

## REPORT OF THE COMMITTEE OF THE COUNCIL

WEDNESDAY, 8 DECEMBER 2010

His Worship the Mayor Councillor P.M. Taylor  
(Chairperson)  
Councillor R.P. Antonio  
(Portfolio Leader: Water Services)  
Councillor W.W. Cahill  
(Portfolio Leader: Environmental and Community Services)  
Councillor A.C. Glasheen  
(Portfolio Leader: District Services)  
Councillor P.C.T. Marks  
(Portfolio Leader: Planning and Development Services)  
Councillor J.J. McVeigh  
(Portfolio Leader: Corporate Services)  
Councillor J. Ramia  
(Portfolio Leader: Tourism Events and Parks Services)  
Councillor R.S. Scotney  
(Portfolio Leader: Cultural Heritage and Facilities Services)  
Councillor N.L. Strohfeld  
(Portfolio Leader: Strategic Services)  
Councillor C.E. Taylor  
(Portfolio Leader: Engineering Services)  
Councillor M.A. Williams  
(Portfolio Leader: Financial and Sporting Services)

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<b>REPORT OF THE MEETING OF THE COMMITTEE OF THE COUNCIL</b>
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8 DECEMBER 2010

Meeting Commenced: 9.35 a.m. on Wednesday, 8 December 2010

**PRESENT:** His Worship the Mayor Councillor P.M. Taylor  
(Chairperson)  
Councillor A.C. Glasheen  
(Portfolio Leader: District Services)  
Councillor P.C.T. Marks  
(Portfolio Leader: Planning and Development Services)  
Councillor J.J. McVeigh  
(Portfolio Leader: Corporate Services)  
Councillor J. Ramia  
(Portfolio Leader: Tourism Events and Parks Services)  
Councillor R.S. Scotney  
(Portfolio Leader: Cultural Heritage and Facilities Services)  
Councillor N.L. Strohfeld  
(Portfolio Leader: Strategic Services)  
Councillor C.E. Taylor  
(Portfolio Leader: Engineering Services)  
Councillor M.A. Williams  
(Portfolio Leader: Financial and Sporting Services)

**APOLOGIES:** Councillor R.P. Antonio (Portfolio Leader: Water Services)  
Councillor W.W. Cahill (Portfolio Leader: Environmental and  
Community Services)

**IN ATTENDANCE:** Chief Executive Officer (Ken Gouldthorp)  
[Items 1 to 19]  
Director, Engineering Services (Gerard Brennan)  
[Item 2]  
Director, Planning and Development Services (Stewart Somers)  
[Items 3 to 7]  
Director, Environmental and Community Services (Brian Pidgeon)  
[Items 8 to 13]  
Director, Finance and Business Strategies Services (Arun Pratap)  
[Items 14 and 15]  
Co-ordinator, Council Business (Angela O'Neil)  
[Items 1 to 19]

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REPORT OF THE MEETING OF THE COMMITTEE OF THE COUNCIL  
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Portfolio: CORPORATE SERVICES

1

**REPORT TITLE** Closing and Opening of Meeting to the Public  
**AUTHOR** Chief Executive Officer (Ken Gouldthorp) - 26 November 2010

Two confidential reports have been submitted for consideration by the Committee of the Council which will necessitate the matters being considered in a closed meeting.

The matters contained in Items two and three of the agenda refer.

The following draft motion is submitted for consideration.

**Draft Motion:**

Moved by Cr. ...., seconded by Cr. ....

That the meeting be closed to the public in accordance with Section 72(1) of the Local Government (Operations) Regulation 2010 to consider the following two items on the agenda:

- (a) **Item 2**  
**CONFIDENTIAL - Acquisition of Land at 119 E Drews Road and Shoemith Road, Westbrook - Westbrook Stormwater Management Plan**

**Reason for Closed Meeting**

To discuss a matter for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage (Section 72(1) (h) of the Local Government (Operations) Regulation 2010).

