toilet/bathrooms and store rooms.

The development includes a car park on the eastern side of the premises which includes forty-four (44) car parking spaces, including manoeuvring areas for service vehicles and small bus. The proposal also includes areas for landscaping between the proposed centre and the road frontages and in and around the car park and outdoor play areas.

1.2 Site Description

The subject site is located within the Low Density Residential Zone with an area of 6,321 m² and a road frontage length of 150.99 m. The premises locates on the corner of Sienna Boulevard and Ring Road and is currently unimproved other than an advertising device/entry sign to the Belle Eden residential estate. The premises adjoins Lot 202 on SP219795 which is used as a park and drainage reserve.

Nearby land to the north east, south east and south west of the subject site are located within the Low Density Residential Zone, and are improved by single dwelling houses, are benefited by development approvals for further residential development or are larger parcels of land that are intended for further residential subdivision in the future. Land to the north west of the subject site is located within the District Centre Zone and are benefited by the Aldi shopping centre and the Kepnock Grove shopping centre approval.

2. ASSESSMENT PROVISIONS
2.1. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Zone Code: Low Density Residential Zone	Bundaberg Regional Council Planning Scheme 2015
Overlay Code <ul style="list-style-type: none"> • Acid sulfate soils overlay code • Agricultural land overlay code • Airport and aviation facilities overlay code • Biodiversity areas overlay code • Bushfire hazard overlay code • Coastal protection overlay code • Extractive resources overlay code • Flood hazard overlay code • Heritage and neighbourhood character overlay code • Infrastructure overlay code • Steep land (slopes > 15%) overlay code • Water resource catchments overlay code 	Bundaberg Regional Council Planning Scheme 2015
Use Code <ul style="list-style-type: none"> • Child care centre code 	Bundaberg Regional Council Planning Scheme 2015
Other Development Code <ul style="list-style-type: none"> • Landscaping code • Nuisance code • Transport and parking code • Works, services and infrastructure code 	Bundaberg Regional Council Planning Scheme 2015
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

3. ISSUES RELEVANT TO THE APPLICATION

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

Land Use and Zoning

The land locates within the Low Density Residential Zone which predominantly caters for residential activities. However, the Low Density Residential Zone Code does provide for some non-residential activities where such activities provide for the day

to day needs of the immediate residential community and do not detract from the residential amenity and character of the area, having regard to such matters as the location, nature, scale and intensity of the development. Furthermore, the Child Care Centre Code seeks to establish these types of activities where they are located at the entrance to a residential neighbourhood or other prominent location.

The subject site is physically separated from the broader residential neighbourhood in the locality by the Belle Eden Park reserve for parks and drainage. As such the development site is setback approximately 60 m from the nearest existing dwelling house. Furthermore, the development utilises a low rise built form, building materials and designs that are compatible with a residential neighbourhood. It is also noted that the land locates at the entrance to a residential neighbourhood and is nearby to an activity centre (Kepnock District Activity Centre). As such, it is considered that the proposed development will not detract from the predominantly residential development in the Belle Eden Estate and meets the locational criteria suitable for a Child Care Centre.

More broadly, the land locates adjacent to the Kalkie Ashfield Local Development Area which is planned for major urban expansion to support the growing population of Bundaberg in the future. The proposed development will support the growing demand for child care services that will present as residential development expands to the east. Unlike other development applications for Child Care Centres in the Bundaberg Region which typically represent infill development within established residential suburbs, the demand generated for the proposed development is by future urban expansion rather than a lack of other locally servicing developments in the servicing catchment.

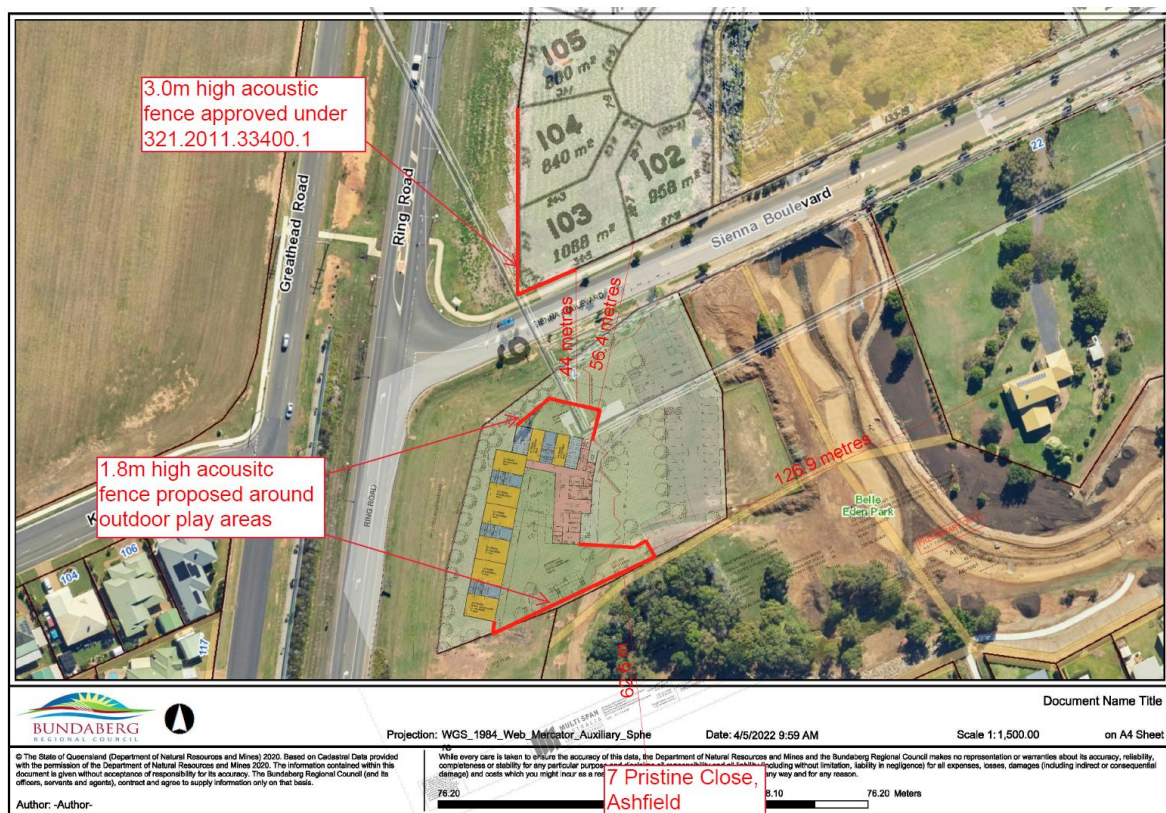
Amenity and Nuisance Impacts

A Child Care Centre is a noise generating use that has the potential to adversely impact on the amenity of nearby sensitive land uses, such as existing or future residential development. To support the proposed development, the Applicant has submitted a Noise Impact Assessment prepared by Alpha Acoustics which has calculated noise emissions from the proposed development (particularly from outdoor play areas, mechanical plant and car parking) on nearby sensitive land uses (1 & 22 Sienna Blvd, 7 Pristine Cl & 108 Kepnock Rd). The report concluded that the proposed development noise emissions are calculated to comply with the relevant noise criteria at the most exposed noise sensitive receptors provided the following noise controls are implemented:

- Construct a 1.8 m high noise barrier around the outdoor play areas
- No deliveries before 7.00 am or after 6.00 pm
- No outdoor play before 7.00 am or after 6.00 pm

It is considered that these recommendations are reasonable, noting that the development is bounded by the Ring Road, Sienna Boulevard and the Belle Eden Park which results in a separation distance of approximately 60 m to the nearest existing dwelling (7 Pristine Close). Additionally, the residential subdivision approved on the opposite side of Sienna Boulevard from the subject site (Council Reference: 321.2011.33400.1) requires a 3 m high acoustic fence to be constructed for part of the Sienna Boulevard property boundary (20 m length starting from the Ring Road boundary) of approved Lot 103 and provides an approximate separation distance of 55 m between play areas and approved Lot 102 which would assist in reducing noise

impacts to a future dwelling on those lots. It is also noted that the acoustic barriers are well setback from the road frontages of the site to allow for a suitable landscaping screen to be planted in front of the barriers.



Traffic Impacts

The application is supported by a Traffic Impact Assessment prepared by Empire Engineering which has considered the impact of the development on the State and local road networks. It should be noted that Sienna Boulevard is a trunk collector (Suburban) road which is typically designed to cater for an annual average daily traffic (AADT) volumes of between 3,000 and 10,000 vehicles per day and up to 1,000 residential lots or dwellings.

The Traffic Impact Assessment, which has been reviewed by Council’s Development Engineering Officer, has determined that the proposed Child Care Centre will not result in significant impacts on the traffic operation of the surrounding road network and fits within the intended function of the network.

The proposal will require minor changes to Sienna Boulevard including the shortening of the middle, vegetated island to allow for suitable site distances and manoeuvring areas for vehicles turning into the site as well as relocating the pedestrian pathway crossings so that they do not conflict with the driveway to the site. The changes are illustrated by the following figure –



The proposal seeks to extend the pedestrian pathway along the southern side of Sienna Boulevard and connect directly to the internal pedestrian pathways associated with the Child Care Centre. The proposed works locate away from the on-site car parking areas which represent a safe and efficient extension of the existing local pathway network which provides an appropriate connection to the site.

The proposed development provides for 44 on-site car parking spaces for staff and customers. The Transport and Parking Code prescribes a minimum car parking rate of 1 space per employee plus 1 customer space per 10 children. As the proposed development is intended to cater for 26 employees and 150 children, the development provides for a compliant number of carparking spaces.

The application was also provided with swept path diagrams which demonstrate that a refuse collection vehicle can enter and exit the site in a forward motion and can directly service the identified refuse collection area.

In accordance with the above assessment, it is considered that the proposed development can comply with the Transport and Parking Code.

Flooding and Stormwater

The subject site is subject to the Flood Hazard Overlay. To support their proposed development, the Applicant has submitted a Stormwater Management Plan which considers the flood hazard overlay as well as general stormwater quality and quantity objectives.

The stormwater management plan provides an appropriate strategy to deal with stormwater quality and quantity resulting from the development so as to meet the requirements of the *State Planning Policy July 2017*.

Furthermore, the development has been designed such that only the car park and driveway are located within the flood hazard area and proposes to utilise a cut/fill strategy to ensure that there is no net loss of flood storage for the site. The maximum DFL of the site is 12.76 metres AHD, which means the car park would be inundated to a depth of 1.46 m - 0.76 m in a 1% AEP flood event.

A flood evacuation plan will be required to be prepared and be available for the operators of the Child Care Centre to ensure that the centre can be evacuated in a timely manner. It is noted that the building footprint of the Child Care Centre is wholly outside of the flood hazard area and will not become isolated in a flood event. The flood evacuation plan will include an evacuation trigger which requires the centre to be evacuated once flood waters reach 11 metres AHD which is the approximate height of the eastern property boundary of the site which is a 1 in 5 year/20% AEP

flood event which would allow the car park to remain functional through an evacuation process. It is considered that the proposed development complies with the purpose and outcomes of the Flood Hazard Overlay Code and provides for an appropriate stormwater management strategy.

Biodiversity Areas Overlay

The proposed Child Care Centre locates adjacent to a mapped watercourse which is contained within the Belle Eden Park. Where development is located within 50 m of a mapped watercourse, the Biodiversity Areas Overlay Code seeks to ensure that the development retains, enhances and maintains the environmental values and functioning of watercourses and provides and maintains adequate vegetated buffers and setbacks to watercourses.

The Applicant states that the stormwater management strategy includes a bioretention basin along the eastern boundary which will treat stormwater before discharging it to the watercourse/park. More broadly, the proposal includes a 1.5 m landscaping strip between the car park and eastern property boundary in an area that is currently devoid of any vegetation other than grass cover. Where the car park locates directly adjacent to the southern property boundary, the “Concept Stormwater Plan” prepared by Empire Engineering identifies that the car park will be shaped such that stormwater is conveyed to a stormwater inlet pit which then directs stormwater to the bioretention basin. It should be noted that the Belle Eden Park has recently undergone a major waterway naturalisation project which was aimed to improve stormwater quality and treat polluted stormwater runoff. It is considered that given the location of the development on the fringe of the watercourse buffer (50 m from the watercourse) and recent work within the adjoining park that there are generally limited opportunities to make any meaningful improvements to the adjoining watercourse. Therefore, the proposed stormwater treatment devices and landscaping are considered appropriate and able to meet the purpose and outcomes of the Biodiversity Areas Overlay Code.

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
<p>The separation distance between the Ring Road/Sienna Boulevard intersection and the proposed driveway is not adequate.</p>	<p>The proposed driveway location is as far away as possible from the State controlled road intersection and represents the best location for this necessary function of the development.</p> <p>Any impacts on the functioning of the State controlled road as a result of the driveway location is not a matter that Council has jurisdiction to consider as part of the development application. Impacts on the State controlled road have been considered as part of the State’s referral agency assessment.</p>

Matters raised in any submissions	Description of how matters were dealt with in reaching the decision
The Ring Road/Sienna Boulevard intersection is an 80 km/hr speed zone and is an area of vehicular safety concern. The added traffic will create a greater safety concern at the intersection.	Impacts on the functioning of the State controlled road is not a matter that Council has jurisdiction to consider as part of the development application and has been considered as part of the State's referral agency assessment.
Sienna Boulevard is not wide enough for cars to overtake and will cause queuing onto the Ring Road.	Impacts on the functioning of the State controlled road is not a matter that Council has jurisdiction to consider as part of the development application and has been considered as part of the State's referral agency assessment.
The demographic of the Belle Eden Estate does not have enough children living there to warrant the proposed development.	The subject site is located nearby an approved District Centre and the Kalkie-Ashfield Local Development Area which is planned to contain major levels of urban growth in the near future. The proposed development will cater for the planned growth areas as well as the existing residential suburbs and currently approved residential developments in the local area.
The car park area is low lying and subject to flooding. In the event of a flood, the inundation could cause panic to parents and carers.	The Applicant has submitted a Stormwater Management Plan which has appropriately taken into account flooding constraints on the land. A flood evacuation plan will be required to be provided prior to the use commencing which will ensure the timely evacuation of the centre if a flood event is expected.
Traffic associated with the proposed Child Care Centre will exacerbate existing traffic congestion at the Ring Road/Sienna Boulevard intersection.	The Applicant has submitted a Traffic Impact Assessment which has considered traffic impacts on the Ring Road/Sienna Boulevard intersection which demonstrates that the current standard of Sienna Boulevard is suitable to handle the additional traffic generated by the proposed development.

4. REFERRALS

4.1 Internal Referrals

Advice was received from the following internal departments:

Internal department	Referral Comments Received
Development Assessment - Engineering	23 March 2022
Water Services	14 September 2021
Health & Regulation	13 September 2021

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

4.2 Referral Agency

Referral Agency responses were received from the following State agencies:

Agency	Concurrence/Advice	Date Received	Conditions Yes/No
Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence	18 February 2022	Yes

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

5. PUBLIC NOTIFICATION

Pursuant to the *Planning Act 2016*, this application was advertised for 15 business days from 7 March 2022 until 29 March 2022. The Applicant submitted documentation on 30 March 2022 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.

6. DRAFT CONDITIONS

Draft conditions were issued to the Applicant on 17 May 2022. The Applicant submitted documentation to Council on 19 May 2022 advising that they were satisfied with the draft conditions.

7. REASONS FOR DECISION

The reasons for this decision are:

- The development is for a Material Change of Use for a Child Care Centre and required Impact Assessment.
- The proposed development locates at the entrance to a residential neighbourhood with access to a trunk collector road.
- As the development will locate on the fringe of a major urban growth area and nearby a district activity centre, it will be able to service the day-to-day needs of the immediate surrounding community.
- The development provides an attractive built form and landscaping which is compatible with the character of the surrounding residential neighbourhood.

- The development provides for appropriate acoustic attenuation through its design, setbacks and use of acoustic barriers such that it will provide a high level of residential amenity to nearby existing and future residential development.
- The development provides for a sufficient number of carparking spaces and provides for a road network strategy to facilitate traffic entering and leaving the site.
- The development appropriately manages stormwater treatment and discharge and flooding constraints.
- The development provides for suitable sewerage and water connections to meet the demand of the development.
- The development complies or can be conditioned to comply with the relevant assessment benchmarks of the Bundaberg Regional Council Planning Scheme 2015.

Communication Strategy:

Communications Team consulted. A Communication Strategy is:

- Not required
 Required

Attachments:

- ↓1 Locailty Plan
- ↓2 Site Plan
- ↓3 Approved Plans
- ↓4 Referral Agency Response
- ↓5 Applicant's Draft Conditions Representations
- ↓6 Response

Recommendation:

That the Development Application 522.2021.276.1 detailed below be decided as follows:

1. Location details

Street address: 2 Sienna Boulevard, Ashfield

Real property description: Lot 200 on SP219795

Local government area: Bundaberg Regional Council

2. Details of the proposed development

Development Permit for Material Change of Use (Child Care Facility)

3. Decision

Decision details: Approved in full with conditions. These conditions are set out in Schedule 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: Material Change of Use				
Site Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-1001	E
Ground Floor Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-2001	C
Roof Plan	Multi Span Australia	10/11/2021	Drawing Number: AR-2005	B
Elevations 1	Multi Span Australia	10/11/2021	Drawing Number: AR-3001	C
Elevations 2	Multi Span Australia	10/11/2021	Drawing Number: AR-3002	C
Perspectives 1	Multi Span Australia	10/11/2021	Drawing Number: AR-9001	C

Turnpath Concept Plan	Empire Engineering	August 2021	Drawing No. TP02	B
Stormwater Management Plan	Empire Engineering	July 2021	Project Number: CC-6071	B
Operational Management and Maintenance Manual for Stormwater Quality Improvement Devices	Empire Engineering	July 2021	Project Number: CC-6071	A
Noise Impact Assessment	Alpha Acoustics	19 January 2022	J2763	1

5. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

6. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing and Drainage Work
- All Operational Work

7. Properly made submissions

Properly made submissions were received from the following principal submitters:

Name of principal submitter	Residential or Business Address	Electronic Address
Gail McKewen	Pearlshell Court, Ashfield	Bennachie52@bigpond.com

8. Referral agencies for the application

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<p>State-controlled road</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1</p> <p><i>Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises—</i></p> <p>(a) <i>are within 25m of a State transport corridor; or</i></p> <p>(b) <i>are a future State transport corridor; or</i></p> <p>(c) <i>are—</i></p> <p>(i) <i>adjacent to a road that intersects with a State-controlled road; and</i></p> <p>(ii) <i>within 100m of the intersection</i></p>	Department of State Development, Manufacturing, Infrastructure and Planning	Concurrence Agency	<p>State Assessment and Referral Agency (SARA)</p> <p>E: WBBSARA@dilgp.qld.gov.au</p> <p>P: PO Box 979 Bundaberg Qld 4670</p>

9. Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*.

10. Agreements under Section 49(4)(b) or 66(2)(b) or (c) of the *Planning Act 2016*

There are no agreements about these matters.

11. Conditions about infrastructure

The following conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*:

Condition/s	Provision under which the condition was imposed
24-26, 28-31, 33-35	Section 145 – Non-trunk Infrastructure
N/A	Section 128 – Trunk Infrastructure

12. 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.

An applicant may also have a right to appeal to the Development tribunal. For more information, see Schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

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

Schedule 2 is an extract from the *Planning Act 2016* that sets down the applicant’s appeal rights and the appeal rights of a submitter.

SCHEDULE 1 CONDITIONS AND ADVICES IMPOSED BY THE ASSESSMENT MANAGER

PART 1A – CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

NO	CONDITION	TIMING
GENERAL		
1.	Comply with all conditions of this development approval and maintain compliance whilst the use continues.	At all times unless otherwise stated
2.	Where there is any conflict between the conditions of this Development approval and details shown on the Approved plans, the conditions prevail.	At all times
3.	The full cost of all work and any other requirements associated with this development must be met by the developer, unless specified in a particular condition or Infrastructure agreement.	At all times

NO	CONDITION	TIMING
CONSTRUCTION MANAGEMENT		
4.	Unless otherwise approved in writing by the Assessment Manager, ensure no audible noise from building work is made: <ul style="list-style-type: none"> a. on a business day or Saturday, before 6.30 am or after 6.30 pm b. on any other day, at any time. 	At all times during construction
5.	Contain all litter, building waste, and sediment on the building site by the use of a skip and any other reasonable means during construction to prevent release to neighbouring properties or public spaces.	At all times during construction
6.	Remove any spills of soil or other material from the road or gutter upon completion of each day's work, during construction.	At all times during construction
BUILDING WORK ASSOCIATED WITH THE MCU		
7.	Ensure all assessable building work is carried out in accordance with a valid Building development approval.	Prior to the commencement of work
8.	Ensure all external finishes, including façade treatments and materials, are in accordance with the Approved plans.	Prior to the issue of a Certificate of classification/final inspection or prior to the commencement of use, whichever comes first, and then to be maintained
USE SPECIFIC		
9.	The maximum number of child care spaces must not exceed one hundred and fifty (150).	At all times
10.	The maximum number of full-time equivalent employees must not exceed twenty-six (26)	At all times
11.	The street number of the site must be clearly displayed and visible from the primary street frontage.	Prior to the commencement of the use and then to be maintained

NO	CONDITION	TIMING
AMENITY		
HOURS OF OPERATION		
12.	Operating hours of the use are limited to 7.00 am to 6.00 pm Monday to Friday.	At all times
13.	Deliveries, loading/unloading activities, and refuse collection must be undertaken between the hours of 7.00 am to 6.00 pm Monday to Friday.	At all times
LIGHTING		
14.	Design and install all external lighting in accordance with <i>AS4282 – Control of the obtrusive effects of outdoor lighting</i> so as not to cause nuisance to residents or obstruct or distract pedestrian or vehicular traffic.	Prior to the commencement of the use and then to be maintained
NOISE		
15.	Work must be carried out in accordance with the recommendations (conclusion) contained within the Noise Impact Assessment prepared by Alpha Acoustics dated 19 January 2022.	Prior to the commencement of the use and then to be maintained
16.	Submit to the Assessment Manager certification from a suitably qualified person confirming the recommendations of the approved Acoustic report have been complied with.	Prior to the commencement of the use
SCREENING OF PLANT AND SERVICES		
17.	Install and maintain suitable screening to all air conditioning, lift motor rooms, plant, service facilities, or similar equipment located on the rooftop or to an external face of the building. The screening structures must be constructed from materials that are consistent with materials used elsewhere on the building façade or as an architectural feature of and visually consistent with the profile of the building.	Prior to the commencement of the use and then to be maintained

NO	CONDITION	TIMING
WASTE MANAGEMENT		
18.	<p>Provide an impervious bin storage area (bin enclosure) for the storage of refuse bins in accordance with the following:</p> <ul style="list-style-type: none"> a. designed so as to prevent the release of contaminants into the environment b. sufficiently sized to accommodate all refuse bins required by the Assessment Manager for the scale of the development c. screened from the road frontage or other public space, and adjoin properties by landscaping or constructed screening d. a suitable hose cock (with backflow prevention) and hoses must be provided at the bin storage area, and wash down to be drained to the sewer and fitted with an approved stormwater diversion valve arrangement e. must be maintained in a clean and sanitary manner 	<p>Prior to the commencement of the use and then to be maintained</p>
OPERATIONAL WORK ASSOCIATED WITH THE MCU		
19.	<p>Ensure all Operational work that is Accepted development complies with the nominated assessment benchmarks or a Development application for Operational work is submitted to and approved by Council.</p> <p>Note: <i>Where Accepted development does not comply with a nominated requirement for accepted development, a Development application for Operational work must be submitted to Council.</i></p>	<p>Prior to the commencement of work</p>
20.	<p>Provide certification from a Registered Professional Engineer of Queensland (RPEQ) that any operational work that is Accepted development has been designed and constructed in accordance with the conditions of this Development approval and any other relevant approval issued by Council.</p> <p>Note: <i>Council does not require the submission of an Operational works development application for</i></p>	<p>Prior to the commencement of the use</p>

NO	CONDITION	TIMING
	<i>work that is nominated as Accepted development where the works comply with the nominated requirements for Accepted development and are certified by a RPEQ.</i>	
EARTHWORKS		
21.	<p>Carry out all earthworks in accordance with the approved plans, the applicable Planning scheme codes, and the Planning scheme policy for development works.</p> <p>Note: <i>Earthworks that comply with the applicable requirements for accepted development do not require the submission of an Operational works development application.</i></p> <p><i>Where the applicable requirements for accepted development are not met, an Operational works development application must be submitted to Assessment Manager.</i></p>	At all times
22.	Provide to the Assessment Manager certification from a Registered Professional Engineer of Queensland (RPEQ) that the Earthworks have been designed and constructed in accordance with the conditions of this Development approval and any other relevant approval issued by the Assessment Manager.	Prior to the commencement of the use
EROSION AND SEDIMENT CONTROL		
23.	Prepare and implement an Erosion and sediment control (ESC) management plan for the site in accordance with the Environment Protection Agency's (EPA – Guideline – <i>EPA Best Practice Urban Stormwater Management</i> – Erosion and Sediment Control and International Erosion Control Association's (IECA) – <i>Best Practice Erosion and Sediment Control</i> , and the <i>Queensland Urban Drainage Manual (QUDM)</i> .	Prior to site work commencing and at all times during construction
STORMWATER		
24.	Carry out all stormwater drainage work in accordance with the Stormwater Management Plan prepared by Empire Engineering, dated October 2021, Revision B.	Prior to the commencement of the use and then to be maintained

NO	CONDITION	TIMING
WATER		
25.	<p>Provide a metered water service, and internal infrastructure as required, to satisfy the firefighting and water supply demands of the development.</p> <p>Note:</p> <p><i>Water infrastructure must be designed by an appropriately qualified hydraulic consultant to assess the suitability of the water supply system to cater for the proposed development, including firefighting requirements in accordance with AS2419 – Fire hydrant installation.</i></p>	Prior to the commencement of the use and then to be maintained
SEWERAGE		
26.	Provide a reticulated sewerage service in accordance with the applicable Planning scheme codes and Planning scheme policy for development works.	Prior to the commencement of use
27.	All sewerage infrastructure must be clear of all proposed and existing buildings.	At all times
28.	<p>Undertake all necessary upgrades of Council's sewerage infrastructure to ensure other users are not adversely affected by the increased demand on the sewerage system.</p> <p>Prepare and submit for approval to the Assessment Manager detail design of all necessary upgrades of Council's sewerage infrastructure. The design is to:</p> <ul style="list-style-type: none"> a. ensure other users are not adversely affected by the increased demand on the sewage network b. be in accordance with the applicable Planning scheme codes and the Planning scheme policy for development works <p>All work to Council's sewerage infrastructure must be carried out in accordance with an Operational works approval.</p> <p>Note:</p> <p><i>Submission of the detail design must form part of an Operational works application.</i></p>	Prior to the commencement of the use

NO	CONDITION	TIMING
ROADWORKS, ACCESS, AND CAR PARKING		
29.	<p>Design and construct the site access in accordance with the Approved plans, applicable Planning scheme codes, and the Planning scheme policy for development work.</p> <p>Note: <i>Detail must be determined as part of the assessment for Operational works.</i></p>	Prior to the commencement of the use and then to be maintained
30.	Remove all disused or redundant vehicular crossings, kerb drainage outlets, and footpath crossovers and reinstate kerb and channel, and footpaths as required.	Prior to the commencement of the use
31.	<p>Design and construct off-street car parking, access, and manoeuvring areas in accordance with the Approved plans, applicable Planning scheme codes, and the Planning scheme policy for development work.</p> <p>Car parking, access, and manoeuvring areas must:</p> <ol style="list-style-type: none"> a. provide a minimum of 44 parking spaces b. be designed and constructed in accordance with AS2890 Parking facilities – off-street car parking c. provide parking spaces for people with a disability in accordance with the Building Code of Australia and AS2890.6 Off-street parking for people with disabilities d. provide on-site loading, unloading, and manoeuvring for all necessary service vehicles, including: <ul style="list-style-type: none"> • Refuse Collection Vehicle e. allow all design vehicles to enter and exit the site in a forward gear f. be constructed and sealed with asphaltic concrete or concrete. g. be signed and delineated in accordance with the Queensland manual of uniform traffic control devices 	Prior to the commencement of use and then to be maintained

NO	CONDITION	TIMING
	<p>h. allow for the provision of fill and/or boundary retaining walls and the containment and management of site stormwater drainage</p> <p>i. be drained to a legal point of discharge</p> <p>j. be available free of charge to staff and customers during operating hours</p> <p>k. Provide shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces.</p> <p>Note: <i>Where there is any conflict between the Approved plans and the Planning Scheme provisions, the Approved plans prevail.</i></p>	
32.	Provide (11) secure bicycle parking spaces for employees customers. Bicycle parking must be located in a visible area close to the entrance of each building.	Prior to the commencement of the use and then to be maintained
33.	Repair any damaged kerb and channel, footpath, or road (including removal of concrete slurry from footpath, roads, kerb and channel, and stormwater gullies and drainlines) and reinstate existing traffic signs and pavement markings that have been removed or damaged during any works carried out in association with the approved development.	Prior to the commencement of the use
34.	<p>Upgrade / reconstruct the central traffic island in Sienna Boulevard generally in accordance with the Turn Path Concept Plan, TP02, Revision B prepared by Empire Engineering and the Planning scheme policy for development works.</p> <p>Detail must be determined as part of the assessment for Operational works.</p>	Prior to the commencement of the use
PEDESTRIAN AND CYCLIST PATHS		
35.	<p>Provide pedestrian pathways in accordance with the Turn Path Concept Plan, TP02, Revision B prepared by Empire Engineering and the Planning scheme policy for development works.</p> <p>Note: <i>Submission of the detail design must form part of an Operational works application.</i></p>	Prior to the commencement of the use

NO	CONDITION	TIMING
LANDSCAPING		
36.	<p>Prepare and submit for approval to the Assessment Manager a landscape plan. The plan must be prepared in accordance with the applicable Planning scheme codes, the Planning scheme policy for development works, and the conditions of this approval.</p> <p>The plan is to include, but not be limited to the following:</p> <ul style="list-style-type: none"> a. the area set aside for landscaping b. location and name of existing trees c. a plan and schedule of all species which identifies: <ul style="list-style-type: none"> i. the location and sizes at planting and at maturity ii. the botanical and common names iii. the location of all areas to be covered by turf or other surface materials including pavement d. measures to ensure that the landscaping will be retained and managed to allow growth to maturity e. details of any landscape structures, including entrance statements f. details of cutting and filling and all retaining structures, fences and associated finishes g. contours or spot levels if appropriate h. fences size and materials i. inclusion of a controlled underground or drip irrigation system. Any such system is to be fitted with an approved testable backflow prevention device j. location of any overhead or underground services that traverse the site e.g. drainage, sewerage, electricity k. property boundary garden/landscape bed edge walls to be provided with sleeper or equivalent retaining walls to contain the garden material within the site. Such walls 	<p>Prior to the site work commencing and at all times during construction and then to be maintained</p>

NO	CONDITION	TIMING
	<p>must be constructed to a height that is at or above the</p> <ul style="list-style-type: none"> i. provide shade trees in car parking areas at a minimum ratio of one (1) tree for every six (6) parking spaces m. must include particular attention to screening the “drying court” from the street frontage of public place by way of fencing or vegetation n. must include shrub or tree plantings between the carpark and eastern property boundary <p>All landscaping must be carried out in accordance with an approved Landscaping plan.</p>	
37.	Any fences provided along the property boundaries of the site, other than required by the approved Noise Impact Assessment report must be aluminium pool fencing or the like.	At all times
FLOODING		
38.	<p>Prepare and submit for approval to the Assessment Manager a Flood management/ evacuation plan. The plan must demonstrate how people will be evacuated from the site to a safe gathering point above the defined flood level and must include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. the defined flood level for the site b. the height at which the property is inundated by the riverine and localised flood c. the evacuation route from the property to an approved evacuation centre/point and the method by which staff and patrons will be transported d. the estimated time required to reach the designated evacuation centre/point e. the forecast flood event trigger at which the site will evacuate, being 11 m AHD, with flood marker indicators to be positioned on the land and maintained to assist staff in identifying the flood evacuation level. f. the appointment of a site Flood coordinator who will distribute information to staff g. procedures for assisting those with a disability or who do not speak English h. a contact information collection process for all current staff 	Prior to the commencement of the use and then to be maintained

NO	CONDITION	TIMING
	i. a plan showing primary and secondary evacuation routes and assembly areas for the building	
39.	Evacuation of the centre must occur in a stormwater/ flood event where the flood water exceeds 11.0 m AHD. The details of the evacuation must be included in the Approved Flood management evacuation plan (as required in condition 38)	At all times

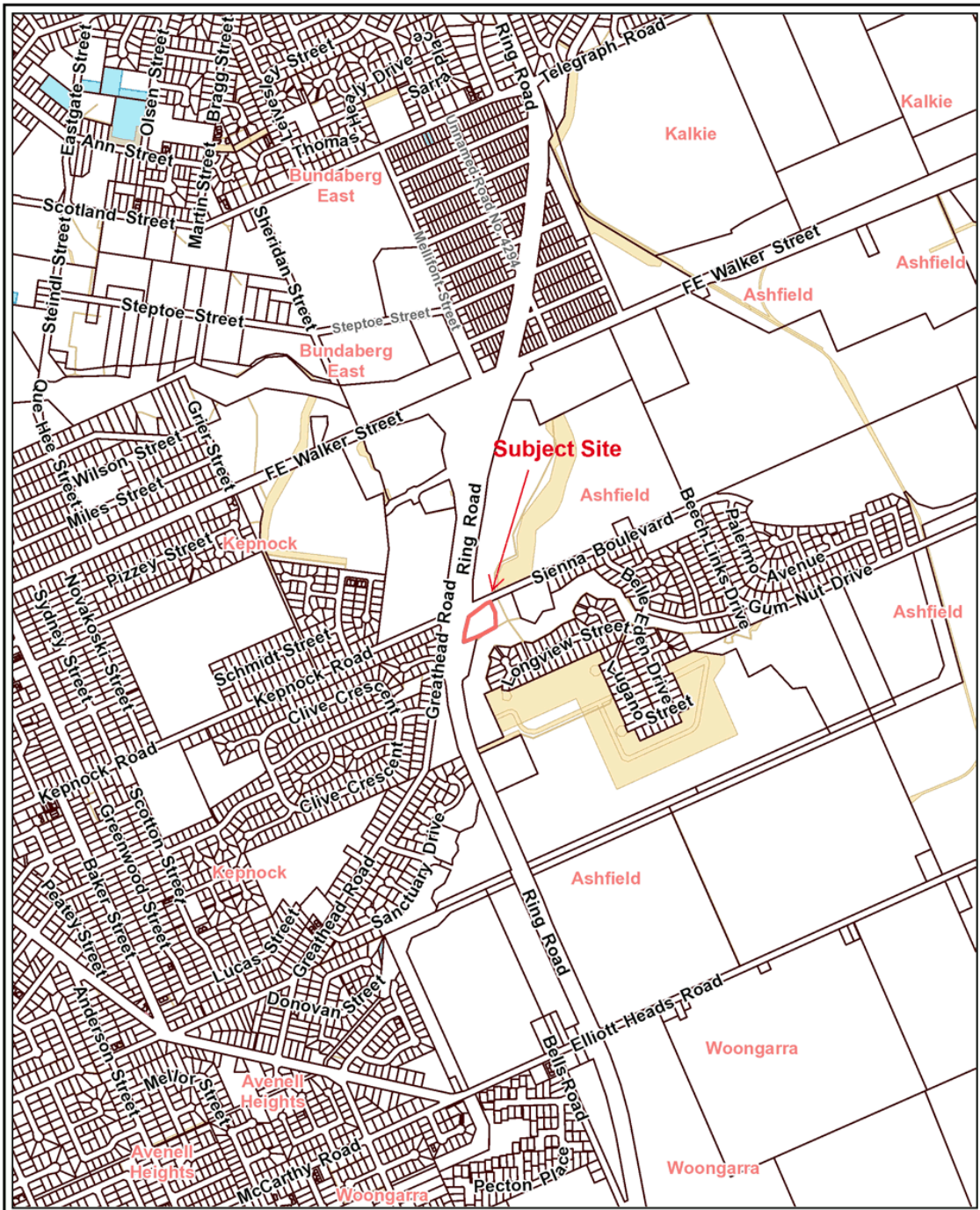
PART 1B – ADVICE NOTES

NO.	ADVICE	TIMING
INFRASTRUCTURE CHARGES		
1.	Infrastructure charges notice (331.2021.1349.1) applicable to the development is attached to this Development approval.	At all times
GENERAL		
2.	<p>An audit check of the Operational Works drawings has been undertaken in relation to the proposed works. A detailed check of the calculations and drawings has not been undertaken, as they have been certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The RPEQ bears full responsibility for all aspects of the engineering design, including the identification and resolution of any design faults that may arise throughout the course of the Operational works. The Assessment Manager reserves the right to require further amendments and/or additions at a later date should design errors become apparent.</p>	At all times
3.	Inspections by Council are independent of, and do not negate, the Registered Professional Engineer of Queensland (RPEQ) inspections that ensure compliance with the decision notice for Operational work.	At all times
4.	To comply with the Local Government Act, the applicant and/or applicants contractors must advise Council's Water Services team at WSschedulers@bundaberg.qld.gov.au if access to	At all times

NO.	ADVICE	TIMING
	the network is required to undertake any works or investigations such as, but not limited to, CCTV inspections, cleaning, survey etc.	
AMENITY		
5.	Storage of flammable and /or combustible liquids must comply with the minor storage provisions of AS1940 – the storage and handling of flammable and combustible liquids.	At all times
ENVIRONMENTAL HARM		
6.	The <i>Environmental Protection Act 1994</i> states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard persons and entities, involved in the civil, earthworks, construction, and operational phases of this development, are to adhere to their ‘general environmental duty’ to minimise the risk of causing environmental harm. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil, or otherwise, or cause hazards likely in the opinion of the administering authority to cause undue disturbance or annoyance to persons or affect property no connected with the use.	At all times
ABORIGINAL CULTURAL HERITAGE		
7.	All development should proceed in accordance with the Duty of care guidelines under the <i>Aboriginal Cultural Heritage Act 2003</i> . Penalties may apply where duty of care under that act has been breached.	At all times

PART 2—CONCURRENCE AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning, by letter dated 18 February 2022 (copy letter attached for information).



LOCALITY PLAN
522.2021.276.1
2 Sienna Boulevard

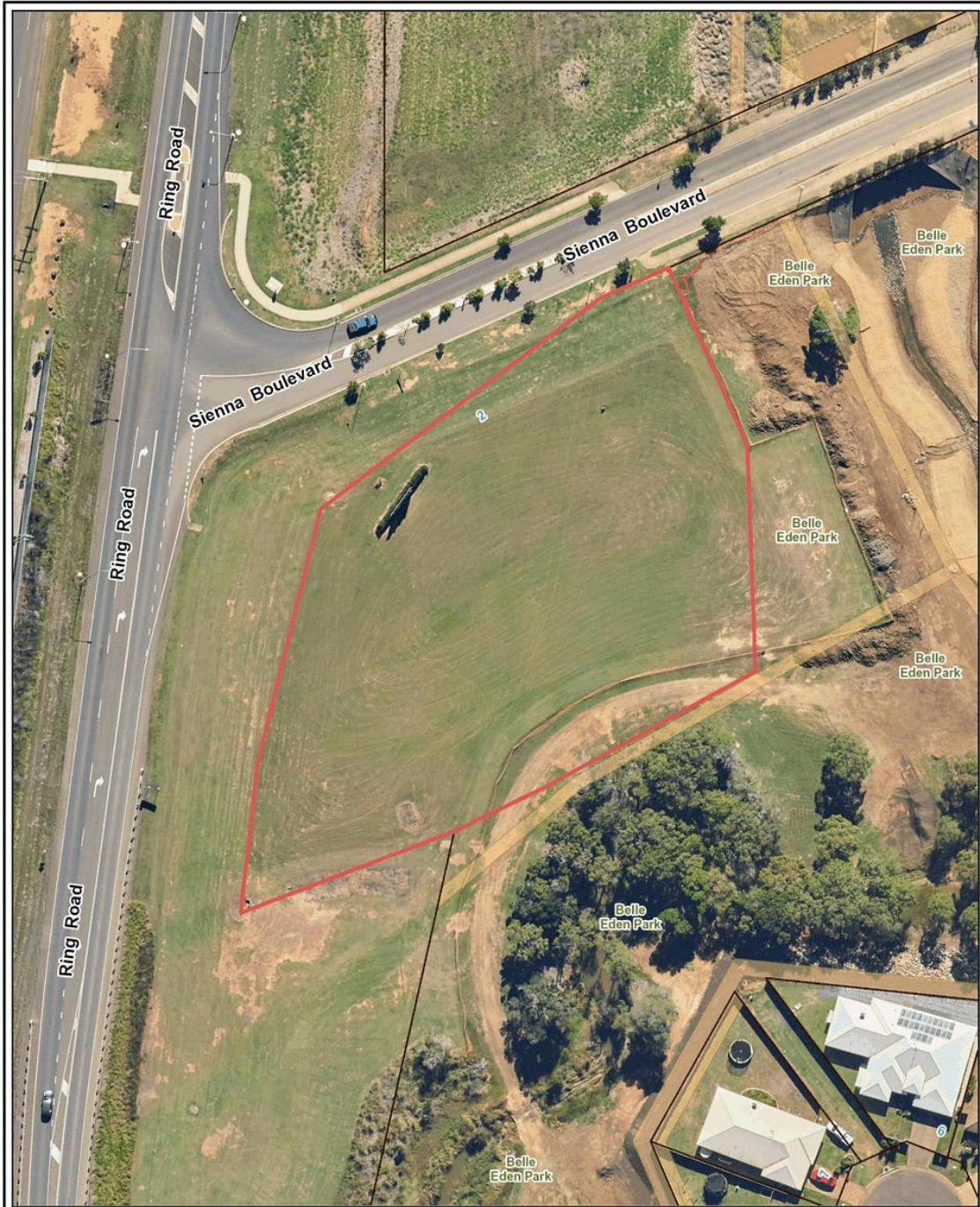
Projection: WGS_1984_Web_Mercator_Auxiliary_Sphere Date: 20/5/2022 8:38 AM Scale 1 : 16,000.00 on A4 Sheet

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Author:

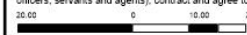


SITE PLAN
522.2021.276.1
2 Sienna Boulevard

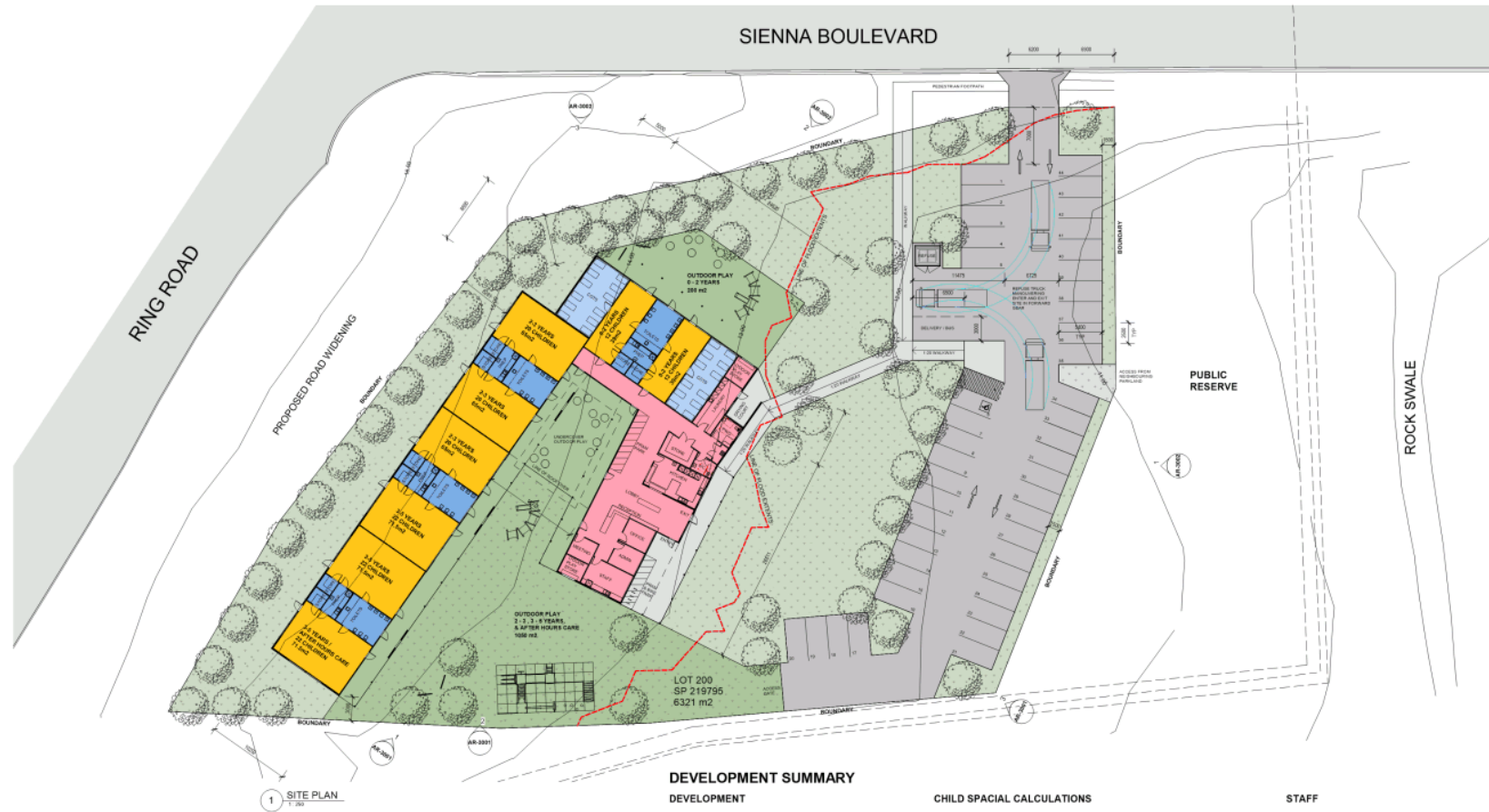
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Author:



1 SITE PLAN
1:250

DEVELOPMENT SUMMARY

DEVELOPMENT	
SITE AREA	6321 m2
CHILDCARE CENTRE	1063 m2
SITE COVERAGE	17 %

CARPARKING	
1 SPACE PER STAFF MEMBER	26
1 SPACE PER 10 CHILDREN	15
REQUIRED	41
TOTAL PROVIDED	44

CHILD SPACIAL CALCULATIONS	
1 CHILD PER 3.25 m2 INDOORS	
1 CHILD PER 8.00 m2 OUTDOORS	

CHILDREN		
0-2 YEARS	2 ROOMS @ 12 CHILDREN PER ROOM	24
2-3 YEARS	3 ROOMS @ 20 CHILDREN PER ROOM	60
3-5 YEARS	3 ROOMS @ 22 CHILDREN PER ROOM	66
TOTAL CHILDREN		150

STAFF			
0-2 YEARS	1 STAFF PER 4 CHILDREN	x 24 CHILDREN	6
2-3 YEARS	1 STAFF PER 5 CHILDREN	x 60 CHILDREN	12
3-5 YEARS	1 STAFF PER 11 CHILDREN	x 66 CHILDREN	6
CENTRE MANAGER			1
ADMIN			1
TOTAL STAFF			26



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 info@multispan.com.au
 www.multispan.com.au

CLIENT: **FPNP**
 PROJECT DESCRIPTION: **PROPOSED CHILDCARE**

SITE ADDRESS: **SIENNA BOULEVARD, BUNDABERG**
 DRAWING TITLE: **SITE PLAN**

AMENDMENTS		SCALE: 1:250	DATE: A1	DRAWN: AR	CHECKED: -
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2	03.20.21	ISSUED FOR TENDER	SK		
3	03.20.21	ISSUED FOR TENDER	SK		



1 GROUND FLOOR
1:100

PROJECT NOTES:

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T 67 3274 2006
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info@multispan.com.au
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CLIENT: FPNP
PROJECT DESCRIPTION: PROPOSED CHILDCARE

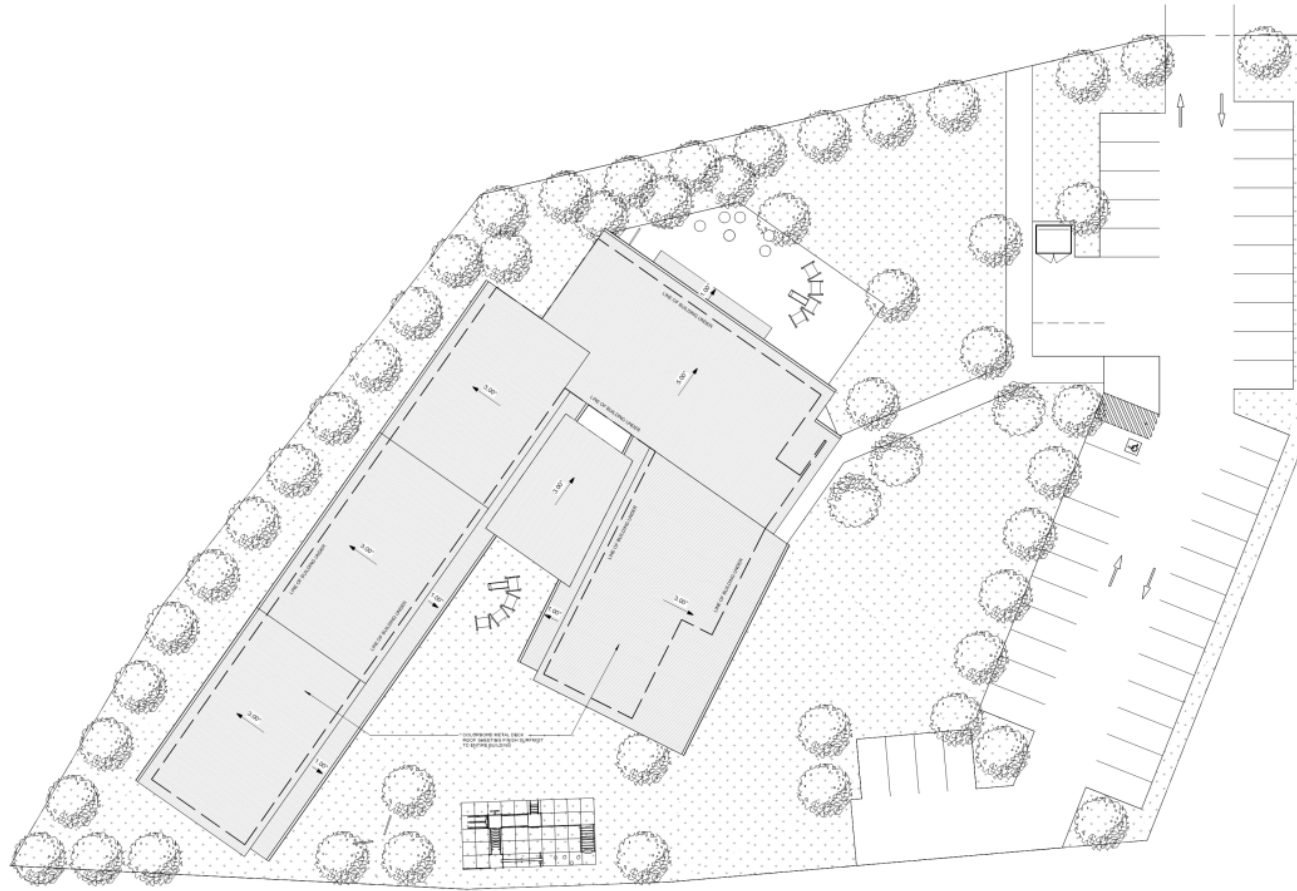
SITE ADDRESS: SIENNA BOULEVARD, BUNDABERG
DRAWING TITLE: GROUND FLOOR PLAN

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02	06/08/21	ISSUED FOR TENDER	AR	
03	10/08/21	ISSUED FOR TENDER	AR	

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PROJECT STAGE: SK	DRAWING NUMBER: -AR-2001	REVISION: C

10/11/2021 2:46:15 PM

PROJECT NOTES:



1 ROOF PLAN
1:200

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CLIENT: FPNP

PROJECT DESCRIPTION: PROPOSED CHILDCARE

SITE ADDRESS: SIENNA BOULEVARD, BUNDABERG

DRAWING TITLE: ROOF PLAN

AMENDMENTS		REV	DATE	DESCRIPTION
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A	06/08/21	1	06/08/21	ISSUED FOR TENDER

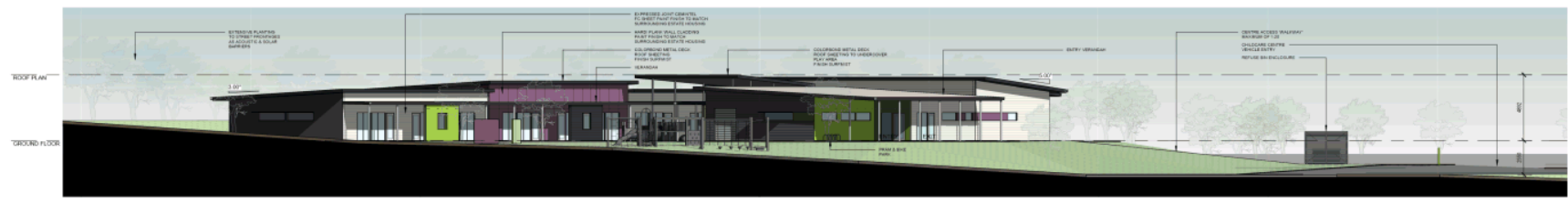
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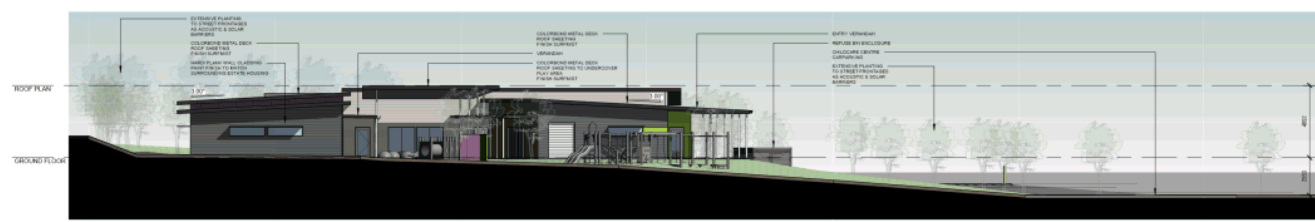
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3 EAST ELEVATION
1:50



2 SOUTH EAST ELEVATION
1:50

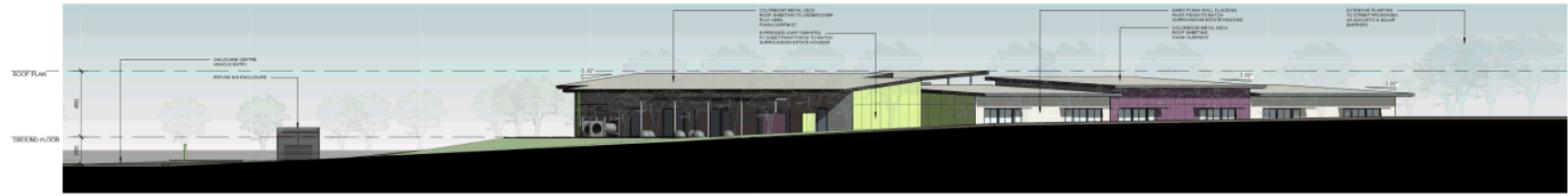


1 SOUTH ELEVATION
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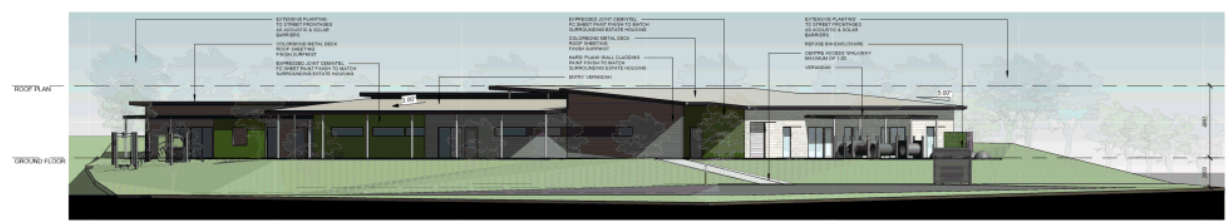
PROJECT NOTES:



3 NORTH WEST ELEVATION
1:50



2 NORTH ELEVATION
1:50



1 NORTH EAST ELEVATION
1:50

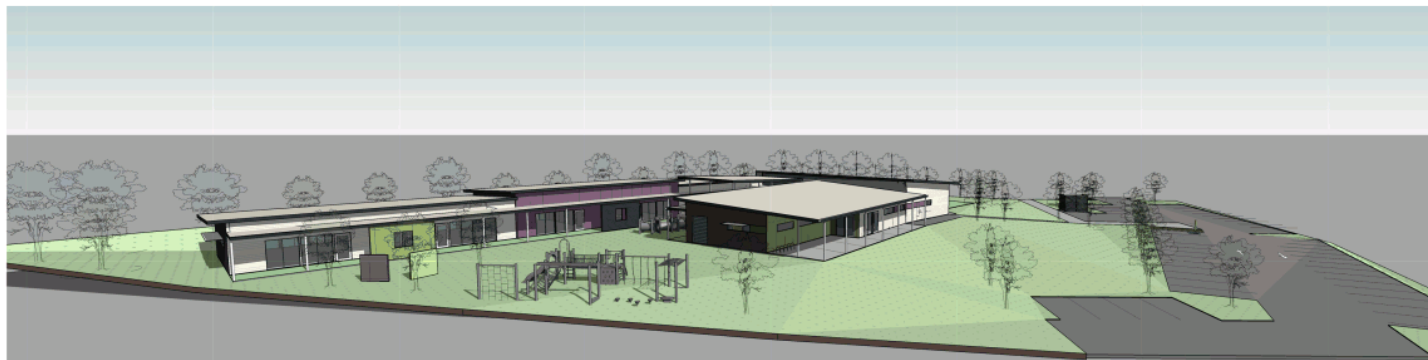
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			PROJECT DESCRIPTION PROPOSED CHILDCARE	DRAWING TITLE ELEVATIONS 2	SHEET NO. 4961	PROJECT START DATE 03.2021	PROJECT STAGE SK

PROJECT NOTES:



2 PERSPECTIVE 2



1 PERSPECTIVE 1

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FPNP

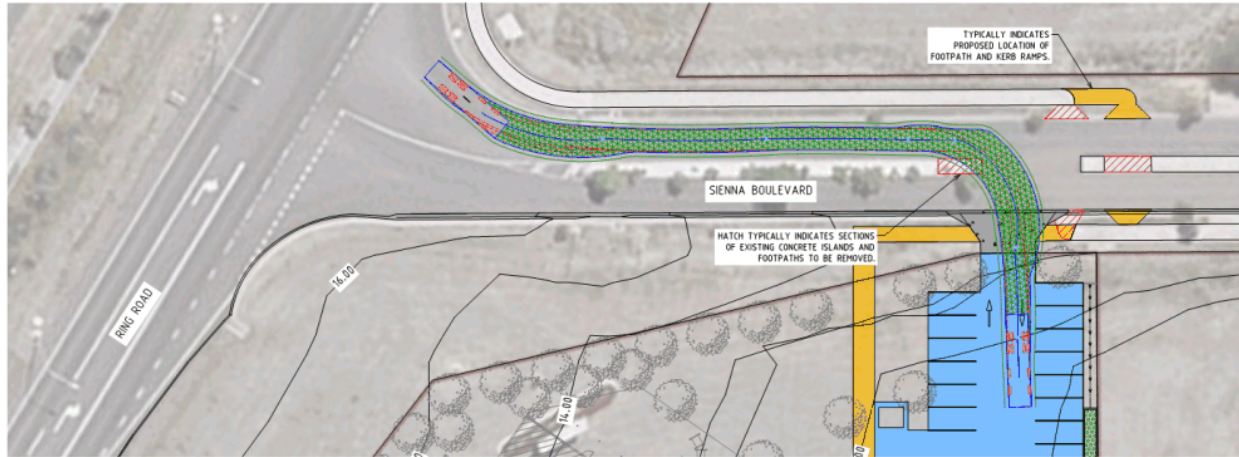
PROJECT DESCRIPTION
PROPOSED CHILDCARE

SITE ADDRESS
SIENNA BOULEVARD,
BUNDABERG

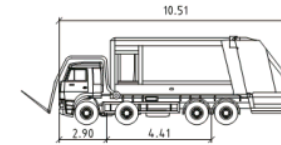
DRAWING TITLE
PERSPECTIVES 1

AMENDMENTS	
NO	DESCRIPTION
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2	ISSUED FOR TENDER
3	ISSUED FOR TENDER

<small>SCALE</small>	A1	<small>DRAWN</small>	AR	<small>CHECKED</small>	-
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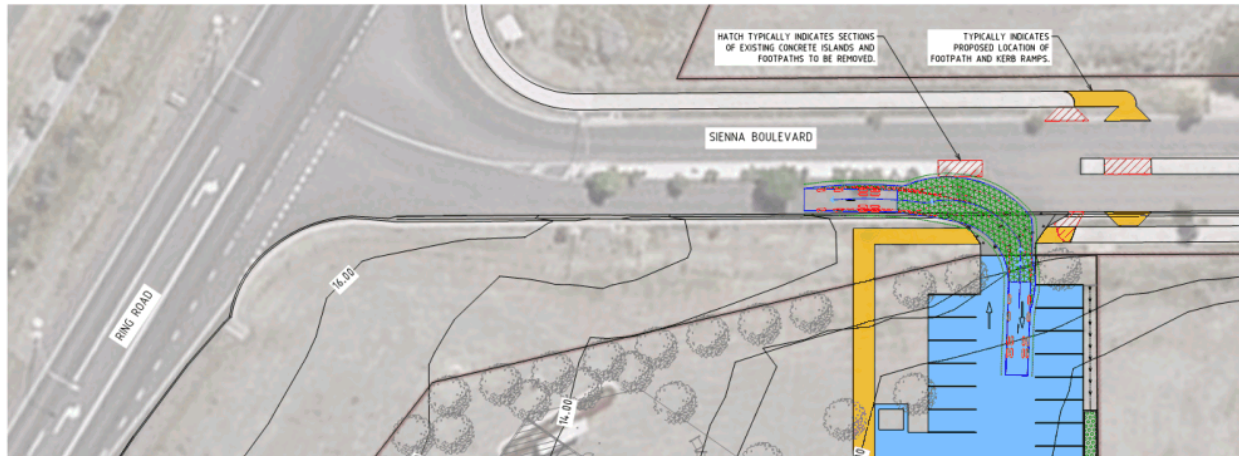
10.5m OVER HEAD LOADER GARBAGE TRUCK - INGRESS TURNPATH PLAN



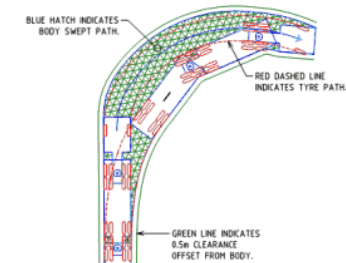
OVERHEAD LOADER GARBAGE TRUCK

meters
 Width : 10.51
 Track : 2.90
 Lock to Lock Time : 6.0
 Steering Angle : 30.0

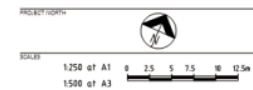
VEHICLE PROFILE - 10.51m OVER HEAD LOADER GARBAGE TRUCK
 NOT TO SCALE



10.5m OVER HEAD LOADER GARBAGE TRUCK - EGRESS TURNPATH PLAN



VEHICLE TURNPATH LEGEND



FOR INFORMATION

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Stormwater Management Plan

Proposed Child Care Facility

2 Sienna Boulevard, Ashfield

Prepared for
Belle Eden Estate Pty Ltd

Project Ref
CC-6071

Date
July 2021

Revision
Revision B



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Prepared by

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Site information

Street address:	2 Sienna Boulevard, Ashfield
RP description:	Lot 200 on SP219795

Prepared for

Client:	Belle Eden Estate Pty Ltd
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Revision history

Revision Number	Date	Reviewed by	Authorised by
A	July 2021	Ross Wegner 	Sid Olive 
B	October 2021	Ross Wegner 	Sid Olive 

Document distribution

Revision Number	Recipient	Number of copies	Format
A	Belle Eden Estate Pty Ltd, Mike Farrell	1	PDF
B	Belle Eden Estate Pty Ltd, Mike Farrell	1	PDF



STORMWATER MANAGEMENT PLAN – Proposed Child Care Facility at 2
Sienna Boulevard, Ashfield

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1. Introduction

1.1. Background

Empire Engineering Pty Ltd (Empire Engineering) has been commissioned by Belle Eden Estate Pty Ltd to prepare a Site Based Stormwater Management Plan for a proposed Child Care Facility located at 2 Sienna Boulevard, Ashfield (Lot 200 on SP219795).

This report presents the results of a drainage investigation and proposes measures to be adopted in relation to stormwater quality management and stormwater quantity management for the site in question. Industry recognised computer software has been utilised in the preparation of this report. Model for Urban Stormwater Improvement Conceptualisation (MUSIC) has been used to suitably size stormwater quality improvement devices. This report is consistent with the requirements outlined in the Bundaberg Regional Council Planning Scheme.

1.2. Aim

This document aims to provide a conceptual framework of flood and drainage management strategies for the development proposal to be incorporated into the detailed design of the project works.

This Stormwater Management Plan also aims to address the Stormwater related Performance and Acceptable Outcomes of State Code 1: Development in a state controlled road environment. The completed code response for State Code 1 is attached to this report as Appendix G.

1.3. Site Description

The subject site is bounded by the local council-controlled Sienna Boulevard to the north, the Department of Transport and Main Roads controlled Ring Road to the west and park and drainage reserve to the east and south. As can be seen in the aerial image displayed in Figure 1.1 the subject site is within a built up residential area.



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Figure 1.1 – Aerial Photograph of Subject Site (QLD Globe)

1.4. Proposed Development

The Proposed Development Layout Plans prepared by Multi Span Australia Design Construct depicts the proposed Child Care Facility with associated outdoor play areas, driveways and car parking. The Proposed Development Layout Plan prepared by Multi Span Australia Design Construct is attached to this report as Appendix A.

From a stormwater management perspective the following salient points are noted:

- The subject development site is made up of a single Lot with a total area of 6321m²;
- The development site currently falls at approximately 4.0% towards the East;
- The site currently drains as overland sheet flow to the East before discharging to the existing open drain and culvert under Sienna Boulevard, see Figure 1.2; and
- The percent of impervious ground on the subject site is currently at 0%, it is proposed to increase this to approximately 45%.

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Figure 1.2 – Aerial Photography of Existing Stormwater Infrastructure (BRC Interactive mapping)



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2. Stormwater Quality Management

2.1. Background

The developer's preference to address water quality for the development proposal is to make a contribution to the Belle Eden Drain Naturalisation Project. If a contribution isn't an acceptable solution then the following section of this report will outline the water quality requirements to be adopted for the development.

This section of the report will outline the measures to be adopted to control the quality of stormwater which leaves the site, and to ensure it meets the minimum requirements outlined in the *State Planning Policy July 2017*. This report aims to address the water quality requirements at a concept level only by identifying the required water quality objectives (WQOs) and the type, number and size of stormwater quality treatment devices (SQIDs) that are required to achieve the objectives.

The scope typically encompasses the 'post construction' phase of the development however 'construction phase' water quality is also briefly addressed.

2.2. Construction Phase

Table 2.1 details the typical stormwater pollutants which may be generated during the construction phase of the development.

Table 2.1 – Typical Construction Phase Pollutants

Pollutant	Source
Litter	Paper, construction packaging, food packaging, cement bags and off-cuts
Sediment	Unprotected exposed soils and stockpiles during earthworks and building
Hydrocarbons	Fuel and oil spills, leaks from construction equipment
Toxic Materials	Cement slurry, solvents, cleaning agents, wash waters
pH Altering Substances	Cement slurry, wash waters

The following measures should typically be implemented prior to the commencement of construction:

- An Erosion and Sediment Control Plan prepared by a Certified Professional in Erosion and Sediment Control (CPESC);
- Education of all site workers in sediment and erosion procedures; and
- Specific storage areas for construction materials and plant bunded to prevent any spillages from escaping.

During the construction phase of the development, silt fences should be erected downstream of all disturbed areas. In addition, erosion and sediment control devices should be regularly inspected and maintained following storm events.

2.3. Operational Phase

During the operational phase of the development, the following key indicating pollutants have been identified by the *State Planning Policy July 2017* in relation to stormwater runoff and water quality of the receiving waterways:



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- Gross pollutants which include human derived litter, coarse sediment and vegetation;
- Sediment and suspended solids; and
- Nutrients such as phosphorous and nitrogen.

To target these potential pollutants stormwater quality improvement devices (SQIDs) are proposed to be incorporated within the design to reduce pollutants and to meet the desired water quality objectives.

2.3.1. Water Quality Objectives

The proposed development site is located within the “Central Queensland South” climatic region of the *State Planning Policy July 2017*. Table 2.2 indicates the minimum load reduction targets required to be met under these guidelines.

Table 2.2 – Water Quality Objectives (WQOs)

Pollutant	% Load Reduction
Total Suspended Solids (TSS)	85%
Total Phosphorus (TP)	60%
Total Nitrogen (TN)	45%
Gross Pollutants >5mm (GP)	90%

2.3.2. Pollutant Export Modelling

The Model for Urban Stormwater Improvement Conceptualisation (MUSIC) has been utilised to predict performance characteristics of the proposed treatment train. Modelling parameters were obtained from the recommendations specified in *MUSIC Modelling Guidelines: Version 3.0 – 2018* (Water By Design, 2018), (the Music Guidelines).

A “Split Catchment” MUSIC model was generated for the proposed development, whereby the model contained three pollutant export nodes for each development component representing the ground, road (driveways and car parks) and roof areas. For the purposes of modelling simplicity, other land uses such as landscaping and footpaths etc were conservatively absorbed into the driveway areas. Table 2.3 indicates the contributing areas of each catchment modelled. Export parameters utilised were based on commercial pollutant loads. Table 2.4 gives an overview of the catchment areas and parameters respectively, used within the MUSIC software. The node layout for the MUSIC model is displayed as Figure 2.1.

Table 2.3 – Summary of Pollutant Catchment Areas

Catchment Area	Area (Ha)
Roof	0.1389
Ground	0.3410
Roads (Driveways)	0.1518



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Table 2.4 – Summary of Pollutant Export Parameters

Flow Type	Surface Type	TSS Log		TP Log		TN Log	
		Mean	Std Dev.	Mean	Std Dev.	Mean	Std Dev.
Baseflow Parameters	Roads	0.78	0.39	-0.60	0.50	0.32	0.30
	Roof	N/A	N/A	N/A	N/A	N/A	N/A
	Ground	0.78	0.39	-0.60	0.50	0.320	0.30
Stormflow Parameters	Roads	2.430	0.38	-0.30	0.34	0.37	0.34
	Roof	1.30	0.38	-0.89	0.34	0.37	0.34
	Ground	2.16	0.38	-0.39	0.34	0.37	0.34

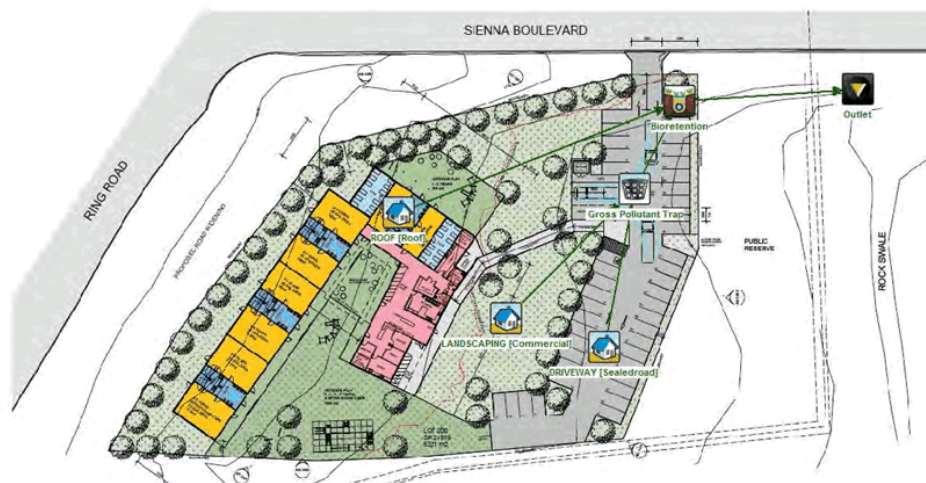


Figure 2.1 – MUSIC Model Node Layout

2.3.3. Rainfall Data

Rainfall data for the site was chosen to give the best representation of actual conditions. Data provided by the Bureau of Meteorology for Bundaberg was selected using a 6 minute time step.

2.3.4. Treatment Nodes

The recommended MUSIC values for urban residential source nodes have been used in MUSIC to generate predicted pollutant loads from the site. The following devices have been used in the treatment train to reduce these pollutant loads to achieve the Water Quality Objectives (WQOs) for the site.

Gross Pollutant Traps (GTPs) GTPs have been included in the model to treat flows from within the sealed carpark areas by implementing the GTPs within the proposed carpark drainage infrastructure. The GTPs have

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been modelled with 90% capture efficiency for TSS and no nutrient capturing capabilities.

Bio Retention Device

A designated bio-filtration area of 50m² has been modelled with extended detention depth of 200mm, sandy loam filter media depths of 600mm and a hydraulic conductivity of 200mm/hr. It is planned to locate the bioretention basin in the north east corner of the site. The device was also modelled with a lined perimeter to ensure that only fully treated water was modelled exfiltrating through the base of the system, in accordance with section 4.1 of the Water by Design Music Modelling Guidelines.

2.3.5. Effectiveness in Pollution Reduction

The water quality model was set up with the incorporation of the above devices to reduce pollutant export to WQO levels. Table 2.5 below indicates the predicted pollutant reductions as calculated by MUSIC.

Table 2.5 – Treatment Train Effectiveness

Pollutant (kg/yr)	% Load Reduction
Total Suspended Solids (TSS)	96.6%
Total Phosphorus (TP)	61.9%
Total Nitrogen (TN)	56.4%
Gross Pollutants >5mm (GP)	100%

The MUSIC modelling results shown in Table 2.5 indicate that the treatment train will adequately treat TSS, TP and TN in accordance with the targets required under the water quality objectives stated in Section 2.3.1 of this report.

2.3.6. Maintenance

An Operational Management and Maintenance Manual has been produced and is attached to this report as Appendix F. The manual outlines maintenance responsibilities and requirements for the future operators of the water quality treatment devices.



3. Stormwater Quantity Management

3.1. Background

The purpose of this section of the report is to determine the general requirements for bulk stormwater management for the proposed development. This section of the report outlines flood and stormwater modelling undertaken using the software package XP-STORM. The modelling undertaken was based on the information presented on the Proposed Development Layout Plan prepared by Multi Span Australia Design Construct.

The specific objectives of this section of the report are as follows:

- Identify and model stormwater flow paths through the site;
- Determine pre and post-development flows;
- Identify how the non-worsening of stormwater flows will be achieved;
- Demonstrate that the development will not create actionable nuisance for upstream or adjacent properties;
- Flood impacts; and
- Identify a lawful point of discharge.

3.2. Existing Drainage System

The existing drainage system for the subject site does not include any below ground drainage infrastructure. The existing site drainage generally consists of overland sheet flow culminating at the eastern boundary of the site and discharging to the existing open drain (Belle Eden Drain).

3.3. Proposed Drainage System

The proposal involves the development of the existing vacant Lot into a child care centre, drained via a traditional pit and pipe system. The development involves the construction of sealed hardstand and roofed areas on currently undeveloped areas of the site; refer to the Proposed Development Layout Plan in Appendix A. The increase in impervious ground area on the site will reduce the current rates and volumes of infiltration and therefore has the potential to increase peak stormwater flow rates from the subject site to the Belle Eden Drain.

3.4. Modelling Overview

For this development it is necessary to construct three XP-Storm hydrology and hydraulic models, the three models being:

- Subject site - pre-development;
- Subject site – post-development; and
- Subject site – post-development with mitigation.

The detailed reporting for each model is outlined in the subsequent sections of this report and full model output summaries from each model are attached to this report as Appendices C, D and E respectively. The following parameters are also common to all models.

Roughness Coefficients	For the conduits and links used within the models, Manning's "n" roughness coefficient values are specified as 0.014 for pipes and sealed overland flow paths and 0.045 for vegetated overland flow paths. For overland sheet flow within the sub-catchment areas the impervious ground was assigned a Manning's "n" value of 0.014 and the pervious areas 0.05.
Infiltration	The Uniform Loss method was used in the models with infiltration properties with the initial and continuing losses set as 0 and 0 for the impervious areas and 0 and 2.5 for the pervious



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areas.

Routing Method	The Laurenson routing method was used in the models with default XP-Storm B and D values retained.
Backwater Level	For the hydraulics component of the XP-Storm models, a backwater level of RL 9.0m was set in the existing Belle Eden Drain. This replicates a situation of the drainage system flowing at capacity during the design storm event.
Storm Events	The 2018 AR&R Temporal Pattern ensembles and associated 2016 AR&R methodology for determining the critical ensemble time for each AEP and the associated average temporal pattern within the given ensemble has been utilised in this analysis. AEP 63%, 50%, 20%, 10%, 5%, 2% and 1% storm patterns have been created and modelled over the development area to assess the impacts for both minor and major storm events on the corresponding downstream drainage infrastructure. Temporal storm pattern ensembles have been modelled with the critical ensembles found to be in the 10-15 minute range for the modelled AEPs and site conditions. The design AR&R 2018 temporal patterns utilised in modelling for each AEP are displayed in Tables 3.1-3.6. The AR&R 2016 methodology specifies the design temporal pattern to be the storm that produces a peak flow rate closest to the average peak flow of the ensemble times that have the overall highest mean flow rate.

3.5. Pre-Development Model

The pre-development model has been created with 0% impervious surface areas to represent the existing structures on the site. The pre-development model node layout is attached to this report as Appendix C. The pre-development model peak flow rate results are displayed in Table 3.1.

Table 3.1 – Pre-Development Peak Flows From Subject Site

AEP%	Design Storm (min)	Peak Flow (m ³ /s)
ECN_63pct_20min_7	20	0.134
ECN_50pct_20min_7	20	0.149
ECN_20pct_20min_4	20	0.201
ECN_10pct_20min_6	20	0.240
ECN_5pct_20min_6	20	0.275
ECN_2pct_15min_9	15	0.322
ECN_1pct_15min_9	15	0.360

3.6. Post-Development Model

For the post-development model the subject catchment area was changed to 51% impervious. The post-development model node layout is attached to this report as Appendix D. The post-development model peak flow rate results are displayed in Table 3.2.



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Table 3.2 – Post-Development Peak Flows From Subject Site

AEP%	Design Storm (min)	Peak Flow (m ³ /s)
ECN_63pct_15min_8	15	0.166
ECN_50pct_15min_8	15	0.184
ECN_20pct_15min_2	15	0.243
ECN_10pct_10min_8	10	0.288
ECN_5pct_10min_8	10	0.330
ECN_2pct_10min_7	10	0.376
ECN_1pct_10min_7	10	0.418

As can be seen in Tables 3.1 and 3.2 the modelled increase in peak flow rates from pre to post-development indicates an increase in peak flow rates, therefore mitigating options must be investigated.

3.7. Post-Development with Mitigation Model

Stormwater mitigation measures were added to the post-development model in the form of on-site detention storage. The detention storage was modelled as surface storage over and above the driveway and bioretention areas. Multiple model iterations were run and it was found that to suitably mitigate the required AEP events 25m³ of detention storage is required within the bioretention areas and driveway areas. This will result in a small amount of water ponded on the driveway and within the bioretention basin during the major AEP 1% storm event, finished floor levels will however not be threatened. A Drainage Layout Plan is attached to this report as Appendix B.

The post-development with mitigation model node layout is attached to this report as Appendix E. The post-development with mitigation model peak flow rate results are displayed in Table 3.3.

Table 3.3 – Post-Development with Mitigation Peak Flows from Subject Site

AEP%	Design Storm (min)	Peak Flow (m ³ /s)
ECN_63pct_15min_8	15	0.116
ECN_50pct_15min_8	15	0.129
ECN_20pct_15min_2	15	0.191
ECN_10pct_10min_8	10	0.205
ECN_5pct_10min_8	10	0.230
ECN_2pct_10min_7	10	0.257
ECN_1pct_10min_7	10	0.287



3.8. Lawful Point of Discharge

It is contended that the Belle Eden Drain forms a lawful point of discharge for the development proposal as described by the *Queensland Urban Drainage Manual*. The Belle Eden drain is under the control of a Statutory Authority, being Bundaberg Regional Council. As the proposed development will result in non-worsening in peak flow rates from the site a situation of actionable nuisance will not be created.

3.9. Flood Hazard Area

Bundaberg Regional Council (BRC) mapping indicates that the development site is subject to the flood hazard overlay, refer to figure 3.1. A flood planning property control report has been obtained from Bundaberg Regional Council, the report states that the local defined flood level (DFL) for the subject allotment is RL 12.76 (mAHD). The BRC Flood Hazard Code stipulates that the development proposal requires a Finished Floor Level (FFL) with approximately 300mm free board to the DFL. This equates to a required minimum FFL of 13.06m for the development proposal.

Two mechanisms by way of which the development may result in adverse flood impacts are afflux of flowing water due to an obstruction in the flow path and increased flood depth or extents due to displacement of flood water. As the subject development footprint is on the fringe of the flood hazard overlay and the site is located in a backwater area the primary mechanism for creation of adverse flood impacts is considered to be displacement of flood water.

As can be seen on the development layout plans attached to this report as Appendix A the proposed building footprint is located on the western portion of the site outside of the flood hazard overlay with only the carpark and driveway areas located within the mapped flood hazard area. For the portion of the development that falls within the flood hazard overlay a cut fill balance will be achieved to ensure no net loss of flood storage for the site.



Figure 3.1 – BRC Flood Hazard Mapping

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4. Conclusion

This report has outlined the detailed modelling and analysis that has been undertaken to determine a strategy for management of stormwater quality and quantity for the proposed Childcare Facility at 2 Sienna Boulevard, Ashfield. An on-site stormwater quality improvement device in the form of a bioretention area has been sized and located so as to meet the stormwater quality objectives as outlined in the *State Planning Policy July 2017*.

On-site stormwater detention has been sized to ensure a situation of non-worsening of peak flow rates from the subject site to The Belle Eden Drain, as generated by the design minor and major AEP storm events.

Sienna Boulevard and Belle Eden Drain has also been nominated as a lawful point of discharge for the development proposal.



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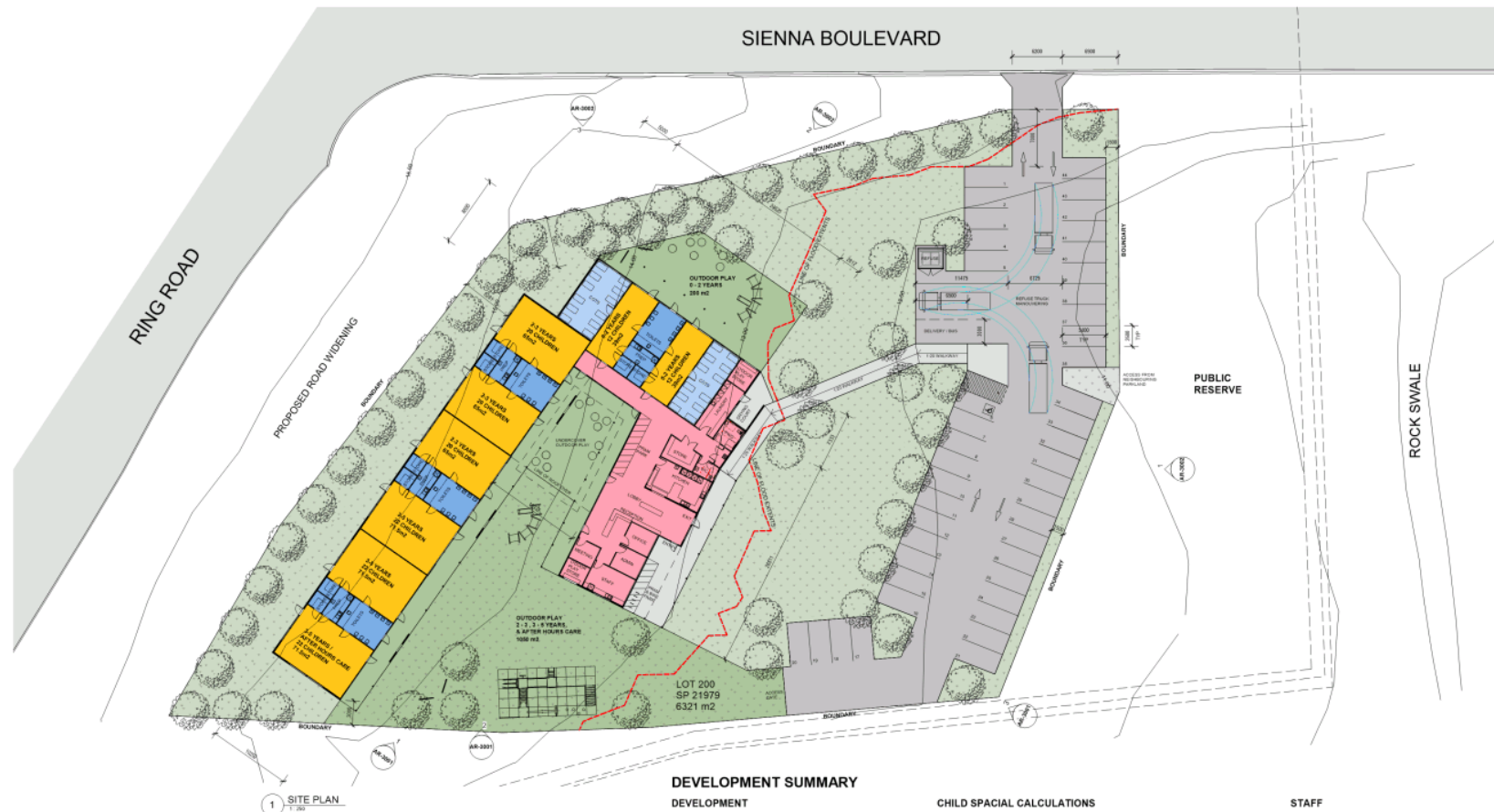
The State of Queensland, 2017, *State Planning Policy July 2017*, Department of Infrastructure, Local Government and Planning, Brisbane.

Water By Design, 2018, *MUSIC Modelling Guidelines: Version 3.0 – 2018*, SEQ Healthy Waterways Partnership, Brisbane.



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**Appendix A – Development Layout Plan Prepared By Multi
Span Australia Design Construct**



1 SITE PLAN
1:200

DEVELOPMENT SUMMARY

DEVELOPMENT	
SITE AREA	6321 m2
CHILDCARE CENTRE	1063 m2
SITE COVERAGE	17 %
CARPARKING	
1 SPACE PER STAFF MEMBER	26
1 SPACE PER 10 CHILDREN	15
REQUIRED	41
TOTAL PROVIDED	44

CHILD SPACIAL CALCULATIONS	
1 CHILD PER 3.25 m2 INDOORS	
1 CHILD PER 8.00 m2 OUTDOORS	
CHILDREN	
0-2 YEARS	2 ROOMS @ 12 CHILDREN PER ROOM = 24
2-3 YEARS	3 ROOMS @ 20 CHILDREN PER ROOM = 60
3-5 YEARS	3 ROOMS @ 22 CHILDREN PER ROOM = 66
TOTAL CHILDREN	150

STAFF			
0-2 YEARS	1 STAFF PER	4 CHILDREN	x 24 CHILDREN = 6
2-3 YEARS	1 STAFF PER	5 CHILDREN	x 60 CHILDREN = 12
3-5 YEARS	1 STAFF PER	11 CHILDREN	x 66 CHILDREN = 6
CENTRE MANAGER = 1			
ADMIN = 1			
TOTAL STAFF			26



PRELIMINARY ONLY
NOT FOR CONSTRUCTION

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CLIENT	FPNP
PROJECT DESCRIPTION	PROPOSED CHILDCARE

SITE ADDRESS	SIENNA BOULEVARD, BUNDABERG
DRAWING TITLE	SITE PLAN

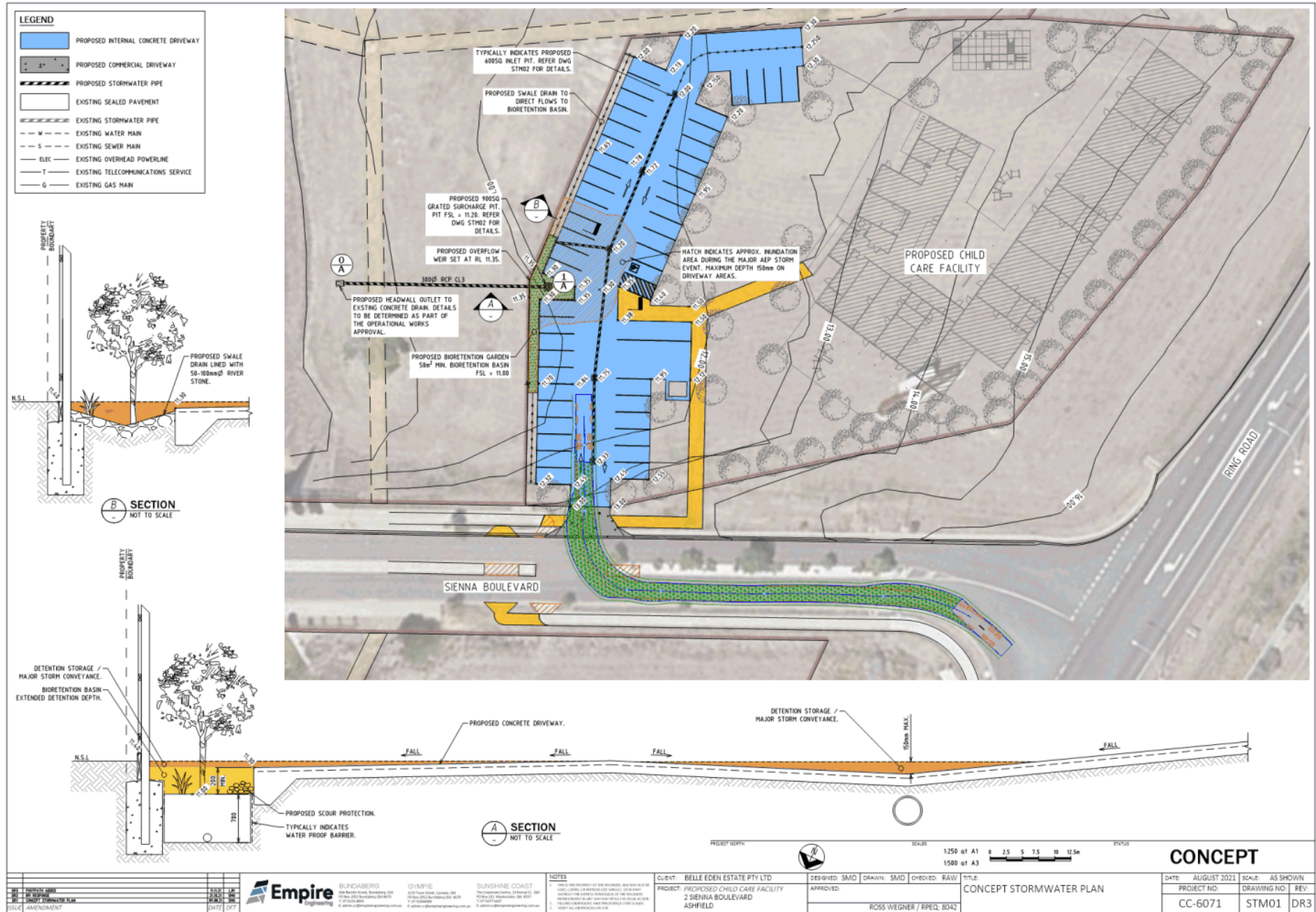
AMENDMENTS		SCALE	DRAWN	CHECKED
REV	DATE	DESCRIPTION	BY	DATE
0	10/08/21	PRELIMINARY DX ISSUE	SK	
1	08/09/21	PRELIMINARY DX ISSUE	SK	
2	03/09/21	PRELIMINARY DX ISSUE	SK	
3	29/07/21	SITE PLAN DEVELOPMENT	SK	

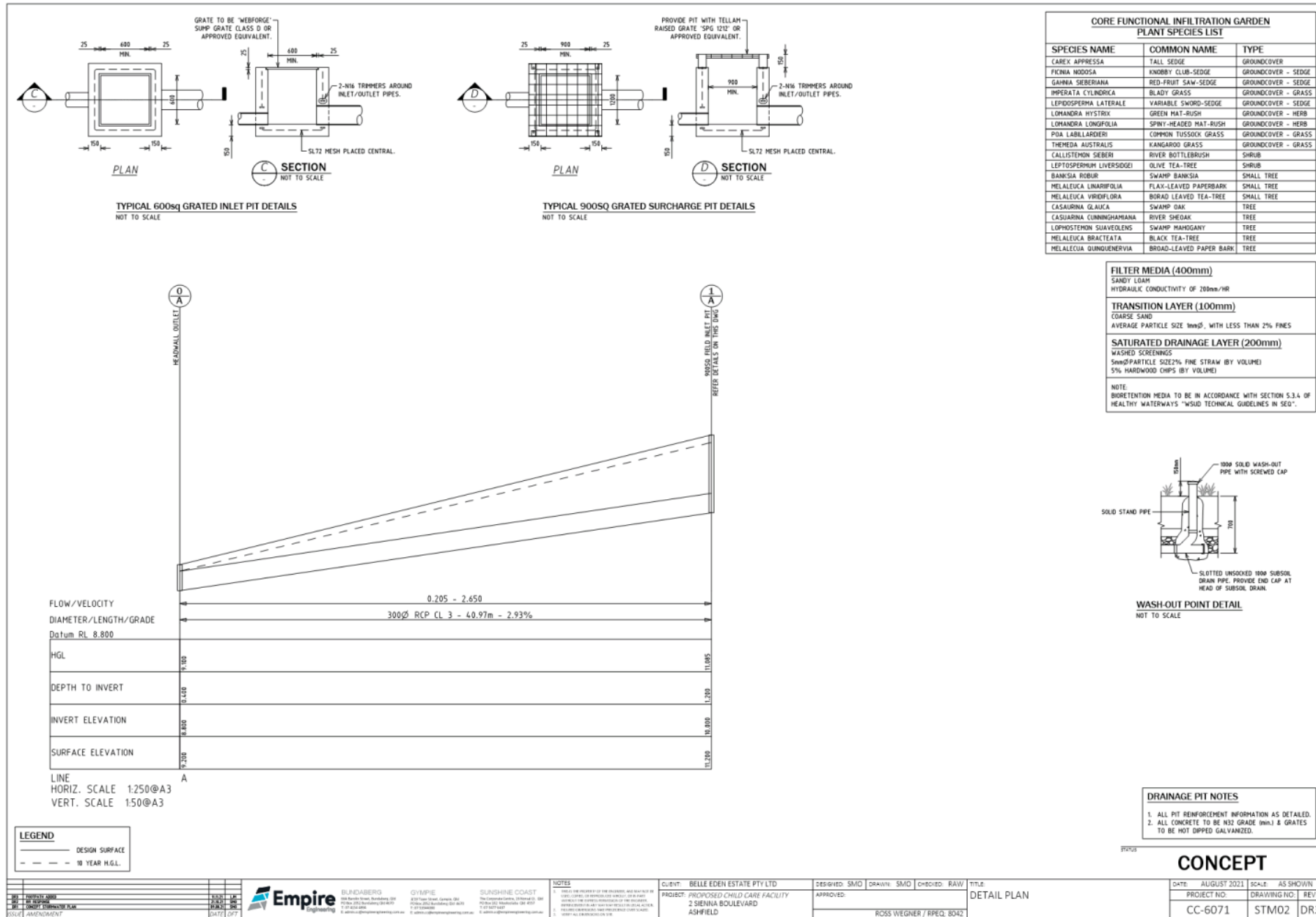
PROJECT NUMBER	4961	PROJECT START DATE	03/2021
PROJECT STAGE	SK	DRAWING NUMBER	AR-1001
		REVISION	D

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Appendix B – Concept Drainage Layout Plan





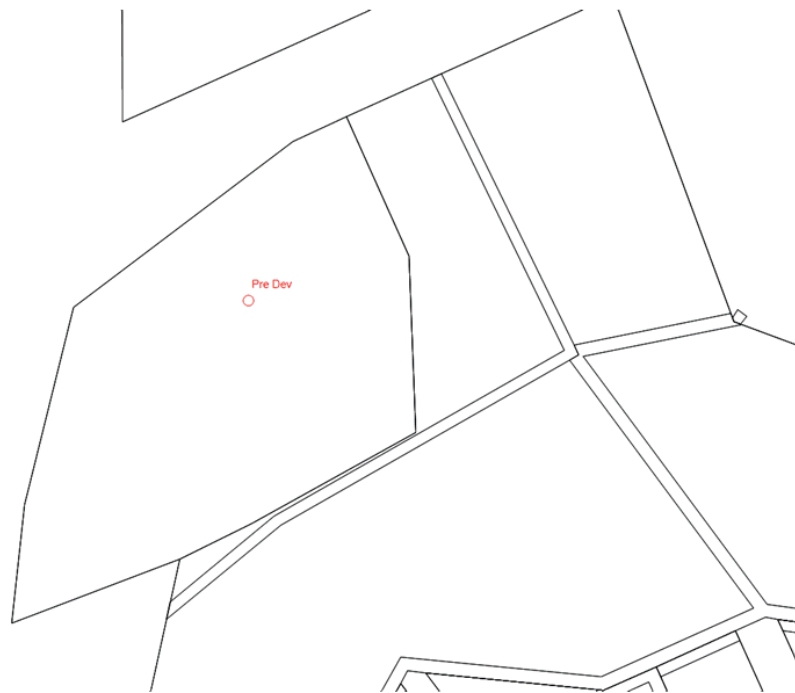


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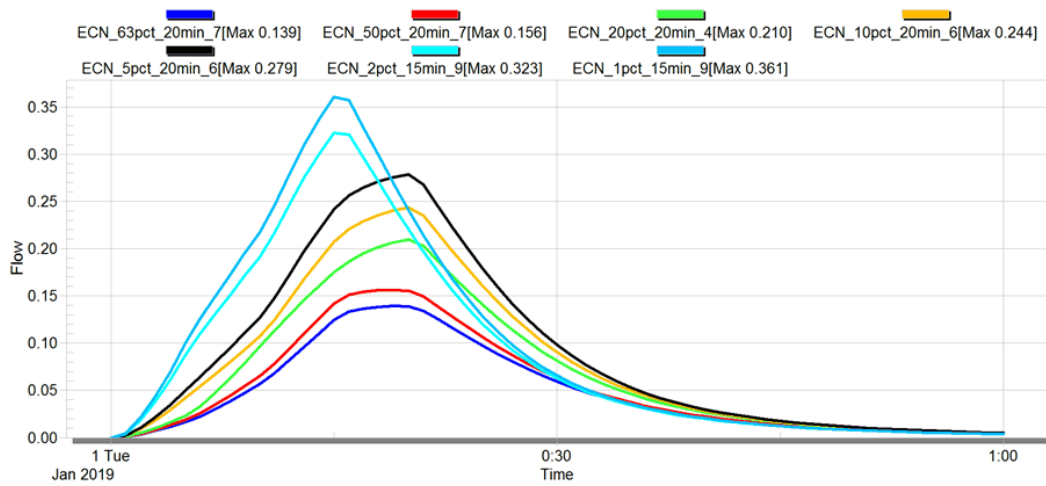
Appendix C – Pre-Development XP-Storm Model Layout and Results



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Node - Pre Dev



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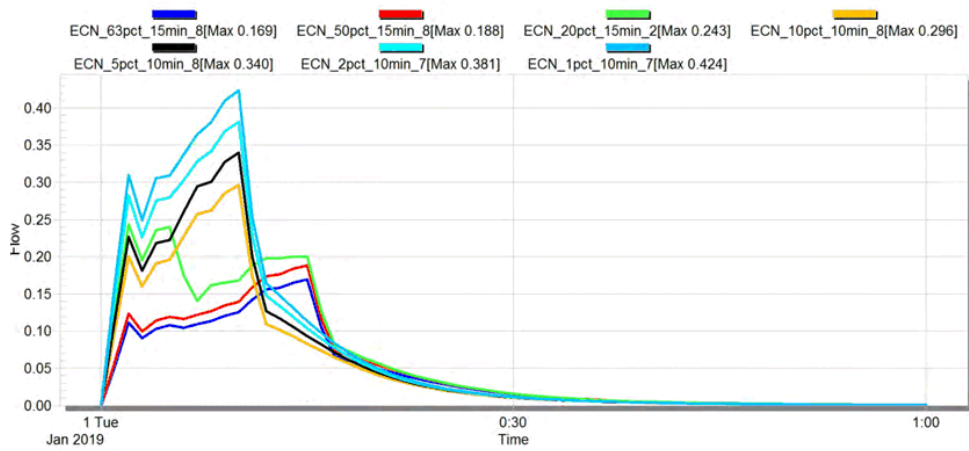
Appendix D – Post-Development XP-Storm Model Layout and Results



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Node - Post Dev

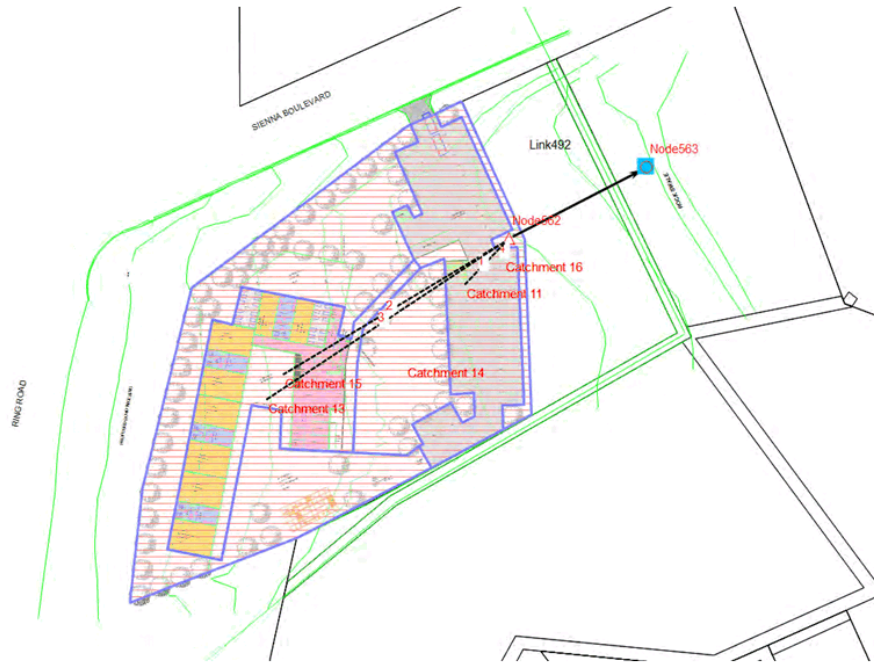


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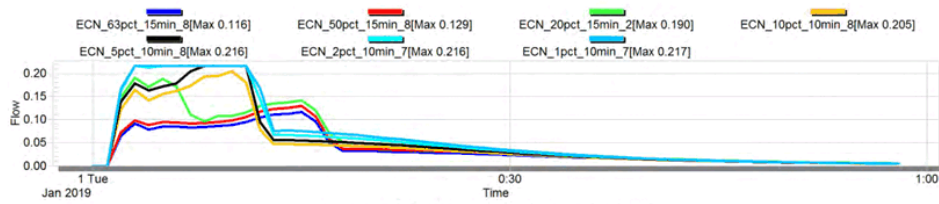
Appendix E – Post-Development with Mitigation XP-Storm Model and Results



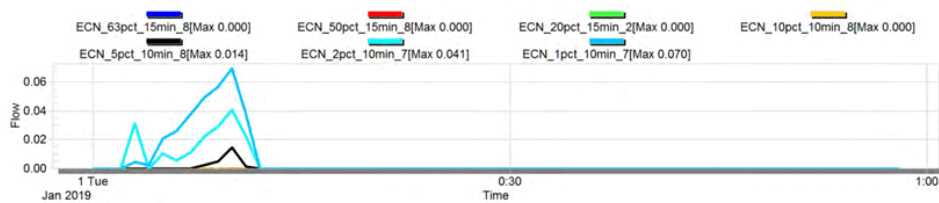
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Conduit PIPE OUT from Node562 to Node563



Conduit WEIR OUT from Node562 to Node563



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Appendix F – Operational Management and Maintenance Manual for Stormwater Quality Improvement Devices





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Operational Management and Maintenance Manual for Stormwater Quality Improvement Devices

Proposed Child Care Facility at 2 Sienna
Boulevard, Ashfield

Prepared for
Belle Eden Estate Pty Ltd

Project Ref
CC-6071

Date
July 2021

Revision
Revision A



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 Operational Management And Maintenance Manual For Stormwater
Quality Improvement Devices – Child Care Facility at 2 Sienna Boulevard,
Ashfield

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Document Control Sheet

Prepared by

Report title: Operational Management and Maintenance Manual for Stormwater Quality Improvement Devices – Proposed Child Care Facility at 2 Sienna Boulevard, Ashfield

Project number: CC-6071

Author: Sid Olive

Qualifications: BEng (Civil), CPEng, RPEQ 22964

Site information

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RP description: Lot 200 on SP219795

Prepared for

Client: Belle Eden Estate Pty Ltd

Client contact: Mike Farrell

Revision history

Revision Number	Date	Reviewed by	Authorised by
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Document distribution

Revision Number	Recipient	Number of copies	Format
A	Belle Eden Estate Pty Ltd, Mike Farrell	1	PDF



Operational Management And Maintenance Manual For Stormwater Quality Improvement Devices – Child Care Facility at 2 Sienna Boulevard, Ashfield

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1. Introduction

Water Sensitive Urban Design (WSUD) has been implemented within the design of the stormwater drainage system for this development. The purpose of this design is to improve the quality of the stormwater that is discharged from the site during its operational phase. This manual outlines the maintenance requirements needed to ensure the devices installed during the construction process are maintained in order to provide an efficient reduction in pollutant loads. Stormwater Quality Improvement Devices (SQIDs) implemented within this development include:

- Gross Pollutant Traps; and
- Bioretention System.



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2. Gross Pollutant Traps

2.1. Background

Gross pollutant capture devices serve as primary stormwater treatment devices in a stormwater treatment train as they target litter, coarse sediments and other large particles (larger than 5mm). This pre-treatment of stormwater flows can help to reduce the risk of secondary or tertiary treatment devices, located downstream, from being smothered, affecting the treatment performance and effective service life.

2.2. Inspection and Maintenance

Gross pollutant traps will be installed to the top of all inlet pits within the development. Regular inspection and maintenance is required to ensure the traps do not become blocked from sediment, debris or litter. The storage capacity of the gross pollutant trap has been sized to ensure that the maintenance (cleanout) frequency is not greater than once every 3 months.

Inspection and maintenance of the gross pollutant traps should be undertaken as per the manufacturer's recommendations and guidelines. At a minimum, at least three inspections should occur in the period between October and May each year. Inspections should not be made less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm. Litter, debris and sediment should be removed from the gross pollutant traps approximately every 3 months.



3. Bioretention System

3.1. Background

Bioretention systems treat stormwater by filtering runoff through densely planted vegetation and then percolating the runoff through a prescribed filter media. Bioretention systems serve as tertiary stormwater treatment devices in stormwater treatment trains. Bioretention systems contribute to stormwater quality management outcomes by removing fine sediments, metals, particulates and dissolved nutrients (Water by Design, 2009). The primary functions of a bioretention system, as outlined in *Maintaining Vegetated Stormwater Assets* (Water by Design, 2012a) are to:

- Capture and filter stormwater through dense vegetation;
- Percolate stormwater through prescribed filter media and infiltrate it into surrounding soils and/or discharge it to downstream drainage;
- Allow high flow to bypass or pass over the bioretention area in a controlled manner; and
- Provide visual amenity and promote ecology within urban zones.

The operational management and maintenance activities outlined below are consistent with the recommendations provided in *Concept Design Guidelines for Water Sensitive Urban Design* (Water By Design, 2009), *WSUD Technical Guidelines for South East Queensland* (Water By Design, 2006), *Maintaining Vegetated Stormwater Assets* (Water By Design, 2012a) and *Rectifying Vegetated Stormwater Assets* (Water By Design, 2012b).

3.2. Vegetation Establishment

The most intensive period of maintenance is during the first two years whilst the plants are established. During this time regular watering and weeding is required.

3.2.1. Watering

Regular watering of the bioretention system is essential for successful establishment. The frequency of watering is dependent on rainfall during the establishment phase however the following program should be used as a guideline:

- Week 1-2 3 waterings per week
- Week 3-6 2 waterings per week
- Week 7-12 1 watering per week
- After Week 12 water as required during extended dry periods

3.2.2. Weeding

Weed management will need to be undertaken manually on a fortnightly basis until such time that the plants are established with sufficient density to effectively prevent weed propagation. Surface mulching of the bioretention system with organic material such as bark chips **should not** be undertaken as most organic mulch floats and runoff typically causes this material to be washed away with a risk of causing a drain blockage.

3.3. Inspection and Maintenance

The scope of inspection and maintenance tasks should include verifying the function and condition of the following aspects:

- Vegetation;
- Inlet;
- Batter slopes and base invert;



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- Outlet; and
- Rainfall events.

Table 3.1 outlines the various inspection and maintenance tasks required for each aspect of the bioretention system.

3.4. Reporting and Log Booking

A historic record of inspections and maintenance undertaken is to be kept and made available for review at all times. An inspection and maintenance checklist for bioretention systems has been developed and is provided in Appendix A. The inspection and maintenance checklist provided in Appendix A is specific for this development and is based on the checklist provided in *Maintaining Vegetated Stormwater Assets* (Water By Design, 2012a).

3.5. Resetting of Bioretention System

With proper regular maintenance, the expected service life of a bioretention system is typically 20 - 30 years. At such time, it may be necessary to replace some or all of the filter media to ensure effective pollutant removal. To ensure the maximum service life of a bioretention system it is critical that the filter media used is efficient in the capture and removal of target pollutants. It is also critical that dense and healthy vegetation is maintained in order to remove nutrients and maintain the hydraulic conductivity of the filter media. Regular and proper maintenance of the bioretention system will help to ensure the efficiency and lifespan of the bioretention system is optimised.



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Table 3.1 - Inspection and Maintenance Plan for Bioretention Systems

Aspect	Performance Indicator	Inspection Frequency	Inspection Activities	Maintenance Frequency	Preventative / Corrective Maintenance Activities
Vegetation					
Plant Height	Average plant height >500mm.	2 monthly during wet season 4 monthly during dry season	Assess plant height to ensure an average of >500mm.	As inspection results dictate	Increase frequency of watering and application of fertiliser. If necessary, re-establish with species that are growing well in other parts of the bioretention system.
Plant density	Minimum 95% vegetation cover (minimal bare patches).		Assess plant densities to ensure a minimum of 95% vegetation cover.		Plant additional vegetation to increase the density. Increase the frequency of watering and application of fertiliser.
Pests and diseases	Plants healthy and free from pests and diseases.		Assess plants for disease, pest infection, stunted growth or senescent plants.		Prune, treat or replace as necessary to remove dead or diseased vegetation material and to stimulate new growth.
Weeds	No declared weeds (or declared weeds are controlled). Maximum 10% cover of weeds.	2 monthly during wet season 4 monthly during dry season. Inspection frequency may need to be increased whilst implementing weed control measures.	Identify the occurrence and coverage of any weed species.		Implement the most appropriate control method (e.g. physical removal, containment, biological control, herbicide application, etc) for the weed species identified. Inspection frequency may need to be increased during active control of weeds.
Inlet					
Erosion	Inlet is structurally sound and there is no evidence of erosion or subsidence / settlement.	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 4 monthly during dry season.	Identify any scouring of the inlet from storm flows.	As inspection results dictate	Repair damage to the inlet resulting from scour and, if necessary, install scour protection or energy dissipation.
Damaged or removed structures	No damage that poses a risk to public safety or structural integrity.		Check the inlet structure for any damage or loss of infrastructure.		Repair and/or replace damaged or lost infrastructure.



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Sediment, litter or debris	No blockage.	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 4 monthly during dry season	Identify any blockage.	As inspection results dictate	Remove sediment, litter or debris to remove blockage or potential blockage.
Batter Slopes and Base Invert					
Erosion	Minor erosion only that does not pose a risk to public safety or structural integrity and would not worsen if left unattended.	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 4 monthly during dry season.	Identify any scouring of the base invert from storm flows, rill erosion of the batter slopes from lateral inflows or damage to the batter profile from vehicles.	As inspection results dictate	Repair damage to the bioretention system profile resulting from scour, rill erosion or vehicle damage and, if necessary, re-profile the batter slopes and invert and revegetate to original design specification.
Crust of Fine Sediment	No surface crusting.		Identify any areas of obvious surface crusting.		Remove sediment where it is impeding the surface conveyance or the hydraulic conductivity of the bioretention system and/ or smothering the vegetation.
Depressions or Mounds	No surface depressions or mounds >100mm.		Identify any areas of depressions or mounds >100mm.		Fill localised sag points with topsoil or remove excess sediment. If required, re-grade the batter slopes and re-establish plantings.
Hydraulic Conductivity or Permeability	Filter media is draining freely, whereby water is not ponded on the surface for more than 12 hours after rainfall and there is no obvious impermeable or clay-like surface on the filter media.		Identify any surface ponding of water or boggy conditions.		Remove any sediment from the surface of the filter media, the transition or drainage layers or the under-drains. If necessary, install sediment and erosion control measures.
Underdrains / Clean Out Points	Clean out points not damaged and end caps securely in place. Underdrain outlets are free draining.		Check for any damage to clean out points and ensure end caps are securely in place. Check that underdrain outlets are not blocked and are free draining.		Repair any damage to the clean out points and reinstall end caps. Use clean out points to flush sediment from underdrains as required.



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Unusual Odours, Colours or Substances (e.g. oil and grease)	None detected.	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 4 monthly during dry season.	Check for any unusual odours, colours or substances.	As inspection results dictate	Remove and replace vegetation and filter media affected by grease, oil, fuels or other substances, as required.
Litter and Debris	Maximum 1 piece per 4m ² .		Check for debris and litter (including organic litter) within the bioretention system.		Remove both organic and anthropogenic litter and debris to ensure flow paths and infiltration are not hindered.
Algal or Moss Growth	Maximum 10% of surface covered in algae and no moss growth.		Identify any algal or moss growth.		Resolve why the filter media is constantly wet, allow the bioretention system to dry out and remove algae by hand.
Outlet					
Erosion	Outlet is structurally sound and there is no evidence of erosion or subsidence / settlement, including around edges of rock protection or tow of weir for large systems.	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 3 monthly during dry season.	Identify any scouring of the outlet from high velocity flows.	As inspection results dictate	Repair damage to the outlet resulting from scour and, if necessary, install scour protection or energy dissipation.
Damaged or removed structures	No damage that poses a risk to public safety or structural integrity.		Check the outlet structure for any damage or loss of infrastructure.		Repair and/or replace damaged or lost infrastructure.
Sediment, litter or debris	No blockage.		Check for accumulated sediment, debris and litter (including organic litter) within the outlet structure.		Remove accumulated sediment, debris and organic and anthropogenic litter to ensure the functioning of the outlet structure is not impeded.



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Downstream outfall	No downstream impediments to the release of water, no erosion or damage to the outfall structure, and no evidence of malfunction (e.g. excessive sediment accumulated).	Immediately following first 3 storm events after construction complete. Then 2 monthly during wet season / 3 monthly during dry season.	Check for any impediments to the release of water from the bioretention system (e.g. erosion, damage to structure, sediment accumulation, etc).	As inspection results dictate	Remove sediment where it is impeding the conveyance of the outfall. Repair damage to the outfall profile resulting from scour or rill erosion and, if necessary, re-profile.
Rainfall Event					
Inspection after rainfall	Bioretention system operates satisfactorily in wet conditions.	At least once per year during, or immediately after, a significant rainfall event (i.e. >50mm/day).	Check that the bioretention system is generally functioning as intended.	As inspection results dictate	Identify and rectify any system faults or functional impediments as required.



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4. References

Water By Design, 2006, *WSUD Technical Guidelines for South East Queensland: Version 1 – June 2006*, Brisbane City Council & Moreton Bay Waterways and Catchments Partnership, Brisbane.

Water By Design, 2009, *Concept Design Guidelines for Water Sensitive Urban Design: Version 1 – March 2009*, SEQ Healthy Waterways Partnership, Brisbane.

Water By Design, 2012a, *Maintaining Vegetated Stormwater Assets: Version 1 – February 2012*, Healthy Waterways Ltd, Brisbane

Water By Design, 2012b, *Rectifying Vegetated Stormwater Assets: Draft – February 2012*, Healthy Waterways Ltd, Brisbane.



Operational Management And Maintenance Manual For Stormwater
Quality Improvement Devices – Proposed Child Care Facility at 2 Sienna
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Appendix A - Bioretention System Inspection and Maintenance Checklist



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Boulevard, Ashfield

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Bioretention System Inspection and Maintenance Checklist							
Location	Proposed Child Care Facility at 2 Sienna Boulevard, Ashfield	Date					
Purpose of Site Visit (circle)	Inspection & Maintenance / Inspection Only / Maintenance Only	Weather					
Officer's Name		Date and Volume of Last Rainfall					
Aspect	Performance Indicator (PI)	Inspection Site Visit				Maintenance Site Visit	
		Complies with PI		Maintenance Required		Description of Maintenance Undertaken	Description of Additional Maintenance Required
		Y	N	Y	N		
Vegetation							
Plant height	Average plant height >500mm.						
Plant density	Minimum 95% vegetation cover (minimal bare patches).						
Pests and diseases	Plants healthy and free from pests and diseases.						
Weeds	No declared weeds (or declared weeds are controlled). Maximum 10% cover of weeds.						
Inlet							
Erosion	Inlet is structurally sound and there is no evidence of erosion or subsidence / settlement.						

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Damaged or removed structures		No damage that poses a risk to public safety or structural integrity.							
Aspect	Performance Indicator (PI)	Inspection Site Visit				Maintenance Site Visit			
		Complies with PI		Maintenance Required		Description of Maintenance Undertaken		Description of Additional Maintenance Required	
		Y	N	Y	N				
Inlet (cont.)									
Sediment, litter or debris		No blockage.							
Batter Slopes and Base Invert									
Erosion		Minor erosion only that does not pose a risk to public safety or structural integrity and would not worsen if left unattended.							
Crust of Fine Sediment		No surface crusting.							
Depressions or Mounds		No surface depressions or mounds >100mm.							
Hydraulic Conductivity or Permeability		Filter media is draining freely, whereby water is not ponded on the surface for more than 12 hours after rainfall and there is no obvious impermeable or clay-like surface on the filter media.							
Underdrains / Clean Out Points		Clean out points not damaged and end caps securely in place. Underdrains are free draining at outlets.							
Unusual Odours, Colours or Substances (e.g. oil and grease)		None detected.							



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Aspect	Performance Indicator (PI)	Inspection Site Visit				Maintenance Site Visit	
		Complies with PI		Maintenance Required		Description of Maintenance Undertaken	Description of Additional Maintenance Required
		Y	N	Y	N		
Batter Slopes and Base Invert (cont.)							
Litter and Debris	Maximum 1 piece per 4m ² .						
Algal or Moss Growth	Maximum 10% of surface covered in algae and no moss cover.						
Outlet							
Erosion	Outlet is structurally sound and there is no evidence of erosion or subsidence / settlement, including around edges of rock protection or tow of weir for large systems.						
Damaged or removed structures	No damage that poses a risk to public safety or structural integrity.						
Sediment, litter or debris	No blockage.						
Downstream outfall	No downstream impediments to the release of water, no erosion or damage to the outfall structure, and no evidence of malfunction (e.g. excessive sediment accumulated).						
Rainfall Events							
Inspection after rainfall	Bioretention system operates satisfactorily in wet conditions.						



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Comments			
Photos of Site (Explanatory Notes)			
Officer's Signature			



CHILD CARE CENTRE NOISE IMPACT ASSESSMENT

**Belle Eden Estate
2 Sienna Boulevard, Ashfield 4670**

Date: 19 January 2022
Number of Pages: 26 (inc.)

DOCUMENT CONTROL

Revision	Issue Date	Item	Author	Review
0	30/11/2021	Noise Impact Assessment	MF	MF
1	19/01/2022	Respond to DTMR RFI	MF	MF

CLIENT

Report Issued	Attention	Phone	Email
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Recommendations made in this report are intended to resolve acoustical problems only. We make no claim of expertise in other areas and draw your attention to the possibility that our recommendations may not meet the structural, fire, thermal, or other aspects of building construction

We encourage clients to check with us before using materials or equipment that are alternative to those specified in our Acoustical Report.

The integrity of acoustic structures is very dependent on installation techniques. For example, a small crack between the top of a wall and a ceiling can reduce the effective sound transmission loss of a wall from R_w 50 to R_w 40. Therefore, the use of contractors that are experienced in acoustic construction is encouraged. Furthermore, two insulation products may have the same thermal R rating but the sound absorption of one may be entirely deficient, therefore the use of materials and equipment that are supported by acoustic laboratory test data is encouraged.

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1 INTRODUCTION AND SITE DESCRIPTION

Alpha Acoustics has been engaged by Belle Eden Estate to conduct an acoustic assessment for the proposed childcare centre located at 2 Sienna Boulevard, Ashfield 4670.

The purpose of the assessments are to determine the following:

- The potential noise and vibration impacts on the proposed Child Care Centre from nearby traffic;
- The potential noise impacts on the adjacent sensitive land users from the Child Care Centre.

The assessment has been conducted in accordance with the following documents:

- Bundaberg Regional Council Planning Scheme Policy
- State Code 1: Development in a state-controlled road environment.
- The assessment has also referenced the guideline noise levels from the Association of Australian Acoustical Consultants Guideline for Childcare Centre Acoustic Assessment 2020 (AAAC Guideline).

Operational hours for the child care centre are expected to be 6:00 am to 7:00 pm, but no night time (6am to 7am) play to occur in the outdoor areas.

This report has considered the following sources of noise:

1. Noise from mechanical plant
2. Noise from traffic movements and carparking on the development site
3. Noise from the delivery vehicle activities
4. Noise emission from childcare use
5. Noise emission from the designated childcare outdoor play area.
6. Noise intrusion into the childcare centre

The proposed childcare centre site location and surrounding zoning is illustrated in Figure 1.1 and 1.2 and 1.3 below.

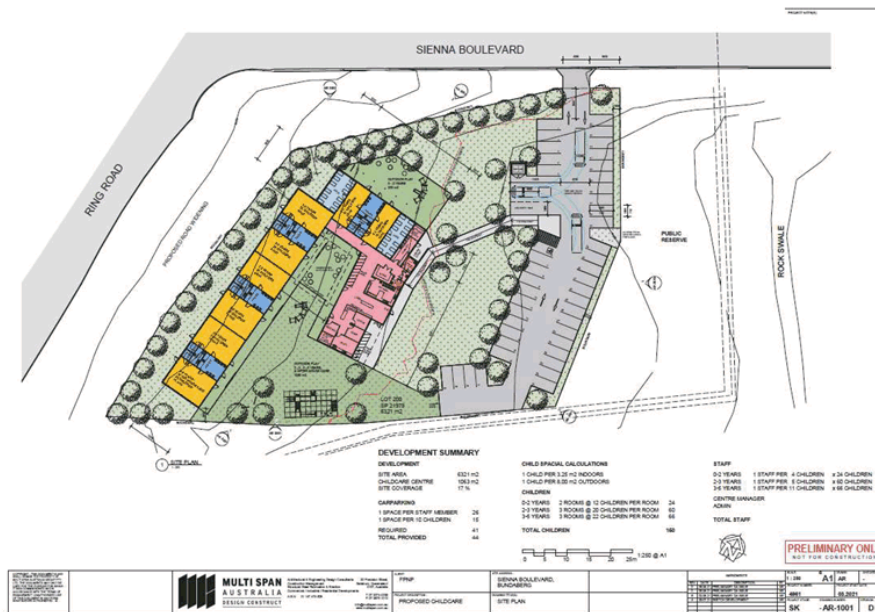
Figure 1.1 Location Map of Proposed Child Care Centre



Figure 1.2 Proposed development in relation to existing residential neighbours



Figure 1.3 Proposed child care site plan



2 NOISE SURVEY AND INSTRUMENTATION

An on-site survey was conducted between Saturday 30th October 2021 and Friday 5th November 2021 to determine the background noise levels. The background measurement location (ML1) was located along the South Eastern Boundary of the facility adjacent to the childcare facility. The microphone was located 1.5m above ground level. The measured levels are considered free field. This location was chosen as it reflects the residential environment that currently exists. An attended noise survey was undertaken to identify sources of noise in the locale and gain an understanding of the character of the environment. The measurement location was typical of a suburban area. All instrumentation used in this assessment holds a current calibration certificate from a certified NATA calibration laboratory. Table 2.1 shows the instruments used to measure the ambient noise levels.

Table 2.1 Noise Survey Instrumentation

Description	Model No.	Serial No.
Rion Noise Logger	NL-21	00877035
Acoustical Calibrator	B&K 4231	267 1553
Microphone Windscreen	Acoustically transparent foam	

Ambient sound pressure levels, were measured generally in accordance with Australian Standard AS1055.1:1997 - 'Acoustics-Description and measurement of environmental noise - Part 1: General procedures'. Ambient noise levels were recorded at continuous 15-minute intervals. (see Figure 2.1 below).

Additionally attended measurements were taken at the proposed childcare facility façade closest to the Bundaberg Ring Road. The attended noise measurements revealed the traffic noise model was over predicting by 0.4dB and therefore the noise logging location opposite the proposed childcare facility carpark is considered acceptable for noise modelling purposes in this report. The open site does not allow for long term unattended noise measurements at the proposed childcare facility façade due to security issues with noise monitoring equipment. Therefore this report is based on the long term unattended noise measurements as shown in Figure 2.1 below as part of a conservative assessment.

Figure 2.1: Existing noise levels at location ML1

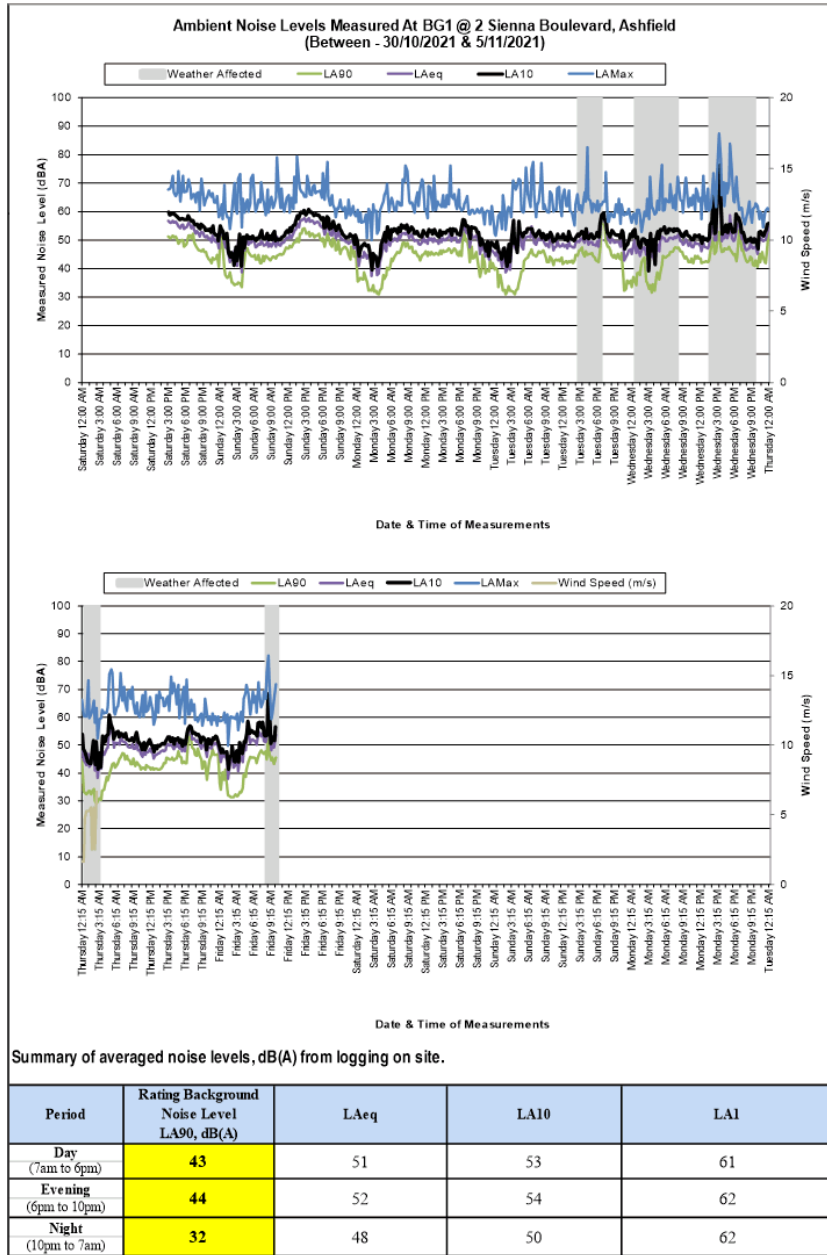


Table 2.2 Summary of traffic noise measurements (free field)

Time	L _{AMax}	L _{A10}	L _{A90}	L _{Aeq}
Day 7am to 6pm		52.1	44.9	49.6
Evening 6pm to 10pm	61.2	53.6	46.3	51.2
Night 10pm to 6am	60.3	48.2	36.3	45.4
Day Max 1-hr				55.0
Night max 1-hr 10pm to 6am				52.1
CoRTN 6am to 12am		52.2	44.6	
24 hour	62.5			48.5

Figure 2.1 Identified Sensitive Receptors

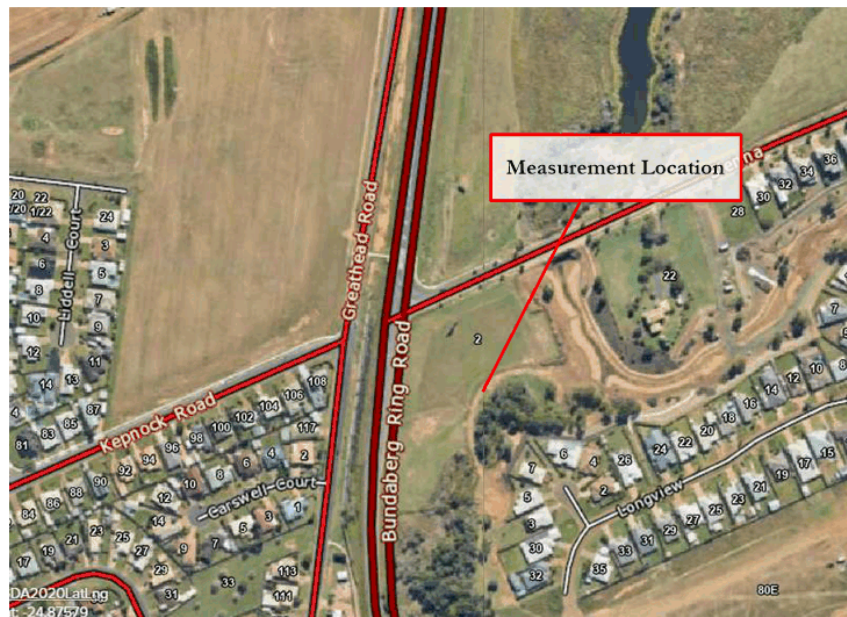


Table 2.3 – Locations of sensitive receivers

Receptor ID	Address of Sensitive Receiver
R1	22 Sienna Boulevard
R2	7 Longview Street
R3	108 Kepnock Road
R4	Cnr Bundaberg Ring Road & Sienna Boulevard (North of Site) Lot 2SP209621

Figure 2.2 Background Noise Monitor



3 NOISE CRITERIA

3.1 Bundaberg Regional Council – Child Care Centre Code

Section 9.2.3 Child Care Centre Code: The purpose of the Child care centre code is to ensure child care centres are appropriately located and are designed in a manner which provides a safe environment for users and protects the amenity of surrounding premises.

Table 3.2 Council Use Standards

Objective: To ensure the non-residential use does not unreasonably impact residential amenity	
Performance Criteria	Acceptable Outcomes
PO5 The child care centre is designed to minimise potential conflict with surrounding residential premises.	AO5.1 All buildings, structures and outdoor play areas are set back at least 3m from all site boundaries adjoining a residential use or land included in a Residential zone. AO5.2 A minimum 1.8m high solid acoustic screen fence is erected along the full length of all site boundaries adjoining a residential premises.

The Bundaberg Regional Council childcare code will be met provided the AAAC acoustic guidelines and state road criteria are met as detailed below.

3.2 State Code 1: Development in a state-controlled road environment

The purpose of the code is to:

- Ensure that state transport operations and infrastructure are protected from development on nearby land that may lead to operational constraints on the state's transport system.
- Protect the community from significantly adverse impacts on health, wellbeing and quality of life resulting from environmental emissions (noise and vibration) generated by existing and future state transport operations and infrastructure.

This will be achieved through ensuring that land affected by environmental emissions (noise and vibration) from state-controlled transport operations and infrastructure is developed in a way that reduces the community's exposure to such emissions.

Table 3.1 below shows the performance outcomes and acceptable outcomes for the proposed development under SDAP – Module 1: Community Amenity – Managing Noise and Vibration Impacts from Transport Corridors State Code.

Table 3.1: Performance outcomes and acceptable outcomes

Performance Outcomes	Acceptable Outcomes
Childcare Centres and Education Establishments	
<p>PO25 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: a. ≤ 58 dB(A) L10 (1 hour) façade corrected (maximum hour during normal opening hours) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p><i>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017.</i></p> <p><i>If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.</i></p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO25.2 Buildings which include indoor education areas and indoor play areas are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> <p>AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p> <p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria: 1. ≤ 35 dB(A) Leq (1 hour) (maximum hour during opening hours).</p> <p><i>Note: Noise levels from a state-controlled road or type 1 multimodal corridor are to be measured in accordance with AS1055.1– 1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017.</i></p>
<p>PO26 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.</p>	<p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: a. ≤ 63 dB(A) L10 (12 hour) free field (between 6am and 6pm) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p><i>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017.</i></p> <p>OR</p> <p>AO26.2 Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p>

1 – Measured L90 (8 hour) refer Section 2

2 – Measured L90 (18 hour) refer Section 2

3.3 AAAC Guideline for Childcare Centres

The assessment has also referenced the guideline noise levels from the Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment 2020 (AAAC Guideline). The guidelines in **Table 3.3** are recommended to be achieved at nearby residential land use to control the potential noise impacts from the child care centre.

Table 3.3 AAAC Guideline for child care centres

Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment (2020)	Project specific noise criteria	
Noise from outdoor Play Area Noise levels	<p>LAeq,15min shall not exceed: Existing LA90 + 10 dBA (for 2 hours or less per day) or; Existing LA90 + 5 dBA (for more than 2 hours per day)</p>	<p>LAeq,15min shall not exceed: 43+5 = 48 dBA¹ (for 2 hours or less per day) or; 43+10 = 53 dBA¹ (for more than 2 hours per day)</p>
Noise from indoor Play Areas, Mechanical Plant, Pick up and Drop off	<p>LAeq,15min shall not exceed: Existing LA90 + 5 dBA</p>	<p>LAeq,15min shall not exceed: 32+5 = 37 dBA²</p>
Noise Pick up and Drop off activities	<p>LAMax,15min shall not exceed: Existing LA90 + 15 dBA</p>	<p>LAMax,15min shall not exceed: 47 dBA³</p>

Note 1: Existing evening-time LA90 levels onsite were used and 'play time duration' considered to be ≥ 2 hours per day to achieve the site specific AAAC Guideline LAeq noise criteria for a conservative assessment. No night time play will occur outdoors.

Note 2: Existing night-time LA90 levels onsite were used to achieve the site specific AAAC Guideline LAeq noise criteria for assessing noise from indoor play areas, mechanical plant and carpark activities.

Note 3: Sleep disturbance is assessed using the AAAC Guideline LAMax noise criteria for carpark activities.

3.4 Adopted Project Specific Criteria

Table 3.4 below presents a summary of the project specific noise criteria.

Table 3.4 Adopted project specific noise criteria

Noise Source	Receiver Location	Adopted Noise Criteria
Childcare Centre outdoor playing area, and onsite car movements	Sensitive Residential Receivers	Day (7am-6pm): LAeq,adj,T 48 Evening(6pm-7pm): LAeq,adj,T 48 Night(6am-7am): LAeq,adj,T 37
Childcare Centre single LAMax event from car door closing	Sensitive Residential Receivers	Night(6am-7am): LAMax 47
Road Traffic Noise	Childcare Centre	State Development Code for State Controlled Roads Indoor Noise Limit: LAeq,adj,1hr 35 dBA Childcare Outdoor play area: LA10,12hr 63

4 NOISE IMPACT ASSESSMENT

4.1 Noise Intrusion from The Bundaberg Ring Road (State Controlled Road)

Noise from the state controlled road must be reduced inside the childcare centre and within the outdoor play areas. A noise model in Soundplan has been developed and calibrated to onsite noise measurements. Terrain data for the area surrounding the development are taken from LiDAR a Digital Elevation Model (DEM) 5 Metre Grid of Australia in 1m contour intervals.

Table 4.1 Noise Source Parameters

Queensland Government State Road	Bundaberg Ring Road
Proximity from Land Parcel to Noise Source	30m West
Speed Limit of Noise Source	80 km/hr
Traffic Volumes Average over the weekday periods of 25-10-21 to 07-11-21	8418
Predicted Traffic Volumes Average over 24-hrs (2031)	11314
Traffic Growth Percentage	5.86 %
Percentage of Traffic Volume Heavy Vehicles	11.22 %
Noise model includes a free field model calibration factor for Queensland	minus 0.7dB
Surface Type	Dense Graded Asphalt
Calculated Noise Level Increase (2020-2030)	1.77 dB

Table 4.2 Predicted Current LA10 18hr (2021) noise levels at dwelling (dBA, facade corrected)

Assessment Location	Measured LA10,18hr 2021	Modelled LA10,18hr 2021
Calibration Point	54.0	55.0

Modelled noise levels were found to be within ± 2 dB of calibrated values. Therefore, the traffic noise model is considered to have a reasonable degree of fit.

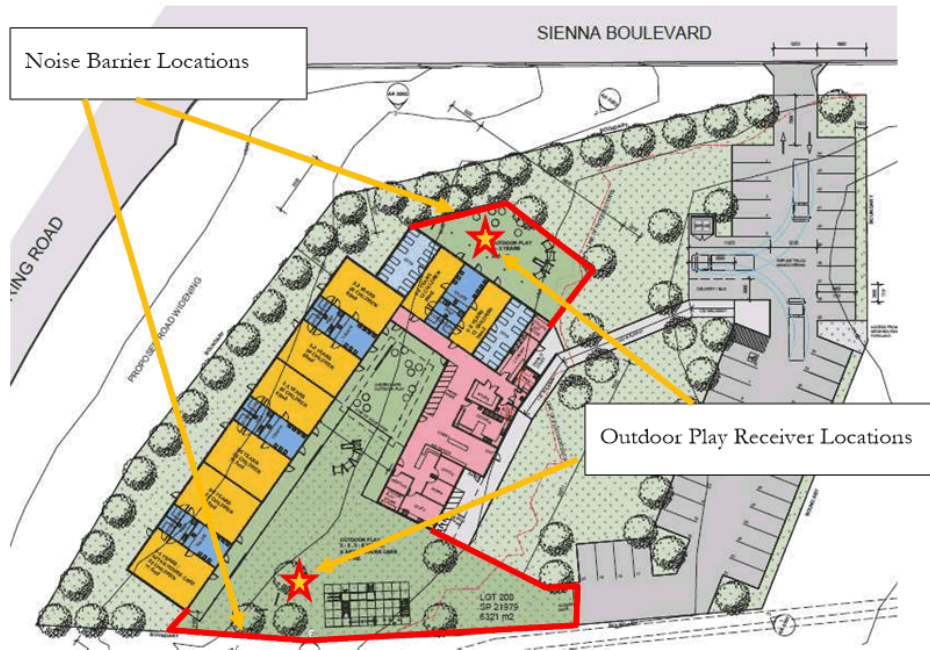
The LA10,12hr was measured to be 0.1dB less than the LA10,18hr and hence the LA10,12 are found by subtracting 0.1dB from the modelled LA10,18hr values.

4.2 Acoustic Barrier – Road Traffic Noise Assessment

In order to comply with the noise limits for the outdoor playing areas, the following mitigation measures are recommended:

- Construct a 1.8m high noise barrier at locations shown in Figure 4.2.1
- The noise barriers must be constructed in accordance with MRTS15.

Figure 4.2.1 Noise Barriers Locations & Outdoor Receiver Locations



4.3 Building facades – Road Traffic Noise Assessment

Table 4.3.1 presents the predicted future traffic noise levels at the facade of the child care centre building with the recommend and noise barriers. The highest transport noise reduction required to achieve the internal noise limit of 35 dB(A) is 32 dB(A)

Table 4.3.1: Predicted Noise Levels With Recommended Noise Barriers

Receptor	Mitigation 2031 Predicted Level LAeq,1hr dB(A)	Noise Limit	Exceedance dB (ie traffic noise reduction required)
east,3-5yrs	52	35	17
east, 2-3yrs	50.4	35	15
east, 3-5yrs after hours	55.3	35	20
east, office	49.2	35	14
north cots	61.2	35	26
north, 0-2yrs	60	35	25
north, 0-2yrs	59	35	24
north, 2-3yrs	64.2	35	29
north, cots	58.6	35	24
outdoor play 0-2yrs	59.8 (L10,12hr)	63	n/a
outdoor play 2-3 and 3-5	56.0 (L10,12hr)	63	n/a
soth, office	55.3	35	20
south, 3-5yrs after hours	63.6	35	29
south, cots and 0-2yrs	51.3	35	16
west office	53.4	35	18
west,2-3yrs	66.6	35	32
west,2-3yrs	66.4	35	31
west,2-3yrs	66.7	35	32
west,3-5yrs	67	35	32
west, 3-5yrs	66.9	35	32
west, 3-5yrs	66.9	35	32
west, cots	64.4	35	29

In order to achieve the internal 35 dB(A) requirement, acoustic-rated construction materials are required. The acoustic rating of construction materials is defined by the Rw rating which is a single value that describes the effectiveness of a material to reduce sound energy. The Rw value is estimated based on the methodology defined in *AS 3671:1989 - Acoustics – Road traffic noise intrusion – Building siting and construction* and accounts for the Traffic Noise Reduction (TNR), and room/facade dimensions and components (e.g. window, door, wall). The TNR is defined as the predicted LAeq,1-hour minus the 30 dB(A) internal noise criterion. Based on the results above, the required TNR ranges from 15 dB to 35 dB(A) or Category 2 to Category 3.

It is recommended that during the detailed design phase, once window schedules and sizes are confirmed, AS 3671 calculations are undertaken to confirm the required Rw ratings of each construction material.

4.4 Noise Emissions from the Outdoor Play Area, Mechanical Plant and Carparking

Noise from playing children has been forecast using the environmental noise model Soundplan with modelling inputs taken from the AAAC Association of Australian Acoustic Consultants – Guideline for Child Care Centre Acoustic Assessment.

Table 4.2 Effective sound power levels for groups of 10 children playing

Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment (2021)	
Age Group	Sound Power Level, dBA
10 Children 0 to 2 years	77 – 80
10 Children 2 to 3 years	83 – 87
10 Children 3 to 6 years	84 – 90

Source: Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment 2013.

The assessment of noise from the outdoor play areas applied the following assumptions:

Sound Power Levels for Proposed Childcare Centre			
Age group	Total	Swl for 10 children	Swl for proposed number of Children at Childcare Centre
0-2	24	80	84
2-3	60	87	95
3-5	66	90	88

Vehicle movements are assumed to be 1 car per child and drop offs and pick-ups are assumed to be taken over 2hrs each.

- When assessing noise to the 15-minute intrusive noise criterion, it was assumed that the children could generate noise for the full assessment period, accordingly a time correction was not applied to the noise predictions. Whilst this is a conservative assessment, as the children will have times of indoor play and sleep, it provides a worst-case assessment scenario for noise.
- The heating, ventilation and air conditioning (HVAC) is nominally given a combined sound power levels of 75 dBA L_w was referenced from Alpha Acoustics library and previous projects and assessment of noise emission from HVAC units.
- To predict LAeq noise levels for car movements, a moving point source has been input to the model, travelling at 10km/hr.

Table 4.3 Variable noise source sound power levels

Plant	Source Height, metres	Duration (minutes) within 15-minutes period.	Time correction for a 15-minutes operation period (dBA)	Assigned acoustic penalty	Resultant SWL for modelling purposes	L _{Amax}
Child care outdoor play area ¹	1.0	15	0	nil	80, 80, 90, 90 ^{Note 1}	n/a
Car door close	0.5	1	-23.5	nil	65	96
Car start	0.5	1	-23.5	nil	68	97
Slow moving car	0.5	-	-	nil	61 (L _w /m, m ²)	90
Delivery Truck/loading bay	1.5	7.5	-3	nil	80	n/a

To mitigate noise intrusion to residential neighbours, a noise fence 1.8m high has been constructed around the outdoor play areas in the noise model.

4.5 Noise Modelling Results

A 3D model of the proposed development and surrounding sensitive receptors was created in SoundPLAN V7.4 in order to understand the predicted noise impacts due to the sources presented above. The SoundPLAN noise model considers the geographical placement of the outdoor playground and vehicles and fences in addition to the local terrain and design (where applicable) of suitable noise attenuation measures in calculating the noise propagation from the project sources.

Table 4.5.1 below shows the modelled noise levels at the nearest sensitive receivers to the development.

Table 4.5.1 – Modelled Noise Emissions from Child Care Centre

Receptor	Predicted Worst Case LAeq	LAeq Criteria	Pass / Fail	Predicted L _{Amax}	L _{Amax} Criteria	Pass / Fail
R1 - 22 Sienna Boulevard	29.1	37	Pass	39.6	47	Pass
R2 - 7 Long View	35.5	37	Pass	39.1	47	Pass
R3 - 108 Kepnock Road	18.4	37	Pass	31.8	47	Pass
R4 - Lot 2SP209621	33.9	37	Pass	45	47	Pass

5 CONCLUSION

Alpha Acoustics has been engaged by Belle Eden Estate to conduct an acoustic assessment for the proposed childcare centre located at 2 Sienna Boulevard, Ashfield 4670. The assessment has been conducted in accordance with the following documents:

- Bundaberg Regional Council Planning Scheme Policy
- State Code 1: Development in a state-controlled road environment.
- The assessment has also referenced the guideline noise levels from the Association of Australian Acoustical Consultants Guideline for Childcare Centre Acoustic Assessment 2020 (AAAC Guideline).

The proposed development noise emissions are calculated to comply with the relevant noise criteria at the most exposed noise sensitive receptors provided the following noise controls are implemented:

- Construct a 1.8m high noise barrier at locations shown in Figure 4.2.1. The noise barriers must be constructed in accordance with MRTS15.
- No deliveries before 7:00am or after 6:00pm
- No outdoor play before 7:00am or after 6:00pm
- It is recommended that during the detailed design phase, once window schedules and sizes are confirmed, AS 3671 calculations are undertaken to confirm the required Rw ratings of each construction material of the childcare centre building envelope as per noise reduction requirements in Section 4.3. Additionally all doors and windows will need to be closed to meet the internal noise limits. Under these conditions, alternative ventilation such as air-conditioning will be required for all affected habitable rooms.

SIGNED



MATTHEW FISHBURN BE(Mech) Hons, MAAS, MIEAust, CPEng, RPEQ [14356]

Principal Consulting Acoustical Engineer

ALPHA ACOUSTICS

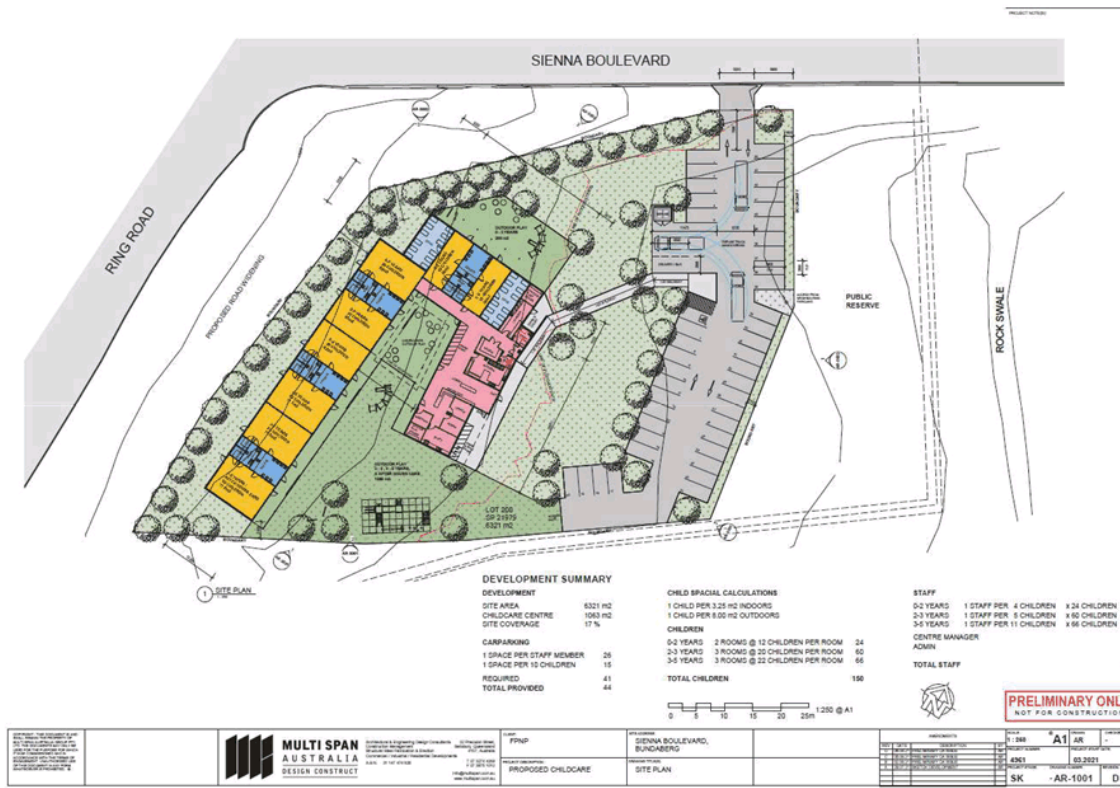
(Member firm of the Association of Australian Acoustical Consultants)

M: 0420 935 874

E: info@alphaacoustics.com.au



APPENDIX A – DEVELOPMENT PLANS



APPENDIX B – MODELLING RESULTS

J2763		2
Assessed receiver levels Calibration Existing Traffic		
Name	L10(18h) dB(A)	
ML1	55.0	



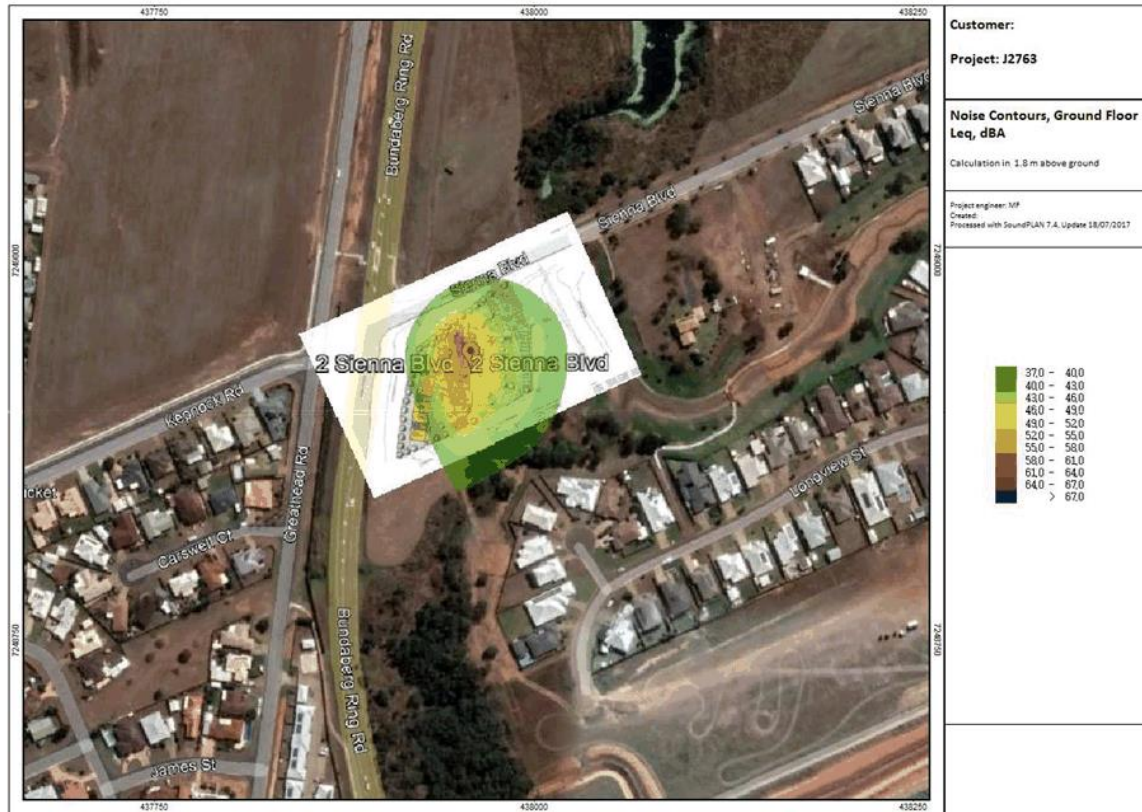
Note: Attended measurements were taken at the proposed childcare facility façade closest to the Bundaberg Ring Road. The attended noise measurements revealed the traffic noise model was over predicting by 0.4dB and therefore the noise logging location opposite the proposed childcare facility carpark is considered acceptable for noise modelling purposes in this report. The open site does not allow for long term unattended noise measurements at the proposed childcare facility façade due to security issues with noise monitoring equipment. Therefore this report is based on the long term unattended noise measurements as shown in Figure 2.1 below as part of a conservative assessment.

APPENDIX B – SOUNDPLAN NOISE EMISSIONS FORECAST

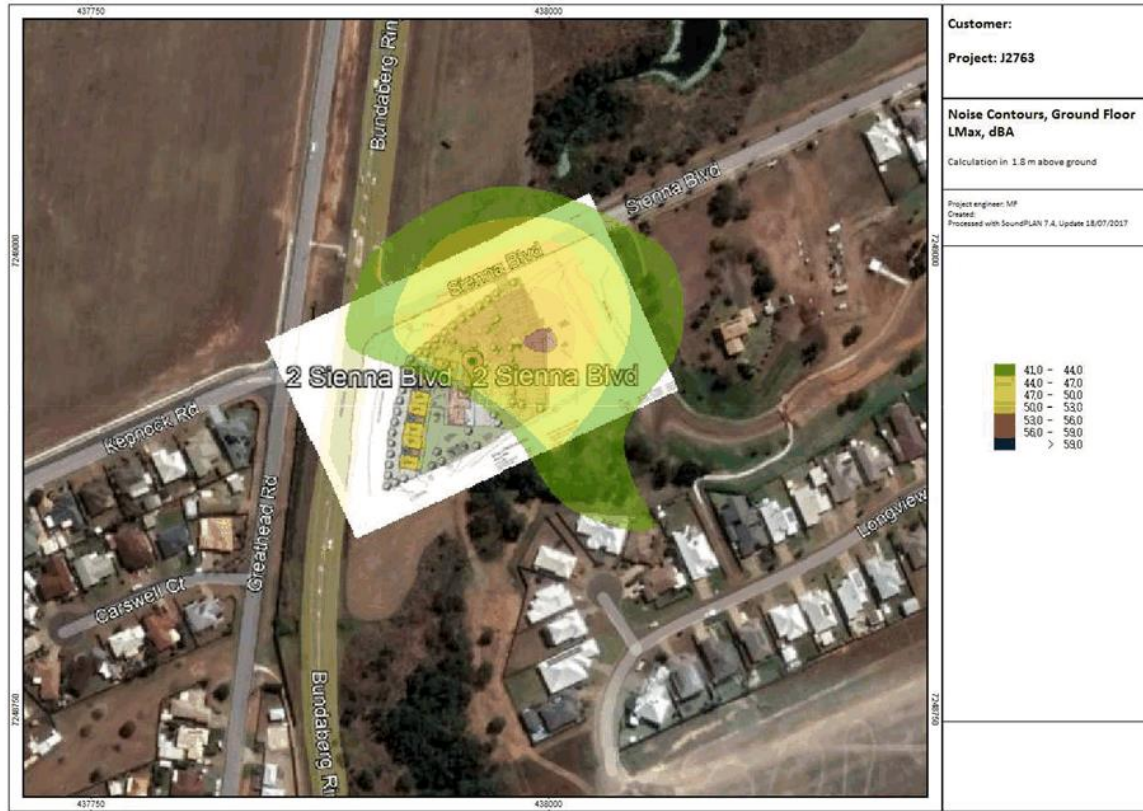
Future Traffic Noise Levels – $L_{A10,18hr}$



Childcare Noise Emissions - L_{Aeq}



Childcare Noise Emissions - L_{AMax}



APPENDIX C - GLOSSARY

Event maximum sound pressure level ($LA\%,adj,T$), $L01$

The L01 level is calculated as the noise level equalled and exceeded for 1% of the measurement time, for example 9 seconds in any 15-minute interval. L01 is an appropriate level to characterise single events, such as from impulsive or distinctive pass-by noise. The level can be adjusted for tonality or impulsiveness.

Average maximum sound pressure level ($LA\%,adj,T$), $L10$

The "L10" level is an indicator of "steady-state" noise or intrusive noise conditions from traffic, music and other relatively non-impulsive noise sources. The L10 level is calculated as the noise level equalled and exceeded for 10% the measurement time, for example 90 seconds in any 15 minute interval. The measured L10 time-intervals for day/evening/night are arithmetically averaged to present the "average maximum" levels of the environment for day/evening/night. The level can be adjusted for tonality or impulsiveness.

Background sound pressure level ($LA90,T$), $L90$

Commonly called the "L90" or "background" level and is an indicator of the quietest times of day, evening or night. The L90 level is calculated as the noise level equalled and exceeded for 90% the measurement time. The measured L90 time-intervals are arithmetically averaged to present the "average background" levels of the environment for day/evening/night. The level is recorded in the absence of any noise under investigation. The level is not adjusted for tonality or impulsiveness.

Equivalent Continuous or time average sound pressure level ($LAeq,T$), Leq

Commonly called the "Leq" level it is the logarithmic average noise level from all sources far and near. The maximum 1-hour levels within the day/evening/night time intervals are referenced for building design. The level can be adjusted for tonality.

Façade-adjusted level

A sound level that is measured at a distance of 1.0 metre from a wall or facade. The level is nominally 2.5 dB higher than the free-field level.

Free-field level

A sound level that is measured at a distance of more than 3.5 metres from a wall or facade.

Weighted Sound Reduction Index, Rw

A single number value used to compare the sound reduction index of building elements. Similar to the Sound Transmission Class (STC) rating that is still in common use. Rw and STC are not identical though may be considered, for most applications, as being interchangeable. A high Rw indicates high sound reduction.



Our reference: 2109-24762 SRA
 Applicant reference: 522.2021.276.1

18 February 2022

The Chief Executive Officer
 Bundaberg Regional Council
 PO Box 3130
 BUNDABERG QLD 4670
development@bundaberg.qld.gov.au

Attention: Mr Dean Catorall

Dear Mr Catorall

SARA Response – 2 Sienna Boulevard, ASHFIELD (Lot 200 on SP219795)

(Given under Section 56 of the *Planning Act 2016*)

The development application described below was confirmed as being properly referred to the State Assessment and Referral Agency (SARA) on 21 September 2021.

Response

Outcome:	Referral Agency Response under Section 56(1)(b) of the <i>Planning Act 2016</i> (with conditions)
Date of response:	18 February 2022
Conditions:	The approval is subject to the conditions in Attachment 1
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development Details

Description:	Development Permit for Material Change of Use – Child Care Centre
SARA role:	Referral agency
SARA triggers:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1– Material change of use of premises near a State transport corridor

2109-24762 SRA

(Planning Regulation 2017)

SARA reference: 2109-24762 SRA
Assessment Manager: Bundaberg Regional Council
Street address: 2 Sienna Boulevard, ASHFIELD
Real property description: Lot 200 on SP219795
Applicant name: Belle Eden Estate Pty Ltd
Applicant contact details: PO Box 13
SPRINGWOOD QLD 4127
nfreeman4670@gmail.com

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (section 30 of the Development Assessment Rules).

Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Peter Mulcahy, Principal Planning Officer, on (07) 4331 5605 or via email WBBSARA@dcdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Luke Lankowski

Manager, Planning – Wide Bay Burnett

enc Attachment 1 – Referral agency conditions
Attachment 2 – Advice to the applicant
Attachment 3 – Reasons for referral agency response
Attachment 4 – Representations about a referral agency response

cc Belle Eden Estate Pty Ltd
nfreeman4670@gmail.com

Department of Transport and Main Roads
Wide.Bay.Burnett.IDAS@dtmr.qld.gov.au

2109-24762 SRA

Attachment 1—Referral agency conditions

(Under Section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Material Change of Use – Child Care Centre		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the Planning Regulation 2017—The Chief Executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road. (b) Any works on the land must not: <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto the state-controlled road. (c) Registered Professional Engineer of Queensland (RPEQ) certification with supporting documentation must be provided to the District Director Wide Bay Burnett District and email address Wide.Bay.Burnett.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.	(a) At all times. (b) At all times. (c) Prior to the commencement of works.
2.	(a) Road works must be provided at the Bundaberg Ring Road/Sienna Boulevard intersection comprising of: <ol style="list-style-type: none"> i. an Auxiliary Left Turn treatment (AUL) ii. reinstatement of a staggered pedestrian refuge iii. footpath connections associated with i. and ii. above (b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads Road Planning and Design Manual 2nd Edition , Standard drawings and specifications. (c) A road safety assessment for the intersection upgrade must be undertaken in accordance with the Department of Transport and Main Roads Guide to Traffic Impact Assessment (GTIA) by a suitably qualified person and submitted with the detailed design outlined in (b) above.	(a) Prior to the commencement of use. (b) Prior to the commencement of use. (c) Prior to the commencement of use.
3.	(a) Noise attenuation measures must be designed in accordance with Chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise) Department of Transport and Main Roads November 2013 to meet the following external noise criteria: <ol style="list-style-type: none"> i. At all facades of the building envelope: 	(a) Prior to commencement of use and to be maintained at all times.

2109-24762 SRA

	<p>a. ≤58 dB(A) L10 (1 hour) facade corrected (maximum hour during normal operating hours)</p> <p>ii. Outdoor education area or outdoor play area:</p> <p>a. ≤63 dB(A) L₁₀ (12 hour) free field (between 6am and 6pm)</p> <p>The noise attenuation measures must allow for ten (10) year traffic growth on the Bundaberg Ring Road, calculated from the expected completion date of the development.</p> <p>(b) Submit an acoustic design report and detailed noise barrier design to the District Director (Wide Bay District) within the Department of Transport and Main Roads for review and acceptance which demonstrates compliance with all of part (a).</p> <p>(c) Noise attenuation measures (including any footings and associated earth mounds) must be located wholly within the subject site (Lot 200 on SP219795) and be designed and constructed in accordance with the Transport Noise Management Code of Practice Volume 1 – Road Traffic Noise, prepared by Department of Transport and Main Roads, dated November 2013, and Department of Transport and Main Roads' Standard Drawings.</p> <p>(d) Registered Professional Engineer of Queensland (RPEQ) certification, including as-constructed drawings and noise calculations) must be provided to the District Director Wide Bay Burnett District and email address Wide.Bay.Burnett.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a), (b) and (c) of this condition.</p>	<p>(b) Prior to the commencement of use and to be maintained at all times.</p> <p>(c) Prior to the commencement of use and to be maintained at all times.</p> <p>(d) Prior to the commencement of use and to be maintained at all times.</p>
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Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.
Advertising devices	
2.	<p>Advertising devices to be placed on the subject site which will be visible from the from the state-controlled roads should be in accordance with the Department of Transport and Main Roads Roadside Advertising Manual 2nd Edition.</p> <p>Where advertising devices are not in accordance with the Department of Transport and Main Roads Roadside Advertising Manual 2nd Edition, and are considered to be a hazard or distraction to drivers, the Department of Transport and Main Roads may exercise powers under the <i>Transport Infrastructure Act 1994</i> to have the signage modified or removed. Any such action required will be at the expense of the landowner or occupier.</p>
Further development permits required (road works approval)	
3.	<p>Under Section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a state-controlled road.</p> <p>Please contact the Department of Transport and Main Roads on (07) 4154 0200 or e-mail Wide.Bay.Burnett.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs for the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>The road works approval process takes time – please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction (DTMR Reference: TMR21-034185).</p>

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Attachment 3—Reasons for referral agency response

(Given under Section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

The proposed development complies with the assessment benchmarks and purpose statement within State Code 1: Development in a state-controlled road environment of the State Development Assessment Provisions, as the proposed development is:

- not considered to result in safety and efficiency impacts on the state-controlled road network
- not considered to create a safety hazard for users of a state-controlled road
- not considered to result in stormwater impacts on the state-controlled road network
- not considered to result in significant adverse impacts resulting from environmental emissions generated by vehicles using state-controlled roads

Conditions have been applied to ensure compliance with State Code 1 where applicable.

Material used in the assessment of the application:

- The development application material
- *Planning Act 2016*.
- Planning Regulation 2017.
- The *State Development Assessment Provisions* (Version 2.6).
- The Development Assessment Rules (DA Rules).
- SARA DA Mapping system.
- *Human Rights Act 2019*.

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Attachment 4—Representations about a referral agency response

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Emma Morgan

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Friday, 18 February 2022 5:09 PM
To: Development
Cc: nfreeman4670@gmail.com
Subject: 2109-24762 SRA application correspondence
Attachments: GE83-N Representations about a referral agency response.pdf; 2109-24762 SRA - SARA Referral Agency Response (conditions).pdf

Please find attached a notice regarding application [2109-24762 SRA](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

RA6-N



Email Id: RFLG-0222-0013-2449

From: [Nathan Freeman](#)
To: [Development](#)
Subject: Re: 522.2021.276.1 - Draft Conditions - 2 Sienna Blvd, Ashfield
Date: Thursday, 19 May 2022 11:28:41 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image007.jpg](#)
[SKM_C308_Gr22051912100.pdf](#)

Hi Dean,

Thank you for sending through the draft conditions. Please find attached our acceptance of the draft conditions. We will not be making representations to Council in relation to the draft conditions.

Kind regards,
Nathan

On Tue, May 17, 2022 at 4:56 PM Development <development@bundaberg.qld.gov.au> wrote:

Good Afternoon,

Thank you for your development application for Material Change of Use for Child Care Centre lodged with Council on 8 September 2021. Council's Development Assessment Team are in the process of determining the application and attach for your comment proposed draft conditions.

You are invited to review the attached draft conditions. Council's Development Assessment Team request that the response form (attached at the end of the draft conditions) be returned within 2 business days. Should no response be received by this time, Council's Development Assessment Team will finalise the application.

Should you require any clarification regarding this matter, please contact Dean Catorall on phone 1300 883 699.

Kind Regards,

DEAN CATORALL

Development Planner

T 1300 883 699

E dean.catorall@bundaberg.qld.gov.au



This email and/or associated attachments and links may contain confidential, privileged or personal information. If you are not an intended recipient, you must not deal with or rely on any information herein and please advise the sender or call Council on 1300 883 699. Council undertakes virus protection but excludes all liability for transmission any potential viruses (or similar). Council may collect your personal information which will be used for the purposes outlined in this communication. This information will only be

accessed by authorised Council officers and will be handled in accordance with Council's Privacy Statement governed by the Information Privacy Act 2009. Visit <https://www.bundaberg.qld.gov.au/privacy> for further information.



PO Box 3130
 Bundaberg QLD 4670
 E ceo@bundaberg.qld.gov.au
 ABN 72 427 835 198

RESPONSE TO DRAFT CONDITIONS

Council reference: 522.2021.276.1

Property Address: 2 Sienna Boulevard ASHFIELD 4670; land described as Lot: 200 SP: 219795

I/We:

- accept the draft conditions and will not be making representations to Council.
- wish to make written representations to Council with regards to the following draft conditions: *(please list conditions below and attach representations as an attachment)*

- wish to schedule a meeting to discuss the draft conditions. Under Part 7, Item 32 of the Development Assessment Rules, I/We wish to stop the decision period for ten (10) business days so as to meet with Council's Development Assessment Team to discuss the draft conditions.

Regards

Applicant's Name: Nathan Freeman c/- Belle Eden Estate P/L.

Signature:

Date: 19/05/2022.

1300 883 699 bundaberg.qld.gov.au

**Item****31 May 2022****Item Number:**

N1

File Number:

.

Part:HEALTH & REGULATORY
SERVICES**Portfolio:**

Community & Environment

Subject:

Specialised Supplier Arrangement with Database Consultants Australia (Pinforce)

Report Author:

David McNicoll, Branch Manager - Health & Regulatory Services

Authorised by:

Gavin Steele, General Manager Community & Environment

Link to Corporate Plan:

Our community and environment - 1.1 Economic growth and prosperity - 1.1.1 Promote and support use of new technology across the organisation and region's economy as part of the Intelligent Communities Strategy.

Background:

Pinforce is specialised software designed to manage the specialised tasks of issuing Penalty Infringement Notices for regulated parking and other local law offences. The software was purchased by the former Bundaberg City Council in Feb 2008 and Bundaberg Regional Council has used the software since amalgamation.

In 2018 Council upgraded to the latest version of the software and purchased new devices for parking officers.

It is proposed to renew the arrangement with SARB Management Group Pty Ltd for the use of Pinforce without going to tender/quote given that officers are trained in the use of Pinforce and use it with minimal issues, Pinforce is integrated with Civica's Authority *Infringements* module, and it would be disadvantageous to change software products at this time.

Associated Person/Organization:

SARB Management Group Pty Ltd T/A Database Consultants Australia

Consultation:

Information Services Section

Procurement Section & Procurement Board

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.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That:

- a) **Council enters into an arrangement with SARB Management Group Pty Ltd trading as Database Consultants Australia for the provision of Pinforce – Annual Support & Maintenance Contract without first inviting written quotes pursuant to Section 235(b) of the *Local Government Regulation 2012*; and**
- b) **this arrangement be made for the period May 2022 – April 2025 (3 years).**



Item

31 May 2022

Item Number:	File Number:	Part:
O1	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Central Queensland University Sole Supplier – CQ Regional Arts Services Network Collaborative

Report Author:

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

Authorised by:

Gavin Crawford, Acting 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:

The Regional Arts Services Network (RASN) is an initiative of the Queensland Government through Arts Queensland to deliver local arts services across the state through local service providers. CQ University is the sole contractor through Arts Queensland to deliver the CQ RASN program, awarded through a competitive tender process to operate as a four-year program with the current contract expiring on 30 June 2025.

The Collaborative Regions Project is the result of a successful joint submission to the Regional Arts Development Fund by Local Government Authorities (LGAs) in the Wide Bay Burnett Region, including Fraser Coast Regional Council, South Burnett Regional Council, North Burnett Regional Council and Bundaberg Regional Council. The purpose of the project is to co-invest in increasing the development of a touring circuit across the joint LGA group, to support ongoing arts industry recovery programs, drive strategic arts-led initiatives, employment outcomes, and boost opportunities for regional communities to access high quality arts and cultural engagement.

A total of \$32,536 has been committed by BRC to the Collaborative Regions Project as a strategic Initiative through the 2021-22 RADF BRC agreement with Arts Queensland as endorsed by Council. This project has now been approved for all four partners through the RADF (Regional Arts Development Fund) funding agreements supplied by Arts Queensland. While this initial project aims to be delivered by 30 June

2023, the supplier holds the CQ RASN provider contract with Arts Queensland until 30 June 2025.

The Collaborative Regions project aims to leverage off existing funding provided by the CQ RASN, with CQ University in a unique position as service provider to network across 25 LGA's and develop interminable opportunities of engagement for Bundaberg Regional Council with a previously untapped arts network.

Associated Person/Organization:

CQ University Regional Arts Services Network Program
North Burnett Regional Council
South Burnett Regional Council
Fraser Coast Regional Council

Consultation:

BRC Regional Arts Development Fund Assessment Panel
Regional Arts Services Network Advisory Group

Chief Legal Officer's Comments:

Section 235(a) of the *Local Government Regulation 2012* allows the local government to resolve that it is satisfied that there is only one supplier that is reasonably available.

Policy Implications:

There appears to be no policy implications.

Financial and Resource Implications:

This strategic initiative project has been approved through the agreement between Bundaberg Regional Council and Arts Queensland, through the Regional Arts Development Fund for the total \$32,536 – with 50% of the funding for the project is supplied by Bundaberg Regional Council (\$16,268) where the remainder is funded by the State Government.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council enter into an arrangement with Central Queensland University for the Collaborative Regions Project through CQ Regional Art Services Network, to provide extended regional arts services without first inviting written quotes, pursuant to section 235(a) of the *Local Government Regulation 2012* (Qld).

**Item****31 May 2022**

Item Number:	File Number:	Part:
O2	.	COMMUNITY & CULTURAL SERVICES

Portfolio:

Community & Environment

Subject:

Specialised Supplier Arrangement with CQUniversity - Wuga Dhulayu Accelerated Arts Project

Report Author:

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

Authorised by:

Gavin Crawford, Acting General Manager Community & Environment

Link to Corporate Plan:

Our community and environment - 1.3 A creative and environmentally friendly place - 1.3.3 Advocate and support heritage and culture programs, projects, plans and events, which create a positive identity for the region.

Background:

The *Wuga Dhulayu* project was successfully funded in 2021-22 through the Regional Arts Fund grant as administered through Flying Arts Alliance Inc and was considered necessary for the development of an Accelerated Culture Arts Program within the Bundaberg Region.

Wuga Dhulayu (waga thew-lie-you) is a Taribelang word which encapsulates this idea of reciprocity – of giving without question to community and country with the view that community and country will give back in return. The focus of *Wuga Dhulayu* is to deliver a community led and industry focused arts acceleration program initiated by Bundaberg Regional Council (BRC) in collaboration with key community stakeholders. The program is aimed at Senior School students (10-12) interested in an arts career as a way of providing a career trajectory for participants.

The core focus is for students to engage in unique cultural exchanges guided by an inclusive and indigenous-led methodology. Students considering an arts career will be accelerated by *Wuga Dhulayu* through opportunities for learning, mentorship, and professional experience in producing and creating collaborative work. Regional students will benefit from the program's head start into the professional arts industry. The students will have the opportunities to display their work with the audiences at Councils unique destination Events and Festivals.

CQUniversity is essential in the delivery, coordination, and management of the outcomes of the *Wuga Dhulayu* project. They have connections with First Nations

Artists, other arts leaders and also community groups. We are seeking to contract CQUniversity for the duration of the project and as a specialised supplier due to their connections with the First Nations and other arts leaders.

Associated Person/Organization:

Luke Sinclair – CQUniversity

Consultation:

Flying Arts Alliance Inc
Robert McClellan

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:

The grant has been provided based on the submitted personnel and information provided to Regional Arts Fund (RAF) as administered by Flying Arts Alliance Inc and is fully funded by RAF. The grant total is \$150,000 (\$50,000 per year over 3 years). In-kind resources to be provided by Council.

Risk Management Implications:

There appears to be no risk management implications.

Human Rights:

There appears to be no human rights implications.

Indigenous Land Use Agreement (ILUA) Implications:

There appears to be no ILUA implications.

Attachments:

Nil

Recommendation:

That Council engage CQUniversity for the provision of *Wuga Dhulayu Accelerated Arts Project* without first seeking written quotations, pursuant to Section 235(b) of the *Local Government Regulation 2012*.