

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS, 43 DRYDEN STREET, ALPHA
ON WEDNESDAY 17 APRIL 2019
COMMENCING AT 9.05AM**

ATTENDANCE

Councillor R Chandler (Mayor) (In the Chair), Councillors J Gray (Deputy Mayor), G Bettiens, S Dillon, M Rogers, B Plumb and G Peoples.

OFFICERS

S Boxall (Chief Executive Officer), D Howard (District Manager – Alpha and Jericho), P Coulton (District Manager – Aramac and Muttaborra), J Lawrence (District Manager – Barcardine), R Rolfe (Chief Engineer) and A Newton (Minute Secretary).

PRAYER – Cr. Gray read the prayer.

CONDOLENCES

A minute's silence was observed to mark the passing of Mr. David Hughes of Aramac and Mr. Ivan Robert Campbell "Bud" Beatty of Muttaborra.

LEAVE OF ABSENCE - Nil

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor acknowledged the traditional owners of the land, past and present.

DECLARATIONS OF COUNCILLORS

Material Personal Interest on any items of Business

Cr Peoples for Item 3.1.4 - "I declare that I have a material personal interest in the Aramac Freedom of Choice Park Fencing (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because as the owner of Aramac Cut Price I have submitted a quotation for materials to be used in the project to be discussed. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Peoples for Item 3.2.3 - "I declare that I have a material personal interest in the Procurement Policy Review (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because as the owner of Aramac Cut Price I am a supplier of goods to Council. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Peoples for Item 3.4.1 - "I declare that I have a material personal interest in Goal 3 of the Works Report (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because as the owner of Aramac Cut Price I am a supplier of goods to Council. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for Item 3.2.4 - "I declare that I have a material personal interest in the Planning and Development Report – Negotiated Decision for Material Change of Use (DA 251415) – MRCH Pty Ltd (as defined by Local Government Act 2009, section 175B). I am a partner in DG JC and BG Gray Partnership at Villafield Alpha, as this road is inappropriately named as it is not my access road, however we do have permission to use this for trucks and wet weather access. In

this matter it could be perceived that I stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for Item 3.2.5 - "I declare that I have a material personal interest in the Negotiated Decision for Material Change of Use and Reconfiguring a Lot (DA 241415) – MRCH Pty Ltd (as defined by Local Government Act 2009, section 175B). I am a partner in DG JC and BG Gray Partnership at Villafield Alpha, as this road is inappropriately named as it is not my access road, however we do have permission to use this for trucks and wet weather access. In this matter it could be perceived that I stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for Item 3.4.1 - "I declare that I have a material personal interest in Goal 3 Infrastructure in the Works Report (as defined by Local Government Act 2009, section 175B). I am a partner in D Grays Grader & Loader Hire, who is a contractor currently working on projects outlined the report and it could be perceived that I stand to gain a benefit or suffer a loss depending on the outcome of Council's discussions of this matter. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for Item 3.2.3 - "I declare that I have a material personal interest in the Procurement Policy Review (as defined by Local Government Act 2009, section 175B). I am a partner in D Grays Grader & Loader Hire, who is a contractor listed on Vendor Panel who has the opportunity to apply for contracts and it could be perceived that I stand to gain a benefit or suffer a loss depending on the outcome of Council's discussions of this matter. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Gray for Item 3.2.2 - "I declare that I have a material personal interest in the Planning and Development Report (as defined by Local Government Act 2009, section 175B). I am a partner in D Grays Grader & Loader Hire, who is a contractor working on the Freedom Parks and I stand to gain a benefit or suffer a loss depending on the outcome of Council's discussions of this matter. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for Item 3.2.1 - "I declare that I have a material personal interest in the Deputy Chief Executive Officer's Report (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because I am the director of Capricorn Plumbing and drainage and the contractor for the water mains project. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for Item 3.2.2 - "I declare that I have a material personal interest in the Planning and Development Report (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because I am the applicant in a development application which is mentioned in the report. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for Item 3.2.3 - "I declare that I have a material personal interest in the Procurement Policy Review (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because I am the director of Capricorn Plumbing and Drainage which is business that supplies goods and services to Council. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for Item 3.4.1 - "I declare that I have a material personal interest in Goals 3 and 5 of the Works Report (as defined by Local Government Act 2009, section 175B) as I stand to gain a benefit depending on the outcome of Council's consideration of this matter. I stand to gain a benefit or suffer a loss because I am the director of Capricorn Plumbing and Drainage which is the contractor on projects mentioned in these parts of the report. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Conflict of Interest

Cr Gray for Item 3.6.4 – "I declare that I have a conflict of interest in the Muttaborra Community Development Association report (as defined the Local Government Act 2009, section 175D) as I am a member of several clubs affiliated with MCDA. I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: -

- (a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether: -
 - (i) I must leave the meeting while this matter is discussed or voted on; or
 - (ii) I may participate in the meeting in relation to the matter, including by voting on the matter."

Resolution: **Moved Cr Dillon** **Seconded Cr Peoples**
2019/04/109 **That Councillor Gray does not have either a real conflict of interest or perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.**

Carried
6/0

Cr Peoples for Item 3.1.3 – "I declare that I have a conflict of interest in the Request for Assistance – Aramac Race Club report (as defined the Local Government Act 2009, section 175D) as the President of the Central West Racing Association. I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: -

- (c) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (d) If so, whether: -
 - (i) I must leave the meeting while this matter is discussed or voted on; or

3.1 CHIEF EXECUTIVE OFFICER

3.1.1 Chief Executive Officer Information Report March to April 2019

Summary: The Chief Executive Officer's report for March to April 2019 is presented to Council.

Resolution: 2019/04/113 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council receives the Chief Executive Officer's Report for March to April 2019.

Carried
7/0

3.1.2 Councillor Information Bulletin

Summary: From the Chief Executive Officer tabling a list of items sent to Councillors in the Councillor Information Bulletin up to and including 12 April 2019.

Resolution: 2019/04/114 **Moved Cr Dillon** **Seconded Cr Plumb**
That the report be received.

Carried
7/0

3.1.3 Request for Assistance – Aramac Race Club

Summary: From the Chief Executive Officer reporting on a request for financial assistance from the Aramac Race Club.

Resolution: 2019/04/115 **Moved Cr Dillon** **Seconded Cr Rogers**
That Council provides financial assistance in an amount of \$7,500 to the Aramac Race Club.

Carried
7/0

At this stage Councillor Peoples declared an interest in the following matter and left the meeting during discussions thereon.

3.1.4 Aramac Freedom of Choice Park Fencing

Summary: Council has received an enquiry from the Aramac P&C Association regarding the erection of a paling fence along the southern side boundary of the school which meets the Freedom Park.

Resolution: Moved Cr Gray Seconded Cr Plumb
2019/04/116 That:-

- (a) Council agrees to construct a landscaped earth barrier between the Aramac Freedom Park and the Aramac State School on the southern boundary of Drury Street; and
- (b) the Chief Executive Officer explain to the Principal of the Aramac State School and the President of the P & C Association Council's plans in relation to the Freedom Park.

Carried
6/0

Resolution repealed at General Meeting held on 15 May 2019

At this stage Councillor Peoples returned to the meeting.

3.1.5 Request for Assistance – Shockwave Youth Development Programme

Summary: From the Chief Executive Officer reporting on a request for financial assistance from the Shockwave Youth Development Programme.

Resolution: Moved Cr Gray Seconded Cr Plumb
2019/04/117 That Council provides financial assistance in an amount of \$22,000 to the Shockwave Youth Development Programme in the 2019/2020 budget and seeks feedback from youth participation in the region.

Carried
7/0

At 10.40am the meeting adjourned for morning tea and resumed at 11.10am.

3.1.6 Queensland Treasury Corporation Loan Application

Summary: From the Chief Executive Officer reporting on the current loan application being assessed by the Queensland Treasury Corporation.

Resolution: Moved Cr Gray Seconded Cr Plumb
2019/04/118 That Council endorses the actions of the Chief Executive Officer in reducing the loan amount requested.

Carried
7/0

3.1.7 Community Care Services Report

Summary: From the Chief Executive Officer reporting on the operations of the Community Care Services.

Resolution: Moved Cr Plumb Seconded Cr Bettiens
2019/04/119 That the report be received.

Carried
7/0

3.1.8 Commonwealth Home Support Program (CHSP)/Home and Community Care (HACC) facility - 23 Milton Street, Alpha.

Summary: From the Chief Executive Officer reporting on a proposal to relocate the Alpha Community Care office to a site which is not subject to flooding.

Resolution: Moved Cr Dillon Seconded Cr Bettiens
2019/04/120 That a construction budget of \$300,000 be allocated in the 2019/2020 budget with an additional \$100,000 be sought from external funding.

Carried
7/0

3.1.9 Allocation of Funding from the Federal Government's Communities Combatting Pests and Weeds Programme

Summary: From the Chief Executive Officer reporting on the distribution of Federal Government funding for Communities Combatting Pests and Weeds Programme's allocation to Barcaldine Regional Council of \$400,000.

Resolution: Moved Cr Gray Seconded Cr Peoples
2019/04/121 That Council contracts RAPAD to allocate funds from the Federal Government's Communities Combatting Pests and Weeds Programme for those applications which have been unsuccessful under the State Government funded Cluster Scheme in the Barcaldine Regional Council for sheep enterprises.

Carried
7/0

At this stage the Council dealt with items 3.2.5, 3.2.4 and then 3.2.2 in the agenda and Consultant Town Planner Michaela Huelin attended the meeting.

3.2 DEPUTY CHIEF EXECUTIVE OFFICER

3.2.1 Deputy Chief Executive Officer's Information Report – April 2019

Summary: The Deputy Chief Executive Officer's report for April is presented to Council.

Resolution: Moved Cr Dillon Seconded Cr Peoples
2019/04/122 That Council receives the Deputy Chief Executive Officer's Report for April 2019.

Carried
7/0

At this stage Michaela Huelin left the meeting.

The meeting adjourned at 12.55pm for lunch and resumed at 2.00pm.

At this stage Councillors Gray and Bettiens declared an interest in the following item and left the meeting during discussions thereon.

3.2.2 Planning and Development Report

Summary: The Planning and Development Report for the period ending 11 April 2019 is presented to Council.

Resolution: Moved Cr Plumb Seconded Cr Dillon
2019/04/123 That Council receives the Planning and Development Report.

Carried
5/0

At this stage Councillors Gray and Bettiens returned to the meeting.

At this stage Councillors Peoples, Bettiens and Gray declared an interest in the following matter and left the meeting during discussions thereon.

3.2.3 Procurement Policy Review

Summary: The annual review of Council's Procurement Policy as required by the Local Government Regulation 2012.

Resolution: Moved Cr Plumb Seconded Cr Rogers
2019/04/124 That Council reviews its Procurement Policy and adopts the amended Barcaldine Regional Council Procurement Policy.

Carried
4/0

At this stage Councillors Gray and Bettiens returned to the meeting.

At this stage Councillor Gray declared an interest in the following two items and left the meeting during discussions thereon.

3.2.4 Planning and Development Report – Negotiated Decision for Material Change of Use (DA 251415) – MRCH Pty Ltd

Summary: A request has been received by the applicant, MRCH Pty Ltd, of a development permit for a material change of use granted by Council at its General Meeting held on 12 December 2018. The applicant is seeking to negotiate the conditions attached to the approval and has requested a negotiated decision notice in accordance with the Sustainable Planning Act 2009.

Resolution: Moved Cr Dillon **Seconded Cr Plumb**
2019/04/125 **That Council:**

A. agrees in part to the representations submitted in a request for a Negotiated Decision Notice by Development Directive c/- MRCH Pty Ltd for the Development Permit for a Material Change of Use for the staged development of an Accommodation Building (Motel - 120 rooms), Educational Establishment (Conference Facility) and Hotel (Tavern) on land situated at the corner of the Capricorn Highway and Villafield Road, Alpha and described as Lot 97 on BE58, as follows:

- i. Change conditions 18.1, 18.2 (inclusion of advice note), 29.1 and 29.2;**
- ii. Disagree to change or delete conditions 18.2; and**
- iii. Delete conditions 28.1 and 28.3.**

Please note: the recommendation is described as an approval in part because the conditions have been amended, but not to the same extent as requested by the applicant; and

B. issue a negotiated decision notice in accordance with the following conditions of approval:

1.0 APPROVED PLANS AND DOCUMENTS

1.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Title	Plan number	Revision	Date	Prepared by
Master Plan	DA 1.02	P15	11.08.2016	O.G.E Group Architects
Title Sheet / Perspective Views	SD 1.00	B	15.12.2014	Brand + Slater Architects
Site Plan	SD 1.01	B	15.12.2014	Brand + Slater Architects
Site Staging Plan	SD 1.01a	A	19.08.2013	Brand + Slater Architects
Tavern Floor Plan	SD 1.02	B	15.12.2014	Brand + Slater Architects
Tavern Staging Plan	SD 1.03	A	19.08.2013	Brand + Slater Architects
Motel Ground Floor Plan	SD 1.04	B	15.12.2014	Brand + Slater Architects
Motel Upper Floor Plan	SD 1.05	A	19.08.2013	Brand + Slater Architects
Motel Staging Plan	SD 1.06	A	19.08.2013	Brand + Slater Architects
Motel Room Plans	SD 1.07	A	15.12.2014	Brand + Slater Architects
Tavern Elevations	SD 2.01	B	15.12.2014	Brand + Slater Architects
Motel Elevations	SD 2.02	B	15.12.2014	Brand + Slater Architects

Landscape Master Plan Package	LCP1 to LCP10	B	12.09.2016	James Birrell Design Lab
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Title	Document number	Revision	Date	Prepared by
Traffic Engineering Report	12416	DA 02-RFI	August 2015	Hayes Traffic Engineering
Engineering Services Report	121462	I	August 2016	Covey Associates Pty Ltd
Water Supply and Sewerage Analysis	620.12790-L01-v0.1.docx		16 October 2018	SLR Consulting Australia Pty Ltd
Correspondence	KO/KO/121462-Gen 26587Ltr		30 November 2018	Covey Associates Pty Ltd

- 1.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 1.3 The use of the premises is limited to one hundred and twenty (120) motel rooms, a manager’s residence, a conference facility, and a tavern with ancillary on-site car parking. The approved use must be conducted generally in accordance with the facts and circumstances as set out in the application submitted to Council.
- 1.4 The motel is permitted to be occupied by non-resident workers to the region associated with the large resource and infrastructure projects. The maximum length of stay of any guest at the Motel is not more than 3 consecutive months.
- 1.5 A copy of this decision notice and stamped approved plans/drawings must be submitted with any building development application relating to or arising from this development approval.
- 1.6 A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

2.0 AMENDED APPROVED PLANS AND DOCUMENTS

- 2.1 Submit to Council for assessment and obtain an approval from the Chief Executive Officer for an amended plan of development prior to any approval of operational works showing the following information:
 - (a) revised staging boundaries for Stage T(A) to include car parking area to support the operations of the Dining Facility;
 - (b) include a service delivery area (i.e. loading and unloading facility for deliveries) and refuse storage area for the Accommodation Building that addresses the requirements of Condition 6.0 and Condition 17.0;
 - (c) pedestrian crossing treatment between the Workers Village and the Tavern at a suitable location on the New Road in accordance with the requirements of Condition 7.1.

3.0 COMPLIANCE TIMING

- 3.1 Comply with all conditions of this development approval at no cost to Council and prior to the Final Inspection Certificate by a Building Certifier or commencement of the use, whichever comes first unless otherwise stated in a specific condition.

4.0 DEVELOPMENT IN STAGES

- 4.1 The site must be developed in accordance with the stages identified on the approved plans in Condition 1.1 or as amended by Condition 2.1. All conditions of this development approval relate to all stages, unless otherwise stated in a condition of this approval.

- 4.2 The development of the uses on the approved Site Staging Plan, being the Tavern (Hotel) and the Motel (Accommodation Building), can occur in any order or concurrently. However, the component stages of each use must be developed sequentially in alphabetical order, being T(A), T(B), T(C), T(D) for the Tavern and M(A), M(B), M(C) for the Motel.

Advisory Note: The Motel on the approved site staging plan includes the conference centre (Educational Establishment).

- 4.3 The only exception to the sequential development of each stage of a use, is if a stage is developed concurrently with its preceding stage.

- 4.4 The uses approved as part of this development permit cannot commence until all conditions of the related development permit over the premises (with development application number DA241415) have been completed in relation to the Reconfiguring a Lot and the necessary survey plans and documents (i.e. Community Management Statement) have been sealed and registered with the Titles Office.

Advisory Note: the services and infrastructure to support the approved uses outlined in this development permit are subject to a related development permit (with development application number DA241415).

- 4.5 The approved development must be completed prior to 13 December 2028.

Advisory Note: Pursuant to Section 342 of the Sustainable Planning Act 2009, this development approval lapses if the development has not been completed by this date.

5.0 AMENITY – HOURS OF OPERATION

- 5.1 Undertake the activities associated with the construction between the hours of 6:30am and 6:30pm, Monday to Saturday. Construction works are not permitted to be carried out on Sundays or public holidays without the prior written approval of the Chief Executive Officer.

- 5.2 Undertake activities associated with the operation of the hotel only between the hours of 10am to 12am seven days a week unless stated otherwise in another condition of this approval.

- 5.3 Ensure loading, unloading and delivery activities associated with the operation of the use only occur between the hours of 7:00am and 6:00pm, Monday to Saturday. Loading, unloading and delivery activities are not permitted to be carried out on Sundays or public holidays without prior approval of the Chief Executive Officer.

6.0 ACCESS AND PARKING WORKS

6.1 An operational works permit is required for access and parking.

6.2 The Tavern access is limited to three (3) points of access from the 'New Road' and located generally in accordance with the stamped approved plan *Site Plan*, SD 1.01 Revision B, prepared by Brand + Slater Architects.

The accesses must be designed and constructed to a sealed standard in accordance with *Austroads* standards and *Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access* of the Jericho Shire Planning Scheme, or to other accepted and Council endorsed engineering standards.

Appropriate signage and line marking must be provided in accordance with the recommendations of the *Traffic Engineering Report*, dated August 2015 and prepared by Hayes Traffic Engineering.

Advisory Note: *The first access point to the Tavern is marked 'entry/exit' for customer parking. The second access along the New Road to the Tavern is 'exit only' and the third access point to the Tavern is 'entry only' for service vehicles only. Appropriate signage is to be displayed to ensure that motorists and visitors to this development are made aware of the access arrangements.*

6.3 The Motel access is limited to one (1) point of access from the 'New Road' and located generally in accordance with the stamped approved plan *Site Plan*, SD 1.01 Revision B, prepared by Brand + Slater Architects.

The access must be designed and constructed to a sealed standard in accordance with *Austroads* standards and *Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access* of the Jericho Shire Planning Scheme, or to other accepted and Council endorsed engineering standards.

Appropriate signage and line marking shall be provided in accordance with the recommendations of the *Traffic Engineering Report*, dated August 2015 and prepared by Hayes Traffic Engineering.

6.4 All vehicles up to the maximum design vehicle for the premises, inclusive of refuse collection vehicles, must be able to enter and exit the site in a forward gear.

6.5 The design and construction for the proposed site access points and internal driveways must be capable of providing adequate access and manoeuvring for all vehicles up to the maximum design vehicle for the premises, inclusive of refuse collection vehicles, in accordance with *AS2890.2 – Off Street Commercial Vehicle Facilities* without interfering with the areas designated for parking nominated on the approved plans.

6.6 Car parking shall be constructed generally in accordance with the approved plans and in accordance with *AS2890.1 – Off Street Car Parking*

6.7 Disabled car parking is to be constructed generally in accordance with the approved plans and the *AS2890.6 – Off Street Parking for people with Disabilities*.

6.8 The development is to provide a minimum of one hundred and ninety-four (194) on-site car parks, including car parking for Stage T(A) in accordance with the Jericho Shire Planning Scheme car parking rate for a Hotel (1 space per 30m² total use area). Car parking spaces for people with disabilities are to be provided in

accordance with the *Disability Discrimination Act 1992*, with a minimum of six (6) disabled parking spaces to be provided. Car parking must be provided as relevant to each stage in accordance with Condition 2.0.

7.0 INTERNAL NEW ROAD

7.1 An operational works permit is required for the new road.

7.2 The internal 'New Road' is to be constructed generally in accordance with *Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, section 2.1(1)* of the Jericho Shire Planning Scheme 2006 and, and more specifically include the following:

- (a) minimum dimensions – road reserve width of 20m, carriage width of 8.0m and verge width of 4.0m;
- (b) intersection works with Villafield Road;
- (c) a single lane roundabout at the intersection with the access to the adjacent accommodation village in accordance with *AUSTROADS Guide to Road Design, Part 4B* or *Queensland Streets section 2.11* produced by the Institute of Municipal Engineering Australia. The roundabout must be designed for the turning movements of a Heavy Rigid Vehicle and be supported by an Auto-Turn plot that demonstrates that the appropriate design vehicle can manoeuvre through the intersection;
- (d) a bus bay;
- (e) appropriate pedestrian crossing treatment;
- (f) a full depth gravel pavement, sealed with asphalt in accordance with Council's standards;
- (g) a reinforced concrete pathway having a minimum width of 1.5m along one side of the new road that connects into the adjoining accommodation village pathway network adjacent to the site;
- (h) installation of disabled complaint kerb ramps at the road corners;
- (i) design and construct street lighting in accordance with Council's standards;
- (j) line marking and signage are to be provided and should in accordance with *Manual of Uniform Traffic Control Devices (MUTCD)*;
- (k) provision for all associated stormwater drainage infrastructure and services (i.e. conduits).

7.3 The roadworks is to be provided at no cost to Council.

7.4 Construction of the New Road must occur prior to the commencement of use of Stage T(A) or M(A), whichever occurs first.

8.0 FRONTAGE ROADWORKS

8.1 An operational works permit is required for the frontage roadworks.

8.2 Villafield Road for the full frontage of Lot 97 on BE58 shall be constructed in accordance with the following:

- (a) A full depth gravel pavement, sealed with asphalt in accordance with Council's standards. The nominal width of the new construction shall be 8.0m;
- (b) A 1.2m wide gravel shoulder shall be provided on either side of the pavement;
- (c) Intersection treatment works shall be provided to the New Road;
- (d) A reinforced concrete pathway having a minimum width of 1.5m will be provided for the full length of the site to the Capricorn Highway.

- (e) All signage (including line marking) and associated drainage works (including swale drains) shall be provided; and
- (f) The works shall be designed to transition neatly into the existing roadwork to the north.

8.3 The frontage works are to be provided at no cost to Council.

8.4 The frontage works must be constructed prior to the commencement of use of Stage T(A) or M(A), whichever occurs first.

9.0 EROSION AND SEDIMENT CONTROL – GENERAL

9.1 Effective erosion and sedimentation control shall be provided at all times during the works, including the maintenance period in accordance with *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Jericho Shire Planning Scheme 2006. Runoff from all areas where the natural surface is disturbed by construction shall be free of pollutants and / or sediment before it is dispersed to stable areas or directed to existing stormwater drains or natural watercourses.

9.2 Prior to work commencing, site specific Erosion and Sedimentation Control Plans must be submitted to Council for each of the following:

- (a) **CONSTRUCTION** – This plan must correlate with the Contractors' intended construction program and demonstrate how the above will be achieved through each stage of construction. This Erosion and Sedimentation Control Plan must include the type of control measures proposed, their location and proposed checking and maintenance frequencies.
- (b) **POST CONSTRUCTION** – This plan must show what measures are proposed for long term sediment and erosion control. As a minimum Council expects either the footpath areas to be mulched or the placement of turf strips behind the kerb and concrete footpaths. This Erosion & Sedimentation Control Plan must also include strategies for inspection after each rainfall event and the sweeping and picking up of silt from roads and the kerb and channel if and when required during the maintenance period.

10.0 TOTAL WATER CYCLE MANAGEMENT PLAN

10.1 A Total Water Cycle Management Plan is to be submitted to the Chief Executive Officer for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd and *correspondence* dated 30 November 2018 prepared by Covey Associates Pty Ltd.

The Plan will detail:

- (a) Water conservation measures proposed to limit overall water demand across the development;
- (b) The potential for the use of recycled water or harvested stormwater to substitute for potable water from the bore;
- (c) Potential impacts of recycled water irrigation and stormwater runoff on the bore water quality;
- (d) Potential impacts of recycled water irrigation on stormwater runoff quality;
- (e) The impact of stormwater management systems on the opportunities for recycled water irrigation.

10.2 The Plan will be informed by the amended approved stormwater management plan, approved water supply management plan and approved wastewater management plan.

10.3 The Total Water Cycle Management Plan must incorporate all approved components of this development, including the approved development of related development permit with Council reference DA241415.

11.0 STORMWATER DRAINAGE

11.1 An operational works permit is required for the stormwater drainage works.

11.2 All stormwater, with the exception of water captured onsite in rainwater tanks, is to be drained from the site without causing annoyance or nuisance to any person to a point where it may be lawfully discharged.

11.3 Undertake stormwater management onsite in accordance with the approved *Stormwater Management Plan at Proposed Accommodation Village, Tavern and Motel Development Capricorn Highway Alpha*, dated August 2016 and prepared by Covey and Associates Pty Ltd, modified as follows:

- (a) Include preliminary levels and falls;
- (b) Preliminary structure sizing;
- (c) Demonstrating practical engineering planning; and
- (d) Preliminary earthworks plan.

11.4 The modified Stormwater Management Plan is to be used to inform the Total Water Cycle Management Plan mention in Condition 10.0 by documenting how the stormwater runoff quality and control devices will be affected by effluent irrigation within the site.

11.5 In achieving the above requirements, the design and construction criteria set forth in the *Queensland Urban Drainage Manual (QDUM)* and *Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1* of the Jericho Shire Planning Scheme are met. The *State Planning Policy July 2017* as it relates to the state interest for water quality must also be met, to the extent relevant.

11.6 The stormwater drainage works are to be provided at no cost to Council.

12.0 POTABLE WATER SUPPLY AND INFRASTRUCTURE

12.1 Provide a sufficient water supply to service the development from the onsite bore (RN 158669) and water entitlement under Water Licence (reference: 610819), or unless otherwise amended. The treatment of bore water for potable use within the site is supported.

12.2 An operational works permit is required for the potable water supply infrastructure.

Advisory note: taking water from the bore is a water-related activity for the purpose of Schedule 10, Part 19 of the Planning Regulation 2017 and is therefore assessable development. An operational works permit will be required to authorise the taking of water from the bore in accordance with Water Licence RN 158669.

12.3 Connect to Council's raw water pipeline at no cost to Council. Only one (1) water connection is permitted to be constructed and must be located to the water treatment plant in the common property utility infrastructure and services common property on approved Lot 3. The connection must be provided with a meter assembly and meter box accessible to the front property boundary. The connection

is only to be used during an emergency or in accordance with the Water Supply Management Plan, unless otherwise approved by the Chief Executive Officer.

- 12.4 A Water Supply Management Plan is to be submitted to the Chief Executive Officer for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd and *correspondence* dated 30 November 2018 prepared by Covey Associates Pty Ltd.

The Plan will detail:

- (a) the long-term reliability and sustainability of the proposed water supply system;
- (b) water quality analysis data for the water supply bore;
- (c) full details of the proposed water treatment processes, including the volume and quality of the waste brine;
- (d) evidence that the 15m separation between the effluent irrigation and bore, and other measures are adequate to protect the groundwater in the Tertiary-Quaternary alluvial sediments beneath the site, and the site water supply;
- (e) management of the water supply scheme incorporating obligations under the Water Supply Act;
- (f) contingency provisions in the event of a major bore failure, or a significant power failure, or a treatment plant malfunction resulting in extended loss of reticulated water supply to the site or to the units.

- 12.5 The Water Supply Management Plan is to be used to inform the Total Water Cycle Management Plan mentioned in Condition 10.0.

- 12.6 All proposed works are to be designed and carried out generally in accordance with the Council's Standards and at no cost to Council.

- 12.7 The water supply infrastructure for the approved development for the entire premises must be constructed prior to the commencement of use of Stage T(A) or M(A), whichever occurs first.

13.0 FIRE PROTECTION WATER SUPPLY AND INFRASTRUCTURE

- 13.1 The applicant is responsible for ensuring Queensland Fire Services requirements are met with respect to this development which may include but not limited to the installation of storage reservoirs, internal hydrants, hose reels, balance tanks and/or pumps as necessary to meet flow and pressure requirements. The fire protection water supply system is to comply with *AS2419.1-2005 Fire Hydrant Installations* and approved from the Queensland Fire Services is required for the final design of the fire fighting system.

14.0 DRINKING WATER QUALITY MANAGEMENT PLAN

- 14.1 A Drinking Water Quality Management Plan must be prepared and submitted to the Chief Executive Officer for approval. The Plan shall make recommendations in relation to the extent of works that will be undertaken to provide a potable water supply to the development. The Plan will detail the monitoring, treatment and maintenance works that will be carried out to ensure that the quality of the drinking water is achieved. The Plan will address the Risk Management Aspects required by Queensland Health to comply with the Australian Drinking Water Guidelines. All proposed works are to be designed and carried out generally in accordance with Council's standards.

15.0 SEWAGE TREATMENT

15.1 An operational works permit is required for sewerage infrastructure.

***Advisory Note:** the sewage treatment approved has a capacity for 564 equivalent persons (EP) and triggers the requirement for an Environmental Authority in accordance with the Environmental Protection Act 1994.*

15.2 The developer/applicant must ensure that all sewage generated from any building provided within the development is treated on-site and any resultant effluent disposed of onsite.

15.3 The developer must ensure that:

- (a)** A reticulated sewerage system is provided to service all of the proposed accommodation units, commercial buildings and communal facilities within the development;
- (b)** Carry out the works in accordance with *AS3500 Plumbing and Drainage* and Council's standards;
- (c)** Be responsible for all costs associated with the connection and inspection of the proposed works.

15.4 A Waste Water Management Plan is to be submitted to the Chief Executive Officer for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd.

The Plan will detail:

- (a)** General arrangement of the scheme showing collection system layout, emergency storage locations, treatment plant location and layout, recycled water storage locations, recycled water distribution layout and service vehicle parking location;
- (b)** Emergency storage and recycled water storage tank sizes and configuration, including calculations showing how minimum storage sizes have been derived.
- (c)** Pump station details;
- (d)** Layout of proposed irrigation areas, taking into account the potential for recycling water irrigation to impact on stormwater runoff quality;
- (e)** Evidence the adequate setback / buffer distances have been allowed to sensitive uses and boundaries;
- (f)** Contingency provisions in the event of pumping station or treatment plant failure;
- (g)** Contingency provisions in the event of power failure;
- (h)** Method of clean out of recycled water storage tanks if used for emergency raw sewage storage.
- (i)** Wet weather contingency provisions.

15.5 The Water Supply Management Plan is to be used to inform the Total Water Cycle Management Plan mentioned in Condition 10.0.

15.6 The Sewage Treatment Irrigation Area must be appropriately designed so that all the Sewage Treatment Irrigation Area is located above the runoff resulting from a 1 in 100-year storm event in the external catchments and/or the local catchment, whichever is the highest. Re-use of treated sewage for non-potable irrigation purposes is supported and should be documented in the Total Water Cycle Management Plan referenced in Condition 11.3 in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd.

15.7 The sewage treatment plant and associated storage tanks must be constructed for the approved development of the entire premises prior to the commencement of use of Stage T(A) or M(A), whichever occurs first.

16.0 DETAILED LANDSCAPE PLAN TO BE SUBMITTED FOR APPROVAL

16.1 An operational works permit is required for the landscape works.

16.2 The detailed landscape plan is to be carried out generally in accordance with the *Landscape Master Plan Package*, dated 12 September 2016 and prepared by James Birrell Design Lab and must include in particular:

- (a) The works shown on the stamped approved landscape concept plans.
- (b) Surveyed location and botanical name of existing vegetation, including species' height and spread,
- (c) Specify vegetation to be retained and that to be removed;
- (d) Any structures or significant vegetation on adjoining properties that could impact upon the site;
- (e) Existing contours and proposed finished levels for earthwork;
- (f) Location of existing and proposed services;
- (g) Location and detail of subsurface, stormwater drainage and overland flow path of grassed swales;
- (h) General identification of hard and soft landscape treatments;
- (i) Location, species' botanical name, numbers, pot size and mature height of all proposed planting;
- (j) Location and detail of any entrance statements to the development;
- (k) Details and location of permanent fixed furniture and lighting; and
- (l) Location of slope batters steeper than 1:4.

16.3 All landscape works must be established and maintained in accordance with horticultural best practice with construction techniques and irrigation that allow for healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

17.0 FENCING

17.1 Install a 1.8m high fence at the applicant's expense:

- (a) on all shared property boundaries to private land unless an adjoining land owner for the respective part of the property boundary advises that applicant in writing that the existing fence is to be maintained;
- (b) using quality materials and that is constructed using soft wood, the timber is CCA treated and three rails are used;
- (c) that if there is any existing fence on the property boundary, replaces that fence and is not constructed as a second fence abutting the exiting fence with a narrow gap between;
- (d) that unless required otherwise by other conditions of this approval or works on site, has a gap between the bottom of the fence and the finished ground level of no more than 100mm.

18.0 AMENITY – TREATMENT OF TEMPORARY VACANT LAND

18.1 Where some or all of the land remains vacant or undeveloped for more than 3 months, the following works must to be carried out in accordance with an approved landscape plan:

- (a) the site must be cleared of all declared weeds, rubble, debris and demolition materials;
- (b) ~~the site must be graded, turfed and mown on a regular basis~~ the site must be

- slashed, tidied and maintained on a regular basis;
- (c) drainage must be provided to prevent ponding;
 - (d) the site must be maintained so there is no sediment run-off onto internal roads or footpaths;
 - (e) public access must be provided where public safety can be maintained; and
 - (f) where fencing is installed to secure boundaries:
 - i. the fencing must be durable and not capable of being pushed or blown over; and
 - ii. the fencing type must not detract from local amenity.

18.2 No storage containers (i.e. shipping containers) are permitted to occupy the land unless prior written approval is granted from the Chief Executive Officer.

Advice note: shipping containers on the balance land, associated with the agricultural/grazing use, are permitted.

19.0 WASTE MANAGEMENT

19.1 Refuse storage area, as required to be shown on amended plans, must be maintained so as not to cause visual or odour nuisance to the residents at the workers accommodation or surrounding properties. The refuse storage area must be screened from public view.

19.2 A waste management plan must be provided to Council at the time of lodgement of a building works application. This plan will include the number of and size of bins to be provided to the development, the number of collections per week, wash down practices and odour management. A waste agreement with a commercial waste provider must be entered, to service the entire development prior to the commencement of use of Stage T(A) or M(A), whichever occurs first. At the time this plan is deemed satisfactory to Council, it will be form part of this approval.

20.0 WEED AND PEST MANAGEMENT

20.1 A weed and pest management plan must be provided to Council at the time of lodgement of a building works application. This plan, in addition to *Council's Pest Management Plan* must address identification strategy and frequency for locating any weeds or pests, method of eradication if an outbreak occurs and preventative measures that will be taken and practices followed to ensure vehicles visiting or leaving the site are not contaminated. At the time this plan is considered satisfactory to Council, it will be form part of this approval.

21.0 PROVISION OF UTILITIES

21.1 Documentary evidence to the Chief Executive Officer must be provided from relevant electrical and telecommunication service providers that satisfactory arrangements have been made for the provision of such services.

21.2 An Electricity Supply Management Plan must be provided to Council at the time of lodgement of a building works application.

21.3 This Plan must detail how a reliable source of electricity will be supplied to the development. If electricity is to be supplied through a fuel generator, the plan must address:

- (a) the generators running capacity (i.e. if full of fuel time taken to run dry and number of litres the fuel tank can hold);
- (b) the required amount of fuel to be stored on site to ensure sufficient supply is available in an emergency situation;

- (c) how fuel will be stored;
- (d) how the storage area will be managed to ensure there is no contamination of the site (i.e. leak detection and monitoring);
- (e) how the storage area will be managed to ensure there is no explosions;
- (f) how regularly fuel supply will be replenished;
- (g) nominate a period (including an end date) for the use of the fuel generator;
- (h) timing of connection of the development to a reticulated electricity supply;
- (i) decommissioning and removal of the fuel generator infrastructure; and
- (j) site remediation works.

Advice Note: the use of fuel generators to supply electricity may require an Environmental Authority in accordance with the Environmental Protection Act 1994.

- 21.4 Any generator and associated fuel storage area must be located above Q100 flood level.
- 21.5 Construction of the utilities for the approved development of the entire premises must occur prior to the commencement of use of Stage T(A) or M(A), whichever occurs first.

22.0 FOOD PREMISES

- 22.1 The food premises (kitchen area) is to be fitted out in accordance with the requirements of *Australia Standard 4674-2004: Design, construction and fit-out of Food Premises and Food Safety Standard 3.2.3, Food Premises and Equipment*.
- 22.2 Kitchen exhaust points for the development must be located and operated in accordance with *Australian Standard 16682.2-2002: The use of ventilation and air-condition in buildings* (specifically Section 5.10 – Air discharges).

23.0 FINISHED FLOOR LEVEL

- 23.1 The finished floor level of all accommodation units must be at least 600mm above the highest known flood level on the site.

24.0 DEVELOPMENT STANDARDS – EASEMENTS

- 24.1 An internal easement must be provided to Council for any part of a sewerage, water supply or drainage network (including overland flow paths) that passes through the site and is of benefit to another allotment. Any such easement must be of an adequate width, as set out in any future operation works permit, to protect that infrastructure. The minimum width of any easement shall be 4.0m. Any such easement is to be provided to Council at no cost to Council.

25.0 AMENITY – LIGHTING

- 25.1 Angle or shade lighting is to be used to illuminate the premises, so that light does not directly illuminate or cause any environmental nuisance (e.g. glare) to nearby premises or roads.
- 25.2 Install and maintain a suitable system of lighting to operate from dusk till dawn, within all areas where the public may gain access.

Advisory note: This condition is imposed to ensure on-going safe public access to designated public pedestrian spaces within the development.

26.0 LOCATION OF EQUIPMENT AND VENTILATION/AIR-CONDITION UNITS

26.1 All service equipment, mechanical ventilation and air-conditioning units associated with the use of the premises must be installed and located to the satisfaction of the Chief Executive Officer so as not to cause nuisance or disturbance to persons outside the curtilage of the premises.

27.0 ENGINEERING CERTIFICATION

27.1 A Registered Professional Engineer of Queensland (RPEQ-Civil) shall certify engineering drawings and specifications for all engineering work, which shall be submitted in conjunction with an application for a Development Permit for Operational Work.

28.0 CONSTRUCTION

~~**28.1** All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the applicant/owner/developer's expense unless otherwise specified.~~

28.2₁ The construction of all the works shall be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of the *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Jericho Shire Planning Scheme 2006.

~~**28.3** The construction of all works associated with the proposal shall be supervised by a Registered Practicing Engineer Queensland (RPEQ) whose appointment shall require the approval of the Chief Executive Officer. On completion of the works the applicant/owner shall give to the Council a Certificate from the Engineer stating that the work of constructing the operational works has been completed in accordance with the plans and specification approved by Council.~~

29.0 PUBLIC UTILITIES

~~**29.1** The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit. All development conditions contained in this development approval about *infrastructure* under Chapter 8 of the *Sustainable Planning Act* (the Act), should be read as being non-trunk infrastructure conditioned under section 665 of the Act, unless otherwise stated.~~

29.2 Any alteration to electricity, telephone, water mains, and/or of any public utility installations or other facilities necessitated by resulting from the development of the land or in connection with the development, associated construction works external to the site shall must be undertaken and completed at no cost to Council.

29.3 Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council and at no cost to Council prior to the sealing of the Survey Plan.

Carried
6/0

At this stage Councillor Gray returned to the meeting.

3.2.5 Planning and Development Report – Negotiated Decision for Material Change of Use and Reconfiguring a Lot (DA 241415) – MRCH Pty Ltd

Summary: A request has been received by the applicant, MRCH Pty Ltd of a development permit for a material change of use and reconfiguring a lot granted by Barcaldine Regional Council at its general council meeting held on 12 December 2018. The applicant is seeking to negotiate the conditions attached to the approval and has requested a negotiated decision notice in accordance with the Sustainable Planning Act 2009.

Resolution: Moved Cr Dillon **Seconded Cr Bettiens**
2019/04/126 That the Council:

A. agree in part to the representations submitted in a request for a Negotiated Decision Notice by Development Directive c/- MRCH Pty Ltd for the Development Permit for a Material Change of Use for the staged development of an undefined use (Non-resident Worker Accommodation and/or Visitor Accommodation) and Caretaker’s Accommodation and a Reconfiguring a Lot (one (1) lot into three (3) lots and New Road) on land situated at the corner of the Capricorn Highway and Villafield Road, Alpha and described as Lot 97 on BE58, as follows:

- i. Change conditions 7.1, 7.2 (advice note included), 16.2, 16.3, 19.1, 19.2, 22.1, 36.1, and 37.1
- ii. Disagree to change or delete conditions 7.2, 19.1, 19.2, 22.2; and
- iii. Delete conditions 4.4 (in part), 16.5, 21.1 and 21.3.

Please note: the recommendation is described as an approval in part because the conditions have been amended, but not to the same extent as requested by the applicant; and

B. issue a negotiated decision notice in accordance with the following conditions of approval:

PART A CONDITIONS APPLICABLE TO BOTH MATERIAL CHANGE OF USE AND RECONFIGURING A LOT

1.0 APPROVED PLANS AND DOCUMENTS

1.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Title	Plan number	Revision	Date	Prepared by
Covering Notes	DA 1.01	P15	11.08.2016	O.G.E Group Architects
Master Plan	DA 1.02	P15	11.08.2016	O.G.E Group Architects
Stage 1	DA 1.03	P15	11.08.2016	O.G.E Group Architects
Stage 2	DA 1.04	P15	11.08.2016	O.G.E Group Architects
Stage 3	DA 1.05	P15	11.08.2016	O.G.E Group Architects
Stage 4	DA 1.06	P15	11.08.2016	O.G.E Group Architects
Central Facilities Overall Plan	DA 2.01	P15	11.08.2016	O.G.E Group Architects
Central Facilities Floor Plan	DA 2.02	P15	11.08.2016	O.G.E Group Architects
Amenities / Gym / Rec Room Floor Plan	DA 2.03	P15	11.08.2016	O.G.E Group Architects
Central Facilities	DA 3.01	P15	11.08.2016	O.G.E Group Architects

Elevations				
Gym / Rec Room Elevations	DA 3.02	P15	11.08.2016	O.G.E Group Architects
Laundry – Elevation	DA 3.03	P15	11.08.2016	O.G.E Group Architects
Streetscape Elevation	DA 3.04	P15	11.08.2016	O.G.E Group Architects
Dwelling Type 1	DA 4.01	P15	11.08.2016	O.G.E Group Architects
Dwelling Type 2	DA 4.02	P15	11.08.2016	O.G.E Group Architects
Dwelling Type 3	DA 4.03	P15	11.08.2016	O.G.E Group Architects
Dwelling Type 4	DA 4.04	P15	11.08.2016	O.G.E Group Architects
Subdivision Plan	DA 1.07	P1	23.09.2013	O.G.E Group Architects

Title	Document number	Revision	Date	Prepared by
Traffic Engineering Report	12416	DA 02-RFI	August 2015	Hayes Traffic Engineering
Engineering Services Report	121462	I	August 2016	Covey Associates Pty Ltd
Water Supply and Sewerage Analysis	620.12790-L01-v0.1.docx		16 October 2018	SLR Consulting Australia Pty Ltd
Correspondence	KO/KO/121462-Gen 26587Ltr		30 November 2018	Covey Associates Pty Ltd
Alpha Village Operations & Management Plan	-	-	-	Resource Connect
Disaster Management Plan	-	-	-	Resource Connect

1.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

2.0 AMENDED APPROVED PLANS AND DOCUMENTS

2.1 Submit to Council for assessment and obtain an approval from the Chief Executive Officer or delegate for an amended plan of development prior to any approval of operational works showing the following information:

(a) Subdivision Plan with staging boundaries in accordance with the requirements of Condition 4.0.

Advice Note: The subdivision will occur over two stages with the dedication of New Road occurring as part of Stage 1 (SER) and the Community Title Subdivision at a later Stage.

(b) Revised staging boundaries for Stage 1 to include common property and all infrastructure and services.

(c) Provide a new plan for the common property detailing access points, loading and unloading facilities for the maximum design vehicle, ancillary infrastructure such as office, storage, landscaped areas.

(d) One (1) new access point to Villafield Road from an internal roadway of the accommodation village.

3.0 COMPLIANCE TIMING

3.1 Comply with all conditions of this development approval at no cost to Council and prior to the Final Inspection Certificate by a Building Certifier or commencement of the use or the Council's endorsement of any Plan of Survey (i.e. Survey Plan),

whichever is relevant to that development stage and comes first unless otherwise stated in a specific condition.

4.0 DEVELOPMENT IN STAGES

4.1 The site must be developed in accordance with the stages identified on the approved plans in Condition 1.1 or as amended by Condition 4.4. All conditions of this development approval relate to all stages, unless otherwise stated in a condition of this approval.

4.2 The common property infrastructure and services for the development of the entire premises as depicted on the approved plans of this development permit and related development permit with Council reference DA251415 must be constructed as part of Stage 1 including the dedication of New Road as required by the amended approved Subdivision Plan.

***Advice Note:** the application material does not contemplate the staging of infrastructure or services that are based on a demand (i.e. water supply and sewerage treatment infrastructure) as it relates to the demand generated by each stage of development. Instead the intention is to develop the infrastructure and services for the ultimate demand of the development of the entire premises including related development permit with Council reference DA251415.*

4.3 The only exception to Condition 4.2 is the construction of stormwater management infrastructure and internal access road and carparking, which will be constructed as part of each stage of the development for the entire premises.

4.4 The development of the uses on the approved Site Staging Plan must be developed sequentially in accordance with the stamped approved plans. The staging boundaries may be subsequently amended subject to approval from the Chief Executive Officer or delegate. The development must be carried out in the following stages:

Stage	Development Particulars	Stage Yield	Nominal Yield
1 (SER)	<p>First stage includes:</p> <p>(a) Construction of Common Property Infrastructure and Services</p> <ul style="list-style-type: none"> - Sewerage treatment infrastructure; - Water supply and treatment infrastructure; - Utilities infrastructure including fuel storage tanks and generators - Acoustic treatment to Stage 1 (units) - Landscape buffer to Stage 1 (units) <p>(b) Construction of intersection upgrade to Villafield Road and Capricorn Highway</p> <p>(c) Construction of Villafield Road</p> <p>(d) Construction and dedication (i.e. registration of Survey Plan) of New Road including roundabout and bus parking bay</p>	-	-

<p>1 (units) C1 C2 C3</p>	<p>Second stage includes: (a) First stage of units: seventy-one (71) units comprising of: - Eight (8), one-bedroom (Type 1) - Sixteen (16), two bedrooms (Type 2) - Four (4), three bedrooms (Type 3) - Forty-two (42), two-bedroom duplex (Type 4) - Manager's (caretaker's) residence (Type 3) (b) Construction of car parking comprising a minimum of one hundred and twenty-four (124) car parking spaces comprising of seventy-two (72) resident parking spaces and fifty-two (52) visitor parking spaces (c) Construction of internal access roads and associated driveways (d) Construction of Accommodation Village common facilities, including: - Office building comprising reception and first aid room; - Storage facility and unloading / loading service bay; - Dining hall, bar and kitchen building; - Bus bay parking to accommodate two (2) coach sized buses; - Bore water shed; - Swimming pool; and - Gymnasium, recreation room and change room building.</p>	<p>71</p>	<p>71</p>
<p>2 (units)</p>	<p>Third stage includes: (a) Second stage of units: seventy-one (71) units comprising of: - Seven (7), one-bedroom (Type 1) - Ten (10), two bedrooms (Type 2) - One (1), three bedrooms (Type 3) - Thirty-eight (38), two-bedroom duplex (Type 4) (b) Construction of car parking comprising a minimum of sixty-seven (67) car parking spaces comprising of fifty-nine (59) resident parking spaces and eight (8) visitor parking spaces</p>	<p>56</p>	<p>127</p>
<p>3 (units)</p>	<p>Fourth stage includes: (a) Third stage of units: sixty-nine (69) units comprising of: - Twenty-two (22), two bedrooms (Type 2) - Nine (9), three bedrooms (Type 3) - Thirty-eight (38), two-bedroom duplex (Type 4) (b) Construction of car parking comprising a minimum of one hundred and thirteen (113) car parking spaces comprising of seventy-seven (77) resident parking spaces and thirty-six (36) visitor parking spaces</p>	<p>69</p>	<p>196</p>
<p>4 (units)</p>	<p>Fifth stage includes: (a) fourth stage of units: sixty-nine (69) units comprising of: - Twenty-one (21), two bedrooms (Type 2) - Ten (10), three bedrooms (Type 3) - Thirty-eight (38), two-bedroom duplex (Type 4) (b) Construction of car parking comprising a minimum of one hundred and fifteen (115) car parking spaces comprising of seventy-nine (79) resident parking spaces and thirty-six (36) visitor parking spaces</p>	<p>69</p>	<p>265</p>
<p>5 (SER)</p>	<p>Sixth stage includes: (a) Decommissioning and removal of petroleum storage</p>	<p>-</p>	<p>-</p>

	tanks from the site (b) Decommissioning and removal of generators from the site		
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4.5 The only exception to the sequential development of each stage of a use, is if a stage is developed concurrently with its preceding stage.

4.6 The approved development must be completed prior to 13 December 2028.

Advice Note: Pursuant to Section 342 of the Sustainable Planning Act 2009, this development approval lapses if the development has not been completed by this date.

5.0 DETAILED LANDSCAPE PLAN TO BE SUBMITTED FOR APPROVAL

5.1 An operational works permit is required for the landscape works.

5.2 The detailed landscape plan is to be carried out generally in accordance with the *Landscape Master Plan Package*, dated 12 September 2016 and prepared by James Birrell Design Lab and must include in particular:

- (a) be prepared by a suitably qualified landscape architect or similar landscape design professional;
- (b) name, pot size, height at planting and mature height of plant species to be planted;
- (c) Statement for a suitably qualified professional (i.e. horticulturist, landscape architect) that the proposed species are suitable to the climate and weather patterns experienced in the town of Alpha. Further to that the statement is to provide details of plant suitability in vegetated drainage swale;
- (d) Street trees are to be planted to all internal roads, New Road and Villafield Road between the edge of the road construction and the pedestrian footpath at a ratio no greater than one (1) street tree per twenty (20) metres;
- (e) All street tree species must be native evergreen canopy trees with a minimum bag size of 45 litres at the time of planting;
- (f) Planting and infrastructure including barbeque areas, seating areas, shaded areas, any formal play equipment including soft fall areas and informal play areas (i.e. kick about space) and pedestrian pathways for the communal open space areas;
- (g) Well-designed visually pleasing buffer treatment provided along the boundary of the accommodation village with the adjoining common property utility infrastructure and services, to achieve the requirements of Condition 17.0 of this Decision Notice;
- (h) Vehicle Proof Barrier (i.e. fencing treatment) to all external road frontages in accordance with Condition 6.1 of this Decision Notice; and
- (i) Incorporates water sensitive urban design elements that ensure landscaping successfully integrates with the stormwater drainage, where applicable.

5.3 All landscape works must be established and maintained in accordance with horticultural best practice with construction techniques and irrigation that allow for healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

6.0 FENCING

6.1 Install a 1.8m high fence at the applicant's expense:

- (a) on all shared property boundaries to private land unless an adjoining land owner for the respective part of the property boundary advises that applicant in writing that the existing fence is to be maintained;

- (b) must be constructed to all private courtyard areas of accommodation units adjoining Villafield Road for Stage 1 and Stage 3 in accordance with the approved plans;
- (c) a security perimeter fence is to be erected around the common property infrastructure and services area to restrict access to the general public;
- (d) using quality materials and that is constructed using soft wood, the timber is CCA treated and three rails are used;
- (e) that if there is any existing fence on the property boundary, replaces that fence and is not constructed as a second fence abutting the exiting fence with a narrow gap between;
- (f) that unless required otherwise by other conditions of this approval or works on site, has a gap between the bottom of the fence and the finished ground level of no more than 100mm.

7.0 AMENITY – TREATMENT OF TEMPORARY VACANT LAND

7.1 Where some or all the land remains vacant or undeveloped for more than 3 months, the following works must to be carried out in accordance with an approved landscape plan:

- (a) the site must be cleared of all declared weeds, rubble, debris and demolition materials;
- (b) ~~the site must be graded, turfed and mown on a regular basis~~ the site must be slashed, tidied and maintained on a regular basis;
- (c) drainage must be provided to prevent ponding;
- (d) the site must be maintained so there is no sediment run-off onto internal roads or footpaths;
- (e) public access must be provided where public safety can be maintained; and
- (f) where fencing is installed to secure boundaries:
 - i. the fencing must be durable and not capable of being pushed or blown over; and
 - ii. the fencing type must not detract from local amenity.

7.2 No storage containers (i.e. shipping containers) are permitted to occupy the land unless prior approval is granted from the Chief Executive Officer or delegate.

Advice note: *shipping containers on the balance land, associated with the agricultural/grazing use, are permitted.*

8.0 TOTAL WATER CYCLE MANAGEMENT PLAN

8.1 A Total Water Cycle Management Plan is to be submitted to the Chief Executive Officer or delegate for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd and *correspondence* dated 30 November 2018 prepared by Covey Associates Pty Ltd.

The Plan will detail:

- (a) Water conservation measures proposed to limit overall water demand across the development;
- (b) The potential for the use of recycled water or harvested stormwater to substitute for potable water from the bore;
- (c) Potential impacts of recycled water irrigation and stormwater runoff on the bore water quality;
- (d) Potential impacts of recycled water irrigation on stormwater runoff quality;
- (e) The impact of stormwater management systems on the opportunities for recycled water irrigation.

8.2 The Plan will be informed by the amended approved stormwater management plan, approved water supply management plan and approved wastewater management plan.

8.3 The Total Water Cycle Management Plan must incorporate all approved components of this development, including the approved development of related development permit with Council reference DA251415.

9.0 STORMWATER DRAINAGE

9.1 An operational works permit is required for the stormwater drainage works.

9.2 All stormwater, with the exception of water captured onsite in rainwater tanks, is to be drained from the site without causing annoyance or nuisance to any person to a point where it may be lawfully discharged.

9.3 Undertake stormwater management onsite in accordance with the approved *Stormwater Management Plan at Proposed Accommodation Village, Tavern and Motel Development Capricorn Highway Alpha*, dated August 2016 and prepared by Covey and Associates Pty Ltd, modified as follows:

- (a) Include preliminary levels and falls;
- (b) Preliminary structure sizing;
- (c) Demonstrating practical engineering planning; and
- (d) Preliminary earthworks plan.

9.4 The modified Stormwater Management Plan is to be used to inform the Total Water Cycle Management Plan mention in Condition 8.0 by documenting how the stormwater runoff quality and control devices will be affected by effluent irrigation within the site.

9.5 In achieving the above requirements, the design and construction criteria set forth in the *Queensland Urban Drainage Manual (QDUM)*, *SPP Code: Water quality* (Appendix 3 of State Planning Policy (SPP) 2014) and *Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1* of the Jericho Shire Planning Scheme are met. The *State Planning Policy July 2017* as it relates to the state interest for water quality must also be met, to the extent relevant.

9.6 The stormwater drainage works are to be provided at no cost to Council.

10.0 POTABLE WATER SUPPLY AND INFRASTRUCTURE

10.1 Provide a sufficient water supply to service the development from the onsite bore (RN 158669) and water entitlement under Water Licence (reference: 610819), or unless otherwise amended. The treatment of bore water for potable use within the site is supported.

10.2 An operational works permit is required for the potable water supply infrastructure.

Advice note: taking water from the bore is a water-related activity for the purpose of Schedule 10, Part 19 of the Planning Regulation 2017 and is therefore assessable development. An operational works permit will be required to authorise the taking of water from the bore in accordance with Water Licence RN 158669.

10.3 Connect to Council's raw water pipeline at no cost to Council. Only one (1) water connection is permitted to be constructed and must be located to the water treatment plant in the common property utility infrastructure and services common property on approved Lot 3. The connection must be provided with a meter

assembly and meter box accessible to the front property boundary. The connection is only to be used during an emergency or in accordance with the Water Supply Management Plan, unless otherwise approved by the Chief Executive Officer.

- 10.4 A Water Supply Management Plan is to be submitted to the Chief Executive Officer for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd and *correspondence* dated 30 November 2018 prepared by Covey Associates Pty Ltd.

The Plan will detail:

- (a) the long-term reliability and sustainability of the proposed water supply system;
- (b) water quality analysis data for the water supply bore;
- (c) full details of the proposed water treatment processes, including the volume and quality of the waste brine;
- (d) evidence that the 15m separation between the effluent irrigation and bore, and other measures are adequate to protect the groundwater in the Tertiary-Quaternary alluvial sediments beneath the site, and the site water supply;
- (e) management of the water supply scheme incorporating obligations under the Water Supply Act; and
- (f) contingency provisions in the event of a major bore failure, or a significant power failure, or a treatment plant malfunction resulting in extended loss of reticulated water supply to the site or to the units.

- 10.5 The Water Supply Management Plan is to be used to inform the Total Water Cycle Management Plan mentioned in Condition 8.0.

- 10.6 All proposed works are to be designed and carried out generally in accordance with the Council's Standards and at no cost to Council.

- 10.7 The water supply infrastructure for the approved development for the entire premises must be constructed prior to the commencement of use of Stage 1 (units) of the accommodation village or the Council's endorsement of any Plan of Survey (i.e. Survey Plan).

11.0 FIRE PROTECTION WATER SUPPLY AND INFRASTRUCTURE

- 11.1 The applicant is responsible for ensuring Queensland Fire Services requirements are met with respect to this development which may include but not limited to the installation of storage reservoirs, internal hydrants, hose reels, balance tanks and/or pumps as necessary to meet flow and pressure requirements. The fire protection water supply system is to comply with *AS2419.1-2005 Fire Hydrant Installations* and approved from the Queensland Fire Services is required for the final design of the fire fighting system.

12.0 DRINKING WATER QUALITY MANAGEMENT PLAN

- 12.1 A Drinking Water Quality Management Plan must be prepared and submitted to the Chief Executive Officer for approval. The Plan shall make recommendations in relation to the extent of works that will be undertaken to provide a potable water supply to the development. The Plan will detail the monitoring, treatment and maintenance works that will be carried out to ensure that the quality of the drinking water is achieved. The Plan will address the Risk Management Aspects required by Queensland Health to comply with the Australian Drinking Water Guidelines. All proposed works are to be designed and carried out generally in accordance with Council's standards.

13.0 SEWAGE TREATMENT

13.1 An operational works permit is required for sewerage infrastructure.

Advisory Note: the sewage treatment approved has a capacity for 564 equivalent persons (EP) and triggers the requirement for an Environmental Authority in accordance with the Environmental Protection Act 1994.

13.2 The developer/applicant must ensure that all sewage generated from any building provided within the development is treated on-site and any resultant effluent disposed of onsite.

13.3 The developer must ensure that:

- (d) A reticulated sewerage system is provided to service all of the proposed accommodation units and communal facilities within the development;
- (e) Carry out the works in accordance with *AS3500 Plumbing and Drainage* and Council's standards;
- (f) Be responsible for all costs associated with the connection and inspection of the proposed works.

13.4 A Wastewater Management Plan is to be submitted to the Chief Executive Officer for endorsement. The plan is to be prepared generally in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd.

The Plan will detail:

- (a) General arrangement of the scheme showing collection system layout, emergency storage locations, treatment plant location and layout, recycled water storage locations, recycled water distribution layout and service vehicle parking location;
- (b) Emergency storage and recycled water storage tank sizes and configuration, including calculations showing how minimum storage sizes have been derived.
- (c) Pump station details;
- (d) Layout of proposed irrigation areas, taking into account the potential for recycling water irrigation to impact on stormwater runoff quality;
- (e) Evidence the adequate setback / buffer distances have been allowed to sensitive uses and boundaries;
- (f) Contingency provisions in the event of pumping station or treatment plant failure;
- (g) Contingency provisions in the event of power failure;
- (h) Method of clean out of recycled water storage tanks if used for emergency raw sewage storage.
- (i) Wet weather contingency provisions.

13.5 The Wastewater Management Plan is to be used to inform the Total Water Cycle Management Plan mentioned in Condition 8.0.

13.6 The Sewage Treatment Irrigation Area must be appropriately designed so that all the Sewage Treatment Irrigation Area is located above the runoff resulting from a 1 in 100-year storm event in the external catchments and/or the local catchment, whichever is the highest. Re-use of treated sewage for non-potable irrigation purposes is supported and should be documented in the Total Water Cycle Management Plan referenced in Condition 8.0 in accordance with the recommendations of the *Water Supply and Sewerage Analysis*, dated 16 October 2018 and prepared by SLR Consulting Australia Pty Ltd.

- 13.7 The sewage treatment plant and associated storage tanks must be constructed for the approved development of the entire premises prior to the commencement of use of Stage 1 (units) of the accommodation village or the Council's endorsement of any Plan of Survey (i.e. Survey Plan).
- 14.0 **FRONTAGE ROADWORKS**
- 14.1 An operational works permit is required for the frontage roadworks.
- 14.2 Villafield Road for the full frontage of Lot 97 on BE58 shall be constructed in accordance with the following:
- (a) A full depth gravel pavement, sealed with asphalt in accordance with Council's standards. The nominal width of the new construction shall be 8.0m;
 - (b) A 1.2m wide gravel shoulder shall be provided on either side of the pavement;
 - (c) Intersection treatment works shall be provided to the New Road;
 - (d) A reinforced concrete pathway having a minimum width of 1.5m will be provided for the full length of the site to the Capricorn Highway on one side of the pavement which is the site frontage.
 - (e) All signage (including line marking) and associated drainage works (including swale drains) shall be provided; and
 - (f) The works shall be designed to transition neatly into the existing roadwork to the north.
 - (g) One (1) site access to Villafield Road from an internal roadway of the accommodation village in accordance with Austroads standards and must be capable of providing access and manoeuvring for buses, service and delivery vehicles.
- 14.3 The frontage works are to be provided at no cost to Council.
- 14.4 The frontage works must be constructed prior to the commencement of use of Stage 1 (units) of the accommodation village or the Council's endorsement of any Plan of Survey (i.e. Survey Plan), whichever occurs first.
- 15.0 **ENGINEERING CERTIFICATION**
- 15.1 A Registered Professional Engineer of Queensland (RPEQ-Civil) shall certify engineering drawings and specifications for all engineering work, which shall be submitted in conjunction with an application for a Development Permit for Operational Work.
- 16.0 **PROVISION OF UTILITIES**
- 16.1 Documentary evidence to the Chief Executive Officer must be provided from relevant electrical and telecommunication service providers that satisfactory arrangements have been made for the provision of such services.
- 16.2 An Electricity Supply Management Plan must be provided to Council for assessment and approval as part of operational works.
- 16.3 This Plan must detail how a reliable source of electricity will be supplied to the development. If electricity is to be supplied through a fuel generator, the plan must address:
- (a) the generators running capacity (i.e. if full of fuel time taken to run dry and number of litres the fuel tank can hold);

- (b) the required amount of fuel to be stored on site to ensure sufficient supply is available in an emergency situation;
- (c) how fuel will be stored;
- (d) how the storage area will be managed to ensure there is no contamination of the site (i.e. leak detection and monitoring);
- (e) how the storage area will be managed to ensure there is no explosions;
- (f) how regularly fuel supply will be replenished;
- (g) nominate a period (including an end date) for the use of the fuel generator;
- (h) timing of connection of the development to a reticulated electricity supply or other reliable electricity supply;
- (i) decommissioning and removal of the fuel generator infrastructure; and
- (j) site remediation works.

Advice Note: the use of fuel generators to supply electricity may require an Environmental Authority in accordance with the Environmental Protection Act 1994.

16.4 Any generator and associated fuel storage area must be located above Q100 flood level.

~~16.5 The use of fuel generators is only permitted for a temporary period of not more than 12 months from the commencement of the use of Stage 2 – Stage 1 (Units), C(1), C(2) and C(3).~~
1. _____

~~*Advice Note: Alternative options should be explored to reduce the carbon footprint of the proposed development such as the integration of renewable energy technologies.*~~

16.65 Construction of the utilities for the approved development of the entire premises must occur prior to the commencement of use of Stage 1 (units) of the accommodation village or the Council's endorsement of any Plan of Survey (i.e. Survey Plan).

17.0 AMENITY – GENERAL IMPACT

17.1 Stage 1 (SER) being the common property utility infrastructure and services are to be operated so that there is no environmental nuisance or detrimental effect on any surrounding land uses and activities, in particular the adjoining accommodation village units, by reason of the emission of noise, vibration, smell, fumes, smoke, vapor, steam, soot, ash, waste water, waste products, grit, oil or otherwise.

17.2 Undertake the operations of the common property utility infrastructure and services in a manner that does not allow the unreasonable release of a contaminant to the air environment and achieves the air emissions outlined in Schedule 1 of the *Environmental Protection (Air) Policy 2008*.

17.3 Conduct the activity in a manner that achieves the acoustic quality objectives outline in Schedule 1 of the *Environmental Protection (Noise) Policy 2008*, and does not allow the unreasonable emission of noise to the environment.

17.4 The maximum building height is not more than 8.5 metres measured from the natural ground level.

18.0 AMENITY – HOURS OF OPERATION – CONSTRUCTION

18.1 Undertake the activities associated with the construction between the hours of 6:30am and 6:30pm, Monday to Saturday. Construction works are not permitted to

be carried out on Sundays or public holidays without the prior written approval of the Chief Executive Officer.

19.0 PUBLIC UTILITIES

19.1 ~~The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit. All development conditions contained in this development approval about *infrastructure* under Chapter 8 of the *Sustainable Planning Act* (the Act), should be read as being non-trunk infrastructure conditioned under section 665 of the Act, unless otherwise stated.~~

19.2 Any alteration to electricity, telephone, water mains, and/or ~~of any public utility installations~~ or other facilities necessitated by resulting from the development of the land or in connection with the development, associated construction works external to the site shall must be undertaken and completed at no cost to Council.

19.3 Any damage caused to any public utility during the course of construction shall be repaired to the satisfaction of Council and at no cost to Council prior to the sealing of the Survey Plan.

20.0 EROSION AND SEDIMENT CONTROL – GENERAL

20.1 Effective erosion and sedimentation control shall be provided at all times during the works, including the maintenance period in accordance with *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Jericho Shire Planning Scheme 2006. Runoff from all areas where the natural surface is disturbed by construction shall be free of pollutants and / or sediment before it is dispersed to stable areas or directed to existing stormwater drains or natural watercourses.

20.2 Prior to work commencing, site specific Erosion and Sedimentation Control Plans must be submitted to Council for each of the following:

- (a) CONSTRUCTION – This plan must correlate with the Contractors' intended construction program and demonstrate how the above will be achieved through each stage of construction. This Erosion and Sedimentation Control Plan must include the type of control measures proposed, their location and proposed checking and maintenance frequencies.
- (b) POST CONSTRUCTION – This plan must show what measures are proposed for long term sediment and erosion control. As a minimum Council expects either the footpath areas to be mulched or the placement of turf strips behind the kerb and concrete footpaths. This Erosion & Sedimentation Control Plan must also include strategies for inspection after each rainfall event and the sweeping and picking up of silt from roads and the kerb and channel if and when required during the maintenance period.

21.0 CONSTRUCTION

~~21.1 All works, services, facilities and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the applicant/owner/developer's expense unless otherwise specified.~~

21.21 The construction of all the works shall be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the

provisions of the *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Jericho Shire Planning Scheme 2006.

~~21.3 The construction of all works associated with the proposal shall be supervised by a Registered Practicing Engineer Queensland (RPEQ) whose appointment shall require the approval of the Chief Executive Officer. On completion of the works the applicant/owner shall give to the Council a Certificate from the Engineer stating that the work of constructing the operational works has been completed in accordance with the plans and specification approved by Council.~~

PART B SUPPLEMENTARY CONDITIONS FOR RECONFIGURING A LOT

22.0 ENDORSEMENT OF SURVEY PLAN

22.1 Submit to Council a Survey Plan for endorsement, in accordance with the approved plan except where modified to comply with the conditions of approval. Council will not endorse or release the Survey Plan for this development until such time as:

- (a) All conditions attached to this development approval for Reconfiguring a Lot have been fully satisfied; and
- (b) A statement demonstrating compliance with all conditions attached to this development approval for Reconfiguring a Lot has been submitted to Council; and
- (c) All outstanding rates and charges relating to the site have been paid; and
- (d) A copy of the signed easement documents is provided to Council at the time of submitting the Plan of Survey for endorsement.

22.2 Where a condition requiring infrastructure upgrades or works has not been carried out to Council's satisfaction, Council may consider accepting a bond for the incomplete works. The bond shall be 150% of the value of the works to be completed.

23.0 COMMUNITY TITLES SCHEME

23.1 A Community Management Statement (duly signed by all relevant parties) is required for the development pursuant to the *Body Corporate and Community Management Act 1997* ('BCCM Act') and must be submitted to Council for endorsement at the same time as the Plan of Survey (i.e. Survey Plan) for reconfiguring proposed Lot 97 on IS245382 to create 3 new lots and common property.

23.2 The common property must include *Utility Infrastructure and Services* (for the purpose of the BCCM Act) including (to the extent relevant at the time):

- (a) Water supply (i.e. Bore and Bore Water Shed);
- (b) Water reticulation;
- (c) Water treatment and storage;
- (d) Sewerage reticulation;
- (e) Sewage treatment, disposal and storage;
- (f) Electricity infrastructure; and
- (g) Telecommunications infrastructure.

Advice Note: This condition recognises that the utility infrastructure created in the common property is for the benefit of all of the owners of the new lots is, upon creation of the Scheme, the responsibility of the Body Corporate. To remove any doubt, the utility infrastructure and services is to be located on Common Property land and not in proposed Lot 3.

- 23.3 The *Utility Infrastructure and Services* created in the common property are private and internal to the development and must be owned and managed by the Principal Body Corporate.
- 23.4 All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice. Without limiting the content of the Community Management Statement, it must:
- (a) include any obligations, responsibilities or controls imposed on the Body Corporate in a condition of any relevant development approval; and
 - (b) include equal access to all common property utility infrastructure and services and the like intended to be available to all lots in the Community Titles Scheme.
- 23.5 A copy of any new Community Management Statement must be submitted to Council for Council's record.
- 24.0 LAND DEDICATION
- 24.1 The land identified as road on the approved plan of development must be dedicated to the State as road reserve.
- 24.2 The dedication of land as road reserve will also consider the truncation on the corner of the New Road with Villafield Road.
- 24.3 The land is to be dedicated at no cost to Council.
- 25.0 INTERNAL NEW ROAD
- 25.1 An operational works permit is required for the new road.
- 25.2 The internal 'New Road' is to be constructed generally in accordance with *Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, section 2.1(1)* of the Jericho Shire Planning Scheme 2006 and, and more specifically include the following:
- (a) minimum dimensions – road reserve width of 20m, carriage width of 8.0m and verge width of 4.0m;
 - (b) intersection works with Villafield Road;
 - (c) a single lane roundabout at the intersection with the access to the adjacent accommodation village in accordance with *AUSTROADS Guide to Road Design, Part 4B* or *Queensland Streets section 2.11* produced by the Institute of Municipal Engineering Australia. The roundabout must be designed for the turning movements of a Heavy Rigid Vehicle and be supported by an Auto-Turn plot that demonstrates that the appropriate design vehicle can manoeuvre through the intersection;
 - (d) a bus bay;
 - (e) appropriate pedestrian crossing treatment;
 - (f) a full depth gravel pavement, sealed with asphalt in accordance with Council's standards;
 - (g) a reinforced concrete pathway having a minimum width of 1.5m along one side of the new road that connects into the adjoining accommodation village pathway network adjacent to the site;
 - (h) installation of disabled compliant kerb ramps at the road corners;
 - (i) design and construct street lighting in accordance with Council's standards;

- (j) line marking and signage are to be provided and should in accordance with Manual of Uniform Traffic Control Devices (MUTCD)
- (k) Road and pathway lighting shall be provided in accordance with the requirements of the power supply authority and *Australian Standard AS1158*; and
- (l) provision for all associated stormwater drainage infrastructure and services (i.e. conduits).

25.3 The roadworks is to be provided at no cost to Council.

25.4 Construction of the New Road must occur prior to the commencement of use of Stage 1 (units) of the accommodation village or the Council's endorsement of any Plan of Survey (i.e. Survey Plan).

26.0 STREET NAMING

26.1 Submit to and have approved by Council a request for naming the unnamed road or concurrently with any application to Council for operational works for constructing the unnamed road. The request must include:

- (a) a minimum of 3 proposed names;
- (b) the reasons for the selection of the proposed names;
- (c) proposed names that;
 - i. are not offensive, profane or racist;
 - ii. are not the name of another road in the local government area;
 - iii. are not difficult to spell;
 - iv. allow for logical and unambiguous street numbering;
 - v. are single names rather than double or hyphenated names; and
 - vi. enable Emergency Services to readily locate properties.

Advice note: Council must be consulted in arriving at the 3 proposed street names, it is noted that the Alpha town has a street name theme based on Poets. The street name will be decided by Council and shall be shown on the Survey Plan.

27.0 NEW ADDRESS

27.1 Submit to and have approved by Council a request for street addresses for each proposed lot.

27.2 Submit the approval for street addresses for each proposed lot to the Council with a request to Council for approval of a Subdivision Plan (i.e. Survey Plan).

PART C SUPPLEMENTARY CONDITIONS FOR MATERIAL CHANGE OF USE

28.0 NATURE AND EXTENT OF APPROVED USE

28.1 The use of the premises is limited to two hundred and sixty-five (265) accommodation units, a manager's residence, a with ancillary on-site car parking. The approved use must be conducted generally in accordance with the facts and circumstances as set out in the application submitted to Council.

28.2 An *Integrated Accommodation Village* means the use of premises for short-term or long-term accommodation of any person, including but not limited to the travelling public, tourists, long term residents, and workers, including those workers associated with major projects. It also includes ancillary uses for the benefit of guests such as kitchen, dining hall, amenity buildings, recreational and entertainment facilities, as well as a manager's residence. The integrated nature of

the use means that the entire premises can accommodate a variety of guests interchangeably, depending on demand.

28.3 A copy of this decision notice and stamped approved plans/drawings must be submitted with any building development application relating to or arising from this development approval.

28.4 A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.

29.0 SOCIAL IMPACT

29.1 The applicant must submit a Social Impact Assessment to the Chief Executive Officer for approval. The Assessment shall be prepared generally in accordance with the *Social Impact Assessment Guideline*, dated March 2018 and prepared by the Queensland Department of State Development, Manufacturing, Infrastructure and Planning.

Advice Note: This condition references the Social Impact Assessment Guideline as the Council standard which is considered best practice. It is acknowledged that the guideline has been prepared in response to the Strong and Sustainable Resource Communities Act 2017 it is expected that not all requirements of the guideline will be applicable to the proposed development.

29.2 The applicant must submit a Social Impact Management Plan to the Chief Executive Officer for approval. The Social Impact Management Plan must address the recommendations formulated from the approved Social Impact Study referenced in Condition 29.1 in this Decision Notice. Actions identified within the Social Impact Management Plan must be measurable and reported on a biennial basis after the commencement of the use to the Chief Executive Officer.

Advice note: It is expected that the implementation of the Social Impact Management Plan will result in positive impacts for the Alpha Township.

29.3 The Social Impact Assessment and the Social Impact Management Plan must be prepared by an accredited consultant with a minimum of five (5) years' experience in the field of social planning.

30.0 OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

30.1 An Operational Environmental Management Plan (OEMP) must be submitted to the Chief Executive Officer for endorsement generally in accordance with the approved *Alpha Village Operations & Management Plan* prepared by Resource Connect and *Disaster Management Plan* prepared by Resource Connect. The OEMP shall include but not be limited to:

- (a) The ongoing operation of onsite effluent disposal system and management of associated treated waste water; and
- (b) House rules and code of conduct for all staff and occupants; and
- (c) Litter control practices; and
- (d) Fire prevention practices; and
- (e) Complaints procedures and management contact details; and
- (f) Emergency procedures; and
- (g) Procedures to ensure all staff and occupants be given and/or all rooms have details of facility rules summarising key information above.

31.0 AMENITY – HOURS OF OPERATION

31.1 Undertake activities associated with the operation of the use only between the hours of 7:00am to 9:00pm on Monday to Friday, and 7:00am to 6:00om on Saturday and Sunday.

31.2 Ensure loading, unloading and delivery activities associated with the operation of the use only occur between the hours of 7:00am and 6:00pm, Monday to Friday and 7:00am and 12:00pm (noon) on Saturdays. Loading, unloading and delivery activities are not permitted to be carried out on Sundays or public holidays without prior approval of the Chief Executive Officer.

32.0 AMENITY – MAIL DELIVERY

32.1 Each unit shall be provided with a letter box. These may be incorporated with a landscaping feature having frontage to the internal road network.

33.0 AMENITY – BUILDING APPEARANCE

33.1 All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

33.2 Ensure all landscaped areas are kept free of parked vehicles, stored goods, and garbage or waste materials.

34.0 AMENITY – CLOTHES DRYING FACILITIES

34.1 Provision will be made for each dwelling unit to have access to a clothes drying facility that is screened from public view.

35.0 AMENITY – PRIVACY SCREENING

35.1 Internal fencing must be erected between each dwelling unit to a minimum height of 1.5 metres for the purpose of screening private open space.

35.2 Appropriate privacy screening must be provided at all times where any habitable room window has a direct outlook to another habitable room window in another dwelling unit on the site or adjoining land.

35.3 Appropriate privacy screening must be provided where any deck or window attached to a dwelling unit has a direct outlook onto private open space of another dwelling unit on the site or adjoining land.

36.0 ACCESS AND INTERNAL ROADWAYS

36.1 The site access is limited to one (1) point of access from New Road and one (1) point of access from Villafield Road in accordance with the amended approved plan of development. The accommodation village access must be designed and constructed to a sealed standard in accordance with *Austroads* standards and *Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access* of the Jericho Shire Planning Scheme, or to other accepted and Council endorsed engineering standards.

36.2 The design and construction for the proposed site access and internal roadways must be capable of providing access and manoeuvring for buses, service and delivery vehicles in accordance with *AS2890.2 – Off Street Commercial Vehicle*

Facilities without interfering with the areas designated for parking in the submitted plans.

36.3 All vehicles, including buses, service and delivery vehicles must be able to enter and exit the site in a forward direction.

36.4 The internal roadways are to be constructed in accordance with Council's standards and must be generally in accordance with the approved plans of development and must include the following:

- (a) Sealed pavement;
- (b) Underground service conduits, where appropriate for water infrastructure, telecommunications and electricity;
- (c) Suitable safety measures, including warning signage to improve driver awareness of pedestrians and enhance pedestrian safety;
- (d) Speed control devices shall be installed within the internal road network. The design, spacing and location of the proposed Speed Control Devices must satisfy the Council's standards; and
- (e) Lighting.

37.0 ACCESS RESTRICTIONS

37.1 No direct vehicle access shall be permitted from the accommodation units to Villafield Road. All of the approved units must access the internal road network.

37.2 A vehicle proof barrier must be constructed to accommodation units backing onto the Villafield Road. The vehicle proof barrier must be constructed in accordance with Condition 6.0 (fencing) of this decision notice.

37.3 Access is restricted to one street frontage for any accommodation unit fronting onto more than one (1) internal roadway.

38.0 CAR PARKING

38.1 A minimum of four hundred and twenty-one (421) car parking spaces and 1 bus bay designed to accommodate two (2) coach sized buses must be provided generally in accordance with the approved plan of development.

38.2 All car parking spaces are to be designed in accordance with *AS2890.1 – Parking Facilities – Off Street Parking*. All vehicle turning areas are to be designed to Australian Standards and must cater for the maximum design vehicle. Car parking spaces for people with disabilities are to be provided in accordance with the *Disability Discrimination Act 1992*.

38.3 All driveways, parking areas and vehicle turning areas are to be maintained clear of obstructions and shall not be utilised for the storage of goods or waste materials.

38.4 The pavement for car parking spaces and driveways must be in accordance with the Council's standards. The pavement is to be designed by a suitably qualified professional.

39.0 FOOD PREMISES

39.1 The food premises (kitchen area) is to be fitted out in accordance with the requirements of *Australia Standard 4674-2004: Design, construction and fit-outs of Food Premises and Food Safety Standard 3.2.3, Food Premises and Equipment*.

39.2 Kitchen exhaust points for the development must be located and operated in accordance with *Australian Standard 16682.2-2002: The use of ventilation and air-condition in buildings* (specifically Section 5.10 – Air discharges).

40.0 FINISHED FLOOR LEVEL

40.1 The finished floor level of all accommodation units must be at least 600mm above the highest known flood level on the site.

41.0 AMENITY – LIGHTING

41.1 Angle or shade lighting is to be used to illuminate the premises, so that light does not directly illuminate or cause any environmental nuisance (e.g. glare) to nearby premises or roads.

41.2 Install and maintain a suitable system of lighting to operate from dusk till dawn, within all areas where the public may gain access.

Advisory note: This condition is imposed to ensure on-going safe public access to designated public pedestrian spaces within the development.

42.0 LOCATION OF EQUIPMENT AND VENTILATION/AIR-CONDITION UNITS

42.1 All service equipment, mechanical ventilation and air-conditioning units associated with the use of the premises must be installed and located to the satisfaction of the Chief Executive Officer so as not to cause nuisance or disturbance to persons outside the curtilage of the premises.

43.0 WASTE MANAGEMENT

43.1 Provide and maintain a refuse storage area for each of accommodation unit in a way so as not to cause visual or odour nuisances to adjoining or surrounding properties. Ensure that these storage areas are impervious and drained and are screened from the view from public land.

43.2 Refuse storage area for the common facilities are provided generally in accordance with the approved plans, must be maintained so as not to cause visual or odour nuisance to the residents at the accommodation village or surrounding properties. The refuse storage area must be screened from public view.

43.3 A waste management plan must be provided to Council at the time of lodgement of a building works application. This plan will include the number of and size of bins to be provided to the development, the number of collections per week, wash down practices and odour management. A waste agreement with a commercial waste provider must be entered, to service the entire development prior to the commencement of use of Stage 1 (units). At the time this plan is deemed satisfactory to Council, it will be form part of this approval.

Carried
6/0

3.2.6 Q3 Review – Annual Operational Plan

Summary: The Chief Executive Officer's quarterly progress report on the implementation of the Annual Operational Plan.

Resolution: 2019/04/127 **Moved Cr Dillon** **Seconded Cr Gray**
That Council receives the Report.

Carried
6/0

At this stage Councillor Peoples returned to the meeting.

3.2.7 Drug and Alcohol Policy Review

Summary: A new draft Drug and Alcohol Policy is presented for Council's consideration.

Resolution: 2019/04/128 **Moved Cr Plumb** **Seconded Cr Bettiens**
That Council withdraws the current Drug and Alcohol Testing Policy and Procedures (HR006) and adopts the new Barcaldine Regional Council Drug and Alcohol Policy to be applied from 1 May 2019.

Carried
7/0

3.3 FINANCE

3.3.1 Financial Report

Summary: The financial report for the period ending 10 April 2019 is presented to Council.

Resolution: 2019/04/129 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council receives the Financial Report for the period ending 10 April 2019.

Carried
7/0

3.4 MANAGER ENGINEERING SERVICES

Councillors Gray, Peoples and Bettiens declared an interest in parts of the following report and left the meeting discussions on those matters.

3.4.1 Works Report

Summary: From the Chief Engineer submitting for Council's information, the status of the scopes of work assigned to Engineering Services for the period ending 31 March 2019.

[This is not an official copy of Council's Minutes]

Resolution: 2019/04/130 **Moved Cr Dillon** **Seconded Cr Plumb**
That the Works Report for the period March 2019 be received.

Carried
6/0

At this stage Councillors Gray, Peoples and Bettiens returned to the meeting.

3.5 DISTRICT MANAGER – ALPHA AND JERICHO

3.5.1 Information Report

Summary: From the District Manager – Alpha and Jericho submitting the Information Report for information.

Resolution: 2019/04/131 **Moved Cr Dillon** **Seconded Cr Gray**
That the District Manager’s Information Report be received.

Carried
7/0

3.6 DISTRICT MANAGER – ARAMAC AND MUTTABURRA

3.6.1 Information Report

Summary: From the District Manager – Aramac and Muttaborra submitting the Information Report for information.

Resolution: 2019/04/132 **Moved Cr Peoples** **Seconded Cr Bettiens**
That the District Manager’s Information Report be received.

Carried
7/0

3.6.2 Sale of Council Houses to Employees

Summary: That Council offer three (3) Council houses to employees for purchase currently residing in 6 McWhannell Street; 30 McWhannell Street; and 10 Kerr Street, Aramac.

Resolution: 2019/04/133 **Moved Cr Peoples** **Seconded Cr Plumb**
That Council continues to negotiate the sale of 6 McWhannell Street; 30 McWhannell Street; 53 Boundary Street and 10 Kerr Street, Aramac.

Carried
7/0

3.6.3 Sale of Council Houses by Tender

Summary: Council has a number of houses that may be listed for sale by tender.

Resolution: 2019/04/134 **Moved Cr Bettiens** **Seconded Cr Plumb**
That Council agrees to sell the following Council houses by tender:-

**30 Porter Street, Aramac; and
28 Porter Street, Aramac.**

Carried
7/0

3.6.4 Muttaborra Community Development Association

Summary: A request for assistance has been received from the MCDA in relation to updating and reprinting the Muttaborra Tourist Information brochure.

Resolution: 2019/04/135 **Moved Cr Peoples** **Seconded Cr Dillon**
That Council agrees to grant the Muttaborra Community Development Association \$1,200 financial assistance to reprint the Muttaborra Tourist Information brochure.

Carried
7/0

3.6.5 Muttaborra Nurses' Quarters

Summary: Council carried out a survey of the Muttaborra community to gauge its opinion on the future of the Nurses' Quarters.

Resolution: 2019/04/136 **Moved Cr Bettiens** **Seconded Cr Gray**
That Council agrees to offer the nurses' quarters building for removal for sale by tender.

Carried
7/0

3.6.6 RADF Applications

Summary: From the Community Development Officer reporting RADF Assessment Outcomes and Funded Project Outcome reports

Resolution: 2019/04/137 **Moved Cr Bettiens** **Seconded Cr Gray**
That Council accepts the application approved by the RADF Committee:-

**Barcaldine Arts Council - Barcaldine Local Theatre Production
2 – Building Community Cultural Capacity
RADF Grant Amount \$16,330**

subject to Barcaldine Regional Council High School students be invited to participate.

Carried
7/0

3.7 DISTRICT MANAGER – BARCALDINE

3.7.1 Information Report

Summary: The District Manager's – Barcaldine report was submitted to Council for information.

Resolution: 2019/04/138 **Moved Cr Plumb** **Seconded Cr Dillon**
That the District Manager's – Barcaldine General Information Report be received.

Carried
7/0

3.8 CONFIDENTIAL REPORTS - Nil

3.9 NOTIFIED MOTIONS - Nil

As there was no further business, the Mayor declared the meeting closed at 3.40pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 15 May 2019

BARCALDINE REGIONAL COUNCIL POLICY

SYSTEM:	Finance
POLICY TITLE:	Procurement Policy
ADOPTED:	15 August 2017
AMENDED:	20 September 2017 12 December 2018 17 April 2019
POLICY NUMBER:	F025
PURPOSE:	To obtain the most cost effective benefit for the Council and the community by applying sound principles and procedures to the acquisition of goods and services.

1. Introduction

Procurement is the process of obtaining goods and services required by Council.

The purpose of this policy is to provide Barcaldine Regional Council and its employees with clear guidelines for procurement procedures and to provide greater accountability and consistency in the procurement process.

It also ensures that Council's procurement complies with the Local Government Act and Regulation.

For the purpose of this Policy, **Senior Management** means the Chief Executive Officer, Deputy Chief Executive Officer, Chief Engineer or District Manager.

2. Legal Requirements

Local Government Act 2009

Section 104 requires Council to adopt sound contracting principles when entering into a contract.

The *sound contracting principles* are—

- (a) value for money; and
- (b) open and effective competition; and
- (c) the development of competitive local business and industry; and
- (d) environmental protection; and
- (e) ethical behaviour and fair dealing.

Council is not required to give equal consideration to each of the sound contracting principles.

Local Government Regulation 2012

Section 198 requires a local government to prepare and adopt a policy about procurement (a *procurement policy*). The local government must review its procurement policy annually.

The procurement policy must include details of the principles, including the sound contracting principles that the local government will apply in the financial year for purchasing goods and services.

The local government must review its procurement policy annually.

Contracts

Section 224 of the Local Government Regulation 2012 explains what a local government must do before it enters into a medium-sized contract or a large-sized contract.

A **medium-sized contract** is a contract expected to be worth \$15,000 or more but less than \$200,000 (excluding GST) in a financial year.

A **large-sized contract** is a contract expected to be worth \$200,000 or more (excluding GST) in a financial year.

Medium-sized contract—quotes needed first (Section 225)

- (1) A local government cannot enter into a medium-sized contract unless the local government first invites written quotes for the contract.
- (2) The invitation must be given to at least 3 persons who the local government considers can meet the local government's requirements, at competitive prices.
- (3) The local government may decide not to accept any of the quotes it receives.
- (4) However, if the local government does decide to accept a quote, the local government must accept the quote most advantageous to it having regard to the sound contracting principles.

Large-sized contract—tenders needed first (Section 226)

A local government cannot enter into a large-sized contract unless the local government first invites written tenders for the contract under section 228.

Exceptions for medium and large-sized contracts

A local government may enter into the contract without first inviting written quotes or tenders if the contract is made with a person who is on an approved contractor list (Section 231).

A local government may enter into the contract without first inviting written quotes or tenders if the contract is entered into with a supplier from a register of pre-qualified suppliers (Section 232).

A local government may enter into a contract for the goods or services without first inviting written quotes or tenders if the contract is entered into with the preferred supplier under a preferred supplier arrangement (Section 233).

A local government may enter into a contract for services without first inviting written quotes or tenders if the contract is entered into under an LGA arrangement (eg Local Buy) (Section 234).

Other exceptions (Section 235)

A local government may enter into a medium-sized contract or large-sized contract without first inviting written quotes or tenders if—

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the purchase of goods and is made by auction; or
- (e) the contract is for the purchase of second-hand goods; or
- (f) the contract is made with, or under an arrangement with, a government body.

Publishing details of contracts worth \$200,000 or more (Section 237)

- (1) A local government must, as soon as practicable after entering a contract worth \$200,000 or more (excluding GST)—
 - (a) publish relevant details of the contract on the local government's website; and
 - (b) display relevant details of the contract in a conspicuous place in the local government's public office.

3. Compliance

All Barcaldine Regional Council procurement activities shall be conducted in accordance with Local Government Act 2009, Local Government Regulation 2012 and Council's Procurement Policy.

An employee or contractor of Barcaldine Regional Council shall only order goods or services by quoting an official purchase order number and after complying with the policies and procedures contained in this document.

4. Ethics and Probity

All Council officers involved in procurement activities must undertake the activities in accordance with the highest standard of ethics and probity.

If an officer considers they may have a conflict of interest or a personal interest in a procurement activity, whether real or perceived, they must declare that interest to their supervisor and must not participate in the decision making for that procurement activity.

Procurement officers should ensure that, where there is more than one local business providing goods or services on similar terms, that they are not unreasonably favoring one business over another business in their procurement practices.

The acceptance of gifts or hospitality benefits from Council suppliers must be treated in accordance with Council's Gifts and Benefits Policy.

An officer shall not break down a procurement of goods or services into its components or reduce quantities or take any other action in order to avoid complying with this Policy.

Any breaches or suspected breaches of this Policy must be reported immediately to senior management.

5. Policy Application

General

At least two officers of the Council shall be involved in the evaluation, awarding and administration of all procurement transactions.

Officers must keep appropriate records to satisfy audit requirements and to establish that the principles and procedures contained in this Policy have been complied with.

Any variation from this Policy must be approved by the Chief Executive Officer.

Delegations

At all times, expenditure must be within the delegated authority of the procurement officer. The purchasing delegations are outlined in **Appendix A**.

Requisitions

All requisitions for the procurement of goods or services must contain all the information required to enable procurement officers to call quotes or tenders. Where an exception is sought, an exceptions form must accompany the requisition.

Tenders

Procurement from a supplier over the value of \$200,000 (excluding GST) in a financial year must be conducted by an open tender process. Tender processes are outlined in **Appendix B**.

Quotes

Vendor Panel must be used for the obtaining of all quotes with an estimated value greater than \$1,000 and may be used for obtaining quotes less than \$1,000.

Quote requirements for the purchase of goods and services are outlined in **Appendix C**.

Where the expected value of a quote is less than \$200,000 but the actual potentially successful quote received is over \$200,000, Council must:

- (a) If time permits the calling of tenders, call tenders for the procurement.
- (b) If time does not permit the calling of tenders, ensure that all local suppliers have had the opportunity to quote and assess the quotes as if the value was less than \$200,000.

Emergent Works

When services are required at short notice (in less than 7 days from the calling of quotes), with the authorisation of the senior management, an officer may obtain quotes from a suitably qualified supplier without using Vendor Panel.

Genuine Emergencies

An officer may procure goods or service without obtaining quotes where a genuine emergency exists. A genuine emergency includes actual or potential flood damage, storm damage, bushfire, accident etc and where action must be taken to protect public assets by immediate action. The procurement must be authorised by senior management.

Evaluation of Offers

When evaluating offers, Council officers shall have regard to the five sound contracting principles as outlined in **Appendix D** including support for local business and industry as outlined in **Appendix E**.

Officers must accept the tender or quote most advantageous to Council. The officer may decide not to accept any tender or quote.

All contractors and suppliers of goods or services shall ensure that the work undertaken or goods supplied comply with Council's Occupational Health and Safety requirements.

Wherever possible, goods or services must be procured from suppliers with a Quality Management System, Risk Management System and Environmental Management System.

Weightings

When evaluating the offers received, weightings must be used as a means of determining the offer most beneficial to the Council. Weightings must be applied consistently in the evaluation process and be documented for audit purposes.

Purchase Orders

The issue of a purchase order under the terms of contract represents the acceptance of an offer, thereby establishing a contract with the legal implications that this entails.

Council purchase orders must be raised before the supply of all goods and services.

Purchase orders must contain a quoted price or estimated quoted price apportioned to the relevant job costing accounts.

Purchase orders must be signed by an officer more senior to the requisitioning officer (except for requisitions by the Chief Executive Officer which may be signed by another senior officer).

Purchase orders must be emailed using Council's electronic ordering system where possible.

Disclosure

All suppliers providing a tender or quote for procurement request will be advised of the outcome of the tender or quote within 24 hours of being determined. The name and amount of the successful tender or quote will be provided to unsuccessful suppliers upon request.

Receipt of Goods

Immediately upon receipt, goods must be reconciled with the order specifications and quantities. The supplier must be formally notified of any returns or shortfalls or damage to the goods received. Credit requests and shortages must be noted on the delivery documents or invoice to ensure that Council only pays for the quantities received.

Payment

A signed proof of satisfactory receipt of the goods or services must be supplied to the accounts payable officer to authorise payment to the supplier.

Unless otherwise negotiated or specified in the offer, payment will be made within 14 days from the date of invoice.

Orders which require cancellation must be referred immediately to the issuing procurement officer for appropriate action.

Publishing details of contracts worth \$200,000 or more

As soon as practicable after entering a contract worth \$200,000 or more (excluding GST) the officer responsible for the contract must:

- (a) publish relevant details of the contract on Council's website; and
- (b) display relevant details of the contract in a conspicuous place in the regional office.

6. Specific Procurement Categories

Building Services

Council will maintain a *Prequalified Supplier Register* for building services (Plumbing, Carpentry, Electrical, Fencing etc)

Suppliers will be placed on the Register after conducting a full tender process. Tenders for the Prequalified Supplier Register will be called every 12 months with suppliers remaining on the Register for 24 months.

Council may procure building services from any supplier on the local pre-qualified supplier register.

Suppliers must provide an hourly rate for the provision of services which may be updated after 12 months on the Register.

Fuel

Council will maintain a *Preferred Supplier Register* for fuel.

Suppliers will be placed on the Register after conducting a full tender process. Tenders for the Fuel Preferred Supplier Register will be called every 12 months with suppliers remaining on the Register for 24 months.

The price that Council will pay to purchase fuel will be the Delivered Cost to the Supplier plus the Council Allocated Margin. Council will determine the Margin in January each year.

Where there is only one preferred supplier in a community, the relevant depot must procure fuel from that supplier. Where there is more than one preferred supplier in a community, the procurement officer must call quotes from the preferred suppliers in that community and procure fuel from the supplier with the lowest quote.

Plant Purchases

Suppliers of plant valued at more than \$15,000 (excluding GST) must provide after sales support as requested by the procurement officer in the quote documentation.

Plant and Equipment Parts and Servicing

The procurement of parts and servicing for plant and equipment owned by Council may be made with the authorized agent, or another supplier providing genuine parts for that plant and equipment, without obtaining more than one quote.

Plant Hire

Council will maintain an *Approved Contractor Register* for plant hire. Suppliers will be placed on the Register after conducting a full tender process.

Plant hire contracts will be issued per job wherever possible, with each job to be for a maximum of 3 months. If a road job is for longer than 3 months, quotes will be recalled every 3 months.

Tenders for the Approved Contractor Register for plant hire will be called every 12 months with suppliers remaining on the Register for 24 months.

Weightings for Plant Hire are as follows:

Assessment Factor	Score
Conformance	Yes/No
Availability	Yes/No
Machine Size	Yes/No
Adjusted price	15
Operator Experience	3
Documented Work History	3
Incumbent (only to be used if other scores are equal)	1

- **Conformance** = the quotation form is completed in full and meets all requirements
- **Availability** = the contractor is able to start when required and is available for the full period of job
- **Machine Size** = the machine is comparable to the size requested and is suitable to perform the job
- **Adjusted Price** = quoted price adjusted for the local business weighting and carrying capacity (where applicable)
- **Operator Experience** = assessment of the operator's proven work experience and local knowledge of soils, terrain and conditions
- **Documented Work History** = assessment of the operator and owner's work history including environmental issues, reliability, condition of machines. Evidence of unsatisfactory work history must be documented
- **Incumbent** = currently working for Council on that particular job

Community Care Services

Council officers will comply with this Policy for the procurement of goods and services for community care clients except where a client exercises their right to choose their supplier of goods and services.

7. Procurement Review

Council will review the Policy every 12 months in accordance with the *Local Government Regulation 2012*.

APPENDIX A
Procurement Delegations

The following schedule outlines the authorized officers, expenditure limits and conditions for requisitions and orders:

Authorized Officer	Requisitions	Orders
Chief Executive Officer Deputy Chief Executive Officer District Manager	Yes <i>Conditions:</i> No limit if budgeted or approved by Council	Yes <i>Conditions:</i> No limit if budgeted or approved by Council or in a genuine emergency or \$20,000 not budgeted
Chief Engineer	Yes <i>Conditions:</i> No limit if budgeted or approved by Council	Yes <i>Conditions:</i> No limit if budgeted or approved by Council or \$20,000 not budgeted
Senior Works Supervisor	Yes <i>Conditions:</i> \$200,000 budgeted or approved by Council	No
District Support Officer	Yes <i>Conditions:</i> \$5,000 budgeted or approved by Council	Yes <i>Conditions:</i> \$20,000 budgeted or approved by Council or in a genuine emergency and only in the absence of the District Manager
Designated Purchasing Officer (expenditure limit approved by the CEO)	Yes <i>Conditions:</i> Up to \$5,000 budgeted or approved by Council	Yes <i>Conditions:</i> Up to \$5,000 budgeted or approved by Council
Other Authorised Officer approved by the CEO	Yes <i>Conditions:</i> \$1,000 budgeted	No

APPENDIX B
Tenders

Tenders must be invited before making a contract for the carrying out of work or for the supply of goods or services involving a cost of more than \$200,000 (excluding GST).

An exception for the requirement to tender may be applied as outlined in **Appendix C**, only with the written approval of the Chief Executive Officer or Deputy Chief Executive Officer.

Tenders may be invited for contracts of less than \$200,000.

The invitation to tender must be placed in an advertisement in a newspaper circulating generally in the Barcaldine Regional Council area and must allow at least 21 days from the day of the advertisement to the close of submission of tenders.

Tenders may be lodged by facsimile, email, post or through Vendor Panel.

Tender specifications must set out the minimum performance requirements, dimensions and purpose for which the goods/services are required.

- (a) *Functional Specifications*: functional specifications should outline the proposed role of the product in achieving the desired result. The specifications will define the task or desired result and may describe the general form of the goods and services required.
- (b) *Performance Specifications*: performance specifications should detail the required performance characteristics which will be subject to testing on delivery to demonstrate compliance with the specifications. Such specifications may include maximum and minimum performance criteria and methods of measuring performance.
- (c) *Technical Specifications*: technical specifications should detail the physical description of the product including elements such as size, capacity, rating and materials.
- (d) *Material Specifications*: material specifications should state the physical characteristics of material - basic, semi-fabricated or compound. They will be used for describing specific material and may refer to specific commercial or industrial standards.

Local Employment

All tender proposals must provide details of the proposed procurement from and/or employment of local Barcaldine Regional Council residents, businesses and contractors for the tender project.

Tender Security

Tenders shall close at the time, date and place stated in the tender documents.

Tender documents received after the advertised closing date and time shall be deemed invalid.

Tender Opening

The opening of tenders shall be carried out by two nominated Barcaldine Regional Council representatives.

Changes to Tenders

If Council changes a tender specification or requirement, Council must invite all the persons who have submitted a tender to change their tender to take account of the change in the tender specifications or requirements.

Tender Assessment

Tenders shall be assessed using an assessment matrix developed for that particular tender. The matrix must include the local business weightings as outlined in **Appendix E**.

Tenders over \$200,000 must be presented to Council for formal approval.

APPENDIX C
Quoting Procedures

All purchases must comply with the five sound contracting principles.

(a) **Petty Cash – Up to \$100:** purchases up to \$100 may be made out of Petty Cash.

(b) **Purchase Orders – Up to \$999:**

If a local business is able to supply the goods or services – The goods or services must be purchased from a local business and a purchase order may be signed and issued after obtaining a minimum of one verbal or written quote.

If more than one local business is able to supply the goods or services, the officer should ensure that Council is sharing business fairly between available local businesses.

If there is no local business that can supply the goods or services – A purchase order may only be signed and issued after obtaining a minimum of one written quote.

(c) **Purchase Orders – From \$1,000 Up to \$199,999:**

A purchase order may only be signed and issued after:

- (i) obtaining quotes using Vendor Panel and recording the quotes on a Quote Record Form and assessing those quotes in accordance with this Policy; **or**
- (ii) obtaining one written quote which complies with one of the exceptions at (e) below.

(d) **Purchase Orders - \$200,000 or greater:**

- (i) Tenders must be invited for contracts estimated to cost more than \$200,000.
- (ii) Council may enter into a contract without calling tenders by obtaining a minimum of one written quote which complies one of the exceptions at (e) below.
- (iii) Contracts over \$200,000 must be approved by Council even if an exception is used.

(e) **Exceptions:**

A purchase order may be raised after complying with one of the following exceptions:

- (i) accessing a supplier from Council's Register of Approved Contractors; or
- (ii) accessing a supplier from Council's Register of Pre-qualified Suppliers; or
- (iii) accessing a supplier from Council's Register of Preferred Suppliers; or
- (iv) accessing a LOCALBUY arrangement; or
- (v) there is only 1 supplier who is reasonably available; or
- (vi) where because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders; or
- (vii) a genuine emergency exists; or
- (viii) goods or services for emergent works with a value of less than \$15,000; or
- (ix) the purchase of goods at an auction; or
- (x) the purchase of second-hand goods; or
- (xi) the contract is made with a government body or government arrangement.

The reason for applying an exception must be recorded on the Quote Record Exception Form and must be authorised senior management.

APPENDIX D
Sound Contracting Principles

All Council procurement transactions shall have regard to the *five sound contracting principles*:

(a) *Open and Effective Competition*

Council will

- i. ensure all suppliers wishing to conduct business with Council shall have a reasonable opportunity to do so
- ii. maximise the prospect of obtaining the most cost effective outcomes
- iii. ensure there is no favouritism to particular suppliers
- iv. ensure contracts are awarded on the basis of merit and
- v. ensure Council's procurement procedures are visible to the Council, the public and suppliers.

(b) *Value for Money*

Council believes value for money

- i. represents the best return and performance from the money spent over the extended life of the product or service
- ii. does not always mean the lowest price
- iii. can be achieved by the use of open specifications that provide for alternative offers and also enhance the prospect of receiving value for money and
- iv. will be enhanced through quality assurance systems.

(c) *The development of competitive Local Business and Industry*

Council will:

- i. enhance the opportunity for local suppliers of goods and services to be considered for Council business; and
- ii. encourage and give local suppliers every opportunity to compete for the Council's business.

(d) *Environmental Protection*

Council will encourage environmentally sustainable development by promoting purchasing practices which

- i. conserve resources
- ii. save energy
- iii. minimise waste
- iv. protect human health
- v. maintain and improve environmental quality and safety and
- vi. promote the use of recycled materials.

(e) *Ethical Behaviour and Fair Dealing*

Council will implement practices that

- i. operate with impartiality and openness
- ii. have a high degree of integrity
- iii. advance the interests of the Council and
- iv. avoid suppliers who seek favours and operate outside of competition and the policies encompassed in this document.

APPENDIX E
Development of Competitive Local Business and Industry

The Council shall support local business and industry by procuring goods and services locally within the Barcaldine Regional Council area where possible and when in accordance with this Policy. This will be achieved by:

- (a) actively seeking out known local suppliers and supplies
- (b) ensuring quotes include freight to point of delivery in the total cost
- (c) ensuring that purchases and projects are not structured to exclude local suppliers
- (d) avoiding non-standard specifications which local suppliers cannot meet
- (e) improving the local community's understanding of the Council's procurement policy
- (f) where the estimated value of the goods or services to be purchased is less than \$1,000, the goods or services may be obtained from a local business without obtaining alternative quotes
- (g) designating businesses into categories (as described below) and applying the following weightings to quotes and tenders from local businesses:

Value of Goods or Services	Category	Weighting
\$0 - \$49,999	Cat 1	12%
\$50,000 - \$999,999	Cat 1	10%
\$1,000,000 - \$4,999,999	Cat 1	6%
\$5,000,000 or greater	Cat 1	0%
Any value contract	Cat 0 or 2	0%

(When assessing price, the local business price is to be reduced by the applicable percentage prior to the allocation of an adjusted price score in the assessment matrix).

If Council officers determines that a supplier does not have the capability and/or resources to provide goods and services to Council for a project, then the reasons for that determination must be clearly recorded and approved by the Chief Executive Officer or whole of Council.

Local Business Categorisation

A register of categorised local businesses will be compiled and maintained by the Chief Executive Officer.

A **Category 0 Business** is a business which is not a local business as defined below.

A **Category 1 Business** is a business which complies with all of the following:

- 1. The business owns or leases a business premises or depot located within the Barcaldine Regional Council area and
- 2. The business employs or subcontracts people residing in the Barcaldine Regional Council area (*the owners are treated as employees for the purpose of this clause*) and
- 3. The business and/or its owners are ratepayers of, or lease a property in, or are a permanent resident of, Barcaldine Regional Council.

A **Category 2 Business** is a business which complies with either of the following:

- 1. The business normally operates within the Barcaldine Regional Council area but is not a Category 1 business or
- 2. The business supplies goods or services not available within the Barcaldine Regional Council area.

BARCALDINE REGIONAL COUNCIL POLICY

SYSTEM:	Human Resources
POLICY TITLE:	Drug and Alcohol Policy
ADOPTED:	17 April 2019
PURPOSE:	The purpose of this policy is to ensure that the health and safety of no person is at risk or is adversely affected by any worker being at the workplace during a working day whilst under the influence of alcohol or a drug.

1. INTRODUCTION

This policy applies to all employees, councillors, workers, volunteers, contractors and subcontractors of Barcaldine Regional Council, who carry out work in any form or capacity for Council. This policy is to make sure all workplace participants are aware of their responsibilities in relation to the consumption of Drug and Alcohol.

2. OBJECTIVE

The objective of this policy is to:

- (a) Reduce the likelihood of injury, damage and/or other negative effects caused by alcohol and/or drug use.
- (b) Maintain a safe and efficient working environment for all workplace participants.

3. DEFINITIONS

To assist in interpretation, the following definitions shall apply:

Word / Term	Definition
Council	Means Barcaldine Regional Council
CEO	Means Chief Executive Officer
Workplace Participants	Means employees, Councillors, workers, contractors, subcontractors and volunteers of Barcaldine Regional Council
Fitness For Work	Means a state (physically, mentally and emotionally) to perform assigned tasks competently and in a manner which does not comprise or threaten the health, wellbeing and safety of themselves or other persons.
Workplace	Means any place under the control of Barcaldine Regional Council at which work is performed for or on behalf of Barcaldine Regional Council.
Work Hours	Means anytime where a worker is at the workplace, or is claiming remuneration, including time where the on-call allowance is received.
Working Day	Means the period between an employee starting time and finishing time, including any periods taken for lunch or smoko breaks. The term includes any time worked on overtime or any periods of call-out duties.
Alcohol	Means liquor as defined under the <i>Liquor Act 1992</i> .

Drugs	Means any illegal substance or a medically prescribed substance that may affect an employee's work performance.
Work	Means a place, entity or function of Barcaldine Regional Council.
BrAC	Means Breath Analysis Counter
EAP	Means Council's provided Employee Assistance Program.
Testing Provider	Means the testing provider appointed by the CEO to conduct drug or alcohol testing.

4. SCOPE

This Policy is not restricted to any one workplace or any set work hours. The Policy applies to all workplace participants at all work places. The obligations in this policy extend to all functions and places that are work-related. A 'work-related function' is any function that is connected to work, for example; conferences, work lunches, meetings, Christmas parties, client functions, etc.

Workplace participants are required to comply with this policy at all work related functions. This policy also applies when a workplace participant attends other workplaces in connection to work, for example when visiting a customer, client or supplier.

5. POLICY

5.1 CONTEXT

Council aims to provide and maintain a workplace environment that not only protects the health and safety of all workplace participants whilst at work, but also facilitates a productive workplace. A safe and productive work environment includes the respectful treatment of others in the workplace.

The consumption of drugs and/or alcohol can impair a workplace participant's ability to perform work in a safe manner and can also lead to unacceptable behaviour towards others.

Barcaldine Regional Council requires that all workplace participants have a 0.00 BrAC reading at all times and not be under the influence of either illegal or prescribed medication above the cut-off levels specified in AS/NZ 4308:2008 or AS/NZ4760:2006 whilst at work.

5.2 POLICY STATEMENT

Except as set out in this Policy, workplace participants are not permitted to do the following:

- (a) Attend work while under the influence of drugs and/or alcohol
- (b) Commence or return to work while under the influence of drugs and/or alcohol
- (c) Consume or keep illegal drugs and/or alcohol in Council owned machinery or plant
- (d) Consume or use illegal drugs and/or alcohol at work or during work hours (even whilst off site)
- (e) Bring alcohol or illegal drugs to work
- (f) Sell or dispense illegal drugs or alcohol at work
- (g) Possess illegal drugs or alcohol at work.

Employees are expected to cooperate in being tested during work hours, if required by Council.

Workplace participants should not remain at the workplace if they become impaired or there is a risk of impairment by drugs and/or alcohol.

Barcaldine Regional Council does not accept liability for the consequences (property damage, injury, etc.) of any illegal or inappropriate actions of any workplace participant whilst they are affected by drugs and/or alcohol. The workplace participant is responsible for the consequences of their actions.

6. STANDARDS AND PROCEDURES

6.1 AWARENESS AND TRAINING

Council recognises that it is important to develop a workplace culture, through awareness and training, where employees are prepared to encourage each other to be safe and not unfit for work. All employees shall be familiarised with this Policy and the Drug and Alcohol Procedures upon commencement of employment and annually thereafter.

6.2 PRESCRIPTION AND PHARMACY MEDICATION

In an instance where an employee is taking prescription medications for legitimate medical purposes, the employee will not breach this Policy by attending work.

If Council suspects that a workplace participant's ability to safely perform their work is impaired (or likely to be impaired), Council may take steps to address the issue in accordance with this Policy and associated procedures.

6.3 ALCOHOL CONSUMPTION AT FUNCTIONS

Council may waive the prohibition on the consumption of alcohol in certain circumstances such as special functions, Christmas parties, conferences etc. This decision to waive this prohibition is at the sole discretion of the Chief Executive Officer. Prior to the relevant function taking place, workplace participants will be notified whether or not the prohibition of alcohol is waived. Unless notified otherwise, all workplace participants must assume that the prohibition applies.

If Council does waive the prohibition of consumption of alcohol for an identified event, the following restrictions will still apply:

- Workplace participants must not become inebriated or drunk
- Workplace participants who consume alcohol should do so in a responsible manner
- Workplace participants must uphold an appropriate standard of behaviour at all times. Inebriation will not be accepted as an 'excuse' for misconduct
- The restrictions on the operation of vehicles and machinery continue to apply.

6.4 VEHICLE AND MACHINERY

Workplace participants must not, in any circumstances operate machinery if they have consumed illicit drugs or alcohol.

Council does not accept liability for any damage which has occurred to any machinery, plant or vehicle, any injury to any person, or damage to any other property caused by a workplace participant's use of vehicle or machinery while under the influence of illicit drugs or alcohol.

6.5 ASSESSING AND TESTING

6.5.1 DRUG AND ALCOHOL TESTING

Consistent with Council's obligation and commitment to ensuring a safe workplace, all workplace participants (including Councillors, managers, contractors, etc.) will be required to part take in drug and alcohol testing. Council may be required to undergo drug and alcohol testing in the following circumstances:

- As part of the Random Testing Program
- In case of Reasonable Suspicion and/or
- Post Incident.

Random testing of workplace participants will be conducted periodically in a non-discriminatory manner that involves a neutral selection process. For the purposes of confidentiality, the Workplace health and Safety Officer and the Testing Provider will be the only employees present during the random selection.

6.5.2 TESTING METHOD

Testing Providers must complete the required training and be authorised by the CEO to conduct drug and alcohol tests for all workplace participants.

All workplace participants **must** disclose all medication to the Testing Provider prior to the test being administered. Advising the Testing Provider of the use of over the counter medication after a test has been administered and the presence of prohibited drugs has been detected, shall be deemed a breach of this Policy and may not be accepted. A confirmatory test result shall be required.

All drug testing will comprise of either a urine or saliva test.

Urine testing will be conducted in accordance with Australia/New Zealand Standard AS/NZS 4306:2008. Saliva testing will be conducted in accordance with Australian Standard 4760:2006.

All Alcohol testing will be conducted in accordance with current random breath testing procedures in Queensland, Australian Standard AS 3547-1197.

6.5.3 TESTING AND ASSESSING RESULTS

6.5.3.1 UNSATISFACTORY RESULT

If a workplace participant produces an unsatisfactory result to a drug or alcohol test, they will be immediately suspended from work without pay. An employee will then be subject to appropriate disciplinary measures as determined by the CEO and in accordance with Council's Code of Conduct.

The employee may elect to undergo further confirmation testing at their own expense within a reasonable timeframe following the initial test. Council will take on board the advice from the external medical service provider as to the period of time within which the relevant drug or alcohol is likely to remain in the employee's system in excess of the relevant standards.

If an unsatisfactory result is confirmed, in accordance with relevant standards the employee will be escorted to their residence by a senior officer or their delegate. The employee will be responsible for the collection of their personal vehicle, if applicable.

6.5.3.2 RETURN TO WORK

Where an employee has been absent from work due to an unsatisfactory result, the employee may be required to undergo a drug and alcohol test prior to the commencement of work at their own expense. The employee will not be allowed to return to work until they have achieved a satisfactory result to the testing in the agreed timeframe.

6.5.3.3 SATISFACTORY RESULT

If a workplace participant produces a satisfactory result to the confirmation test, they will be able to return to work immediately and no loss of pay will apply. In the event of a satisfactory result, no record will be kept by Council.

6.5.3.4 REFUSAL TO UNDERGO TESTING

A refusal to undergo a drug or alcohol test will be taken as an unsatisfactory result.

6.5.3.5 CONFIDENTIALITY OF TEST RESULTS

An employee's test results will remain confidential. In the case of an unsatisfactory result obtained, a record of this result will be kept in the employee's personnel file. All test results will be kept in accordance with the *Information Privacy Act 2009* and corresponding legislation.

6.6 EMPLOYEE ASSISTANCE

Council recognises drug and alcohol dependency as a treatable condition. Employees or Councillors who suspect they have an issue with drugs and/or alcohol are encouraged to seek advice regarding appropriate treatment options. Council also offers employees and Councillors the services provided under the EAP.

6.7 BREACH OF POLICY

Disciplinary action may be taken in accordance with the Drug and Alcohol Procedure for breaches of this policy including, but not limited to:

- The recording of a unsatisfactory result from a drug and/or alcohol test;
- If found to have deliberately masked a substance;
- The falsification of medication information or details;
- Tampering with a sample or drug and/or alcohol testing; and
- Refusing to comply with any requirements of this policy.

Workplace participants must comply with this policy at all times. If an employee has been found to have breached this policy, they may be subjected to disciplinary action. The type of severity of the disciplinary action will depend on the circumstances of the case and the seriousness of the breach.

Examples of disciplinary action that may be taken include, but not limited to:

- Counselling;
- A formal warning;
- Demotion;
- Transfer to another area;
- Suspension; or
- Termination of employment.

Any workplace contractors (including temporary or sub-contractors) of Council who are found to have breached this Policy may have their contracts terminated or not renewed.

In any circumstances where a workplace participant's behaviour or conduct may involve a breach of any Australian Laws, (or any other laws including foreign and international laws) Council may notify the police or other relevant authority.

6.8 RELATED POLICIES, LEGISLATION AND DOCUMENTS

Policies and Procedures:

- BRC Code of Conduct
- Work Health and Safety Policy

Legislation and Regulations:

- Work Health and Safety Act (QLD) 2011
- Work health and Safety Regulation (QLD) 2011
- Local Government Act 2009
- Information Privacy Act 2009
- Public Records Act 2002
- Australian/New Zealand Standards

6.9 POLICY REVIEW TIMELINES

This policy will be review every two years, or if any of the following occurs:

- An investigation into a high potential accident or serious accident identifies that drugs and/or alcohol were the major contributing factor/s;
- The related information, including acts, legislation or relevant standards is amended or replaced; or
- Or other circumstances as determined from time to time by the CEO.