- (b) **Item 3**  
**CONFIDENTIAL - Development Assessment - Planning and Environment Appeals and Compensation Claims - November 2010**

**Reason for Closed Meeting**

To discuss starting or defending legal proceedings involving Council and/or actions to be taken by the Council under the Integrated Planning Act 1997 (Section 72(1) (f) and (g) of the Local Government (Operations) Regulation 2010).

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**CLOSING OF MEETING TO THE PUBLIC**

**DECISION**

**MOTION:**

Moved by Cr. Ramia, seconded by Cr. Scotney

That the meeting be closed to the public in accordance with Section 72(1) of the Local Government (Operations) Regulation 2010 to consider the following three items on the agenda:

- (a) **Item 2**  
**CONFIDENTIAL - Acquisition of Land at 119 E Drews Road and Shoemith Road, Westbrook - Westbrook Stormwater Management Plan**

**Reason for Closed Meeting**

To discuss a matter for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage (Section 72(1) (h) of the Local Government (Operations) Regulation 2010).

- (b) **Item 3**  
**CONFIDENTIAL - Development Assessment - Planning and Environment Appeals and Compensation Claims - November 2010**

**Reason for Closed Meeting**

To discuss starting or defending legal proceedings involving Council and/or actions to be taken by the Council under the Integrated Planning Act 1997 (Section 72(1) (f) and (g) of the Local Government (Operations) Regulation 2010).

- (c) **Item 4**  
**CONFIDENTIAL - Infrastructure Charges Taskforce Interim Report**

**Reason for Closed Meeting**

To discuss a matter relating to the Council's budget and for which a public discussion would be likely to prejudice the interests of Council or someone else, or enable a person to gain a financial advantage (Section 72(1) (c) and (h) of the Local Government (Operations) Regulation 2010).

**Carried**

**The meeting was closed to the public at 9.36 a.m. on Wednesday, 8 December 2010.**

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**OPENING OF MEETING TO THE PUBLIC**

**DECISION**

**Motion:**

Moved by Cr. Williams, seconded by Cr. Strohfeld

That the meeting be opened to the public.

**Carried**

**The meeting was opened to the public at 10.37 a.m. on Wednesday, 8 December 2010.**

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Portfolio: **ENGINEERING SERVICES**

**2**

**REPORT TITLE**           CONFIDENTIAL - Acquisition of Land at 119 E Drews Road and  
Shoesmith Road, Westbrook - Westbrook Stormwater Management  
Plan  
**AUTHOR**                 Manager, Construction and Maintenance - District (Chris Rubie) - 15  
November 2010

The following recommendation arising from the confidential report/closed meeting session was put without further debate.

**COMMITTEE RECOMMENDATION**

That Council commence resumption action over those portions of Lots 83-85 on AG3590 shown as Proposed Lots A, B and C on proposed plan SP207400 in accordance with the Acquisition of Land Act 1967.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 2)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	C. Rubie	Please instigate all necessary action.	26/02/11

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**Portfolio: PLANNING AND DEVELOPMENT  
SERVICES**

**3**

**REPORT TITLE**            CONFIDENTIAL - Development Assessment - Planning and  
Environment Appeals and Compensation Claims - November 2010  
**AUTHOR**                    Director, Planning and Development Services (Stewart Somers) - 23  
November 2010

The following recommendation arising from the confidential report/closed meeting session was put without further debate.

**COMMITTEE RECOMMENDATION**

That the confidential report on Planning and Environment Appeals and Compensation Claims for November 2010 be noted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 3)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
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No further action required  
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Portfolio: **PLANNING AND DEVELOPMENT  
SERVICES**

**4**

**REPORT TITLE**            CONFIDENTIAL - Infrastructure Charges Taskforce Interim Report  
**AUTHOR**                    Manager, Strategic Planning (Dyan Currie) - 22 November 2010

The following recommendation arising from the confidential report/closed meeting session was put without further debate.

**COMMITTEE RECOMMENDATION**

1. That a submission be made to the Infrastructure Charges Taskforce raising Council's concern on its financial sustainability if a cap is introduced without a compensating alternate revenue source and the significant increase that it could impose on general rates.
2. That the State Government be requested to re-establish the 40% infrastructure subsidy removed without notice in the 2009/2010 budget in order to stimulate development and improve housing affordability.
3. That Toowoomba Regional Council present its position on this matter to the Local Government Association of Queensland and to Council of Mayors (South-East Queensland) and seek their support.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 4)**

Committee Report adopted by Council at its meeting of 14 December 2010

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**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1 and 2	D. Currie	Please prepare submission in accordance with the matters raised in the report and Council's decision.	15/12/10
3	K. Gouldthorp	Please refer matter to LGAQ and COMSEQ.	15/12/10

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Portfolio: **CORPORATE SERVICES**

**5**

**REPORT TITLE** Proposed Amendment to the Register of Delegations - To Exercise Powers of the Assessing Authority and Assessment Manager (A72)  
**AUTHOR** Manager, Governance and Administration (Norm Garsden) - 27 October 2010

**PURPOSE OF REPORT**

To seek Council agreement to amend the Register of Delegations by Council to the Chief Executive Officer for the purpose of revising the existing delegation to the Chief Executive Officer in respect of exercising the powers of the Assessing Authority and Assessment Manager (Delegation A72).

**CORPORATE PLAN REFERENCE**

- 2.1.3 Recognise, review and manage corporate risk, including workplace health and safety and internal audit services.
- 2.3.1 Provide a solid foundation for management and efficient administrative support for Councillors.

**BACKGROUND**

Section 257 of the Local Government Act 2009 provides that certain powers may be delegated to the Chief Executive Officer. The Council, at its meeting of 21 September 2010 (Committee of the Council - 14 and 15 September 2010 - Item 18.2) decided that the Register of Delegations to the Chief Executive Officer and, in particular, the delegations relating to planning matters and the processes involved in exercising those delegations, be reviewed at an information session for Councillors.

**CONSULTATION UNDERTAKEN**

An information session was held for Councillors on 9 November 2010. Advice was also sought from the Information Management Branch on the best way to electronically facilitate the 'call-in' of development applications.

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**ISSUES AND RESPONSES**

Council's current Delegation A72 delegates the powers of the Assessing Authority and Assessment Manager under the Integrated Planning and Sustainable Planning Acts to the Chief Executive Officer. The delegation is subject to the following condition and limitation - "Approvals to be issued only when applications substantially comply with the provisions of the Act, Statutory Instrument and Council Policy". These powers are further delegated by the Chief Executive Officer to a number of staff to allow development decisions to be made in a timely manner.

It is understood that Council wishes to establish a process to 'call-in' planning applications that have strategic significance or are politically sensitive. To achieve this objective, the following additional condition could be added to the existing condition and limitation:

"Where:

- at least four Councillors seek, by signed notice addressed to the Chief Executive Officer, to have a development matter 'called-in' for determination by Council; and
  - the notice of the 'call-in' is given prior to a decision being made under this delegation,
- the matter cannot be determined under this delegation and must be referred to Council."

**FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council, however, where the 'call-in' process is used, there may be a delay in Council considering the matter resulting in a need to extend the time to determine applications and a delay to the decision (which may have some financial implication for the applicant / developer).

Since amalgamation, approximately 334 impact assessable applications have been processed with only one (1 South Street) called in during that time. Moreover, due to the ability to negotiate outcomes, officers have only refused fourteen applications during this period.

**CONCLUSION**

The proposed amendment to the Delegations to the Chief Executive Officer will establish a process to enable Councillors to 'call-in' a development application for determination.

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**RECOMMENDATION**

That the following additional condition and limitation be added to Delegation A72 - To exercise powers of the Assessing Authority and Assessment Manager:

“Where:

- at least four Councillors seek, by signed notice addressed to the Chief Executive Officer, to have a development matter ‘called-in’ for determination by Council; and
- the notice of the ‘call-in’ is given prior to a decision being made under this delegation, the matter cannot be determined under this delegation and must be referred to Council.”

**REASONS FOR RECOMMENDATION**

The proposed amendment to the existing delegation establishes a process for Councillors to ‘call-in’ certain development applications.

**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 5)**

Committee Report adopted by Council at its meeting of 14 December 2010

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**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	S. Somers	For noting and advice to Department of Planning and Development Services staff.	17/12/10
	A. O'Neil	Please amend the Register of Delegations.	17/12/10

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**Portfolio: PLANNING AND DEVELOPMENT  
SERVICES**

**6**

**REPORT TITLE** Development Assessment - Regional Development Applications Report - October 2010  
**AUTHOR** Director, Planning and Development Services (Stewart Somers) - 23 November 2010

The purpose of this report is to inform Council of the development application trends for the region and provide statistical detail of development applications. Details are attached.

Data across the region will continue to be monitored over time to identify trends in the building and development industry within the region.

**RECOMMENDATION**

That the report of the Director, Planning and Development Services on the Regional Development Applications for October 2010 be noted by Council.

**COMMITTEE RECOMMENDATION**

That the report of the Director, Planning and Development Services on the Regional Development Applications for October 2010 be noted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 6)**

Committee Report adopted by Council at its meeting of 14 December 2010

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<b>ACTION TO BE TAKEN</b>
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<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
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No further action required			
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**Portfolio: PLANNING AND DEVELOPMENT  
SERVICES**

**7**

**REPORT TITLE** Development Assessment - New Applications, Delegated Decisions and Publicly Notified Material Change of Use Applications  
**AUTHOR** Director, Planning and Development Services (Stewart Somers) - 23 November 2010

The following schedules are submitted for Council's information:

1. Applications lodged for the period 25 October 2010 to 22 November 2010.
2. Applications determined under delegation for the period between 20 October 2010 and 19 November 2010.
3. Status of material change of use (impact assessable) applications as at 22 November 2010.

**RECOMMENDATION**

That the report of the Director, Planning and Development Services be noted by Council.

**COMMITTEE RECOMMENDATION**

That the report of the Director, Planning and Development Services be noted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 7)**

Committee Report adopted by Council at its meeting of 14 December 2010

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<b>ACTION TO BE TAKEN</b>
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<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
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No further action required.			
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Portfolio: **TOURISM EVENTS AND PARKS  
SERVICES**

8

**REPORT TITLE** Brisbane Valley Rail Trail  
**AUTHOR** Principal Officer, Bushland Parks (Mark Ready) - 29 October 2010

**PURPOSE OF REPORT**

To consider Council's commitment to extending the Brisbane Valley Rail Trail from Nukku to Yarraman and an invitation from South Burnett Regional Council of sponsorship to the Steering Committee for Development of this Trail.

**CORPORATE PLAN REFERENCE**

- 1.2.1 Strategically plan for and provide facilities that enable community participation in sport and recreation activities.
- 1.2.2 Collaborate with external agencies to encourage physical activity in the community.
- 2.3.3 Build and maintain productive and innovative partnerships within Council and work collaboratively with all levels of government for the betterment of the Region.
- 3.2.2 Facilitate the development of an integrated transport system for the Region, including a safe and accessible walking and cycling network.
- 4.1.1 Develop plans and manage parkland/greenspace to promote accessible networks.
- 5.1.6 Promote the Region as a tourist destination

**BACKGROUND**

The Queensland Government's 2006 Living the Queensland Lifestyle election commitment included initiatives to promote a more relaxed, healthy and less stressful lifestyle for Queenslanders. The Brisbane Valley Rail Trail (BVRT) forms part of this commitment and is a project being delivered through the Department of Infrastructure and Planning. The BVRT has been identified as a regional outdoor recreation infrastructure project under the SEQ Infrastructure Plan and Program 2007-2026, which supports the delivery of the SEQ Regional Plan 2005-2026.

In order to deliver this project, the Department of Infrastructure and Planning has developed partnerships with Ipswich City Council, Somerset Regional Council, South Burnett Regional Council and the Department of Transport who either own or lease the land which comprises the now disused rail corridor. All partner organisations are represented on the BVRT Steering Committee which is chaired by Wayne Wendt MP - Member for Ipswich West.

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As the original terminus of the Brisbane Valley Rail Line was in Yarraman, the steering committee has expressed interest in extending the BVRT to its historical terminus. Although outside of the scope of the original project, this is a logical progression which would serve to re-create the historical link between Yarraman and the other communities in the upper Brisbane Valley which was provided by the rail line.

Council has received advice from the Mayor of South Burnett Regional Council offering to support a recommendation to the BVRT Steering Committee to offer membership on this committee to Toowoomba Regional Council.

The rail corridor between Yarraman and Nukku was leased from 1 July 2006 to 30 June 2036 by the then Rosalie Shire Council with a view to establishing a rail trail linking to Blackbutt as was recommended in the Rosalie Shire Trails Master Plan (May 2006) and the Rosalie Shire Sport and Recreation Needs Study (May 2006). Since this time, Rosalie Shire Council undertook to develop trails from the rail head to Yarraman weir and the proposed rail trail development would link to this development.

The recently adopted Toowoomba Regional Council Regional Strategic Sport and Recreation Plan supports the work undertaken by the former Rosalie Shire Council by recommending that Council:

*"19. Continue to budget for and action the key recommendations contained within the Crow's Nest and Rosalie Trails Master Plans (and key trails noted within other existing Plans). Also, develop a Regional Trails Master Plan to guide networks across the Region (including particular consideration for a Highfields to Hodgson Vale trail along the Escarpment."*

### CONSULTATION UNDERTAKEN

Council has not at this time undertaken any consultation with residents of the Yarraman district nor with landholders adjacent to the leased corridor. However, the Yarraman community was consulted in the preparation of the Rosalie Shire Trails Master Plan (May 2006).

Should Council accept sponsorship to the BVRT Steering Committee and commit to development of the link to Yarraman, the Department of Infrastructure and Planning would provide significant support in organising and co-ordinating public and landholder consultation (refer Financial Implications section of this report).

### ISSUES AND RESPONSES

The Rosalie Shire Trails Master Plan highlighted a need for walking opportunities in the Yarraman area and recommended a two step process for development of a Yarraman to Blackbutt rail trail.

The first step was to be a feasibility study followed by a trail development stage. However, since the release of this study, the State Government has adopted the development of the Brisbane Valley Rail Trail as a major project and South Burnett Regional Council is currently investigating options for linking this trail to Nanango. To this end, additional feasibility

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studies would appear unnecessary. Rather the opportunity now exists to accept the offer of sponsorship to the BVRT Steering Committee and to seek to leverage support for developing the trail to Yarraman.

Over the course of the last six to eight months, Councillors and officers have had the opportunity to inspect the Blackbutt to Moore section of the BVRT, to observe first hand the quality of this section of the trail and to speak with those responsible for its development as well as business owners in the towns and persons utilising the trail. All comments have been positive with anecdotal evidence of increased business for retailers in towns along the trail and encounters with several groups of trail users including mostly locally based walkers and visiting cyclists and horse riders.

Local Schools are also utilising the trail for studies in local history and cross-country sporting events.

When completed, and with the initiation of extensive promotion currently being planned by the Department of Infrastructure and Planning, the trail has the potential to contribute significantly to tourism and visitation to towns along the trail.

## **FINANCIAL IMPLICATIONS**

Should the Toowoomba Regional Council proceed with a request to the BVRT Steering Committee for membership, and a commitment to develop the rail corridor from Nukku Road to Yarraman as a rail trail, the following support has already been promised through the Department of Infrastructure and Planning:

**"1. Membership on the Brisbane Valley Rail Trail Steering Committee**

*The Committee acts as a forum for key stakeholders to discuss policy development and implementation of the Brisbane Valley Rail Trail and the associated plan as it impacts on the regional landscape, regional open space and recreational deliverables of the Brisbane Valley Rail Trail in relation to the SEQ Active Trails Strategy.*

*Key function of the Steering Committee is to:*

- *share information,*
- *enhance collaboration,*
- *seek feedback,*
- *comment on policy, and*
- *contribute to policy development.*

*The Steering Committee provides advice on effective delivery and planning on the Brisbane Valley Rail Trail project from state agencies, local government, regional natural resource management bodies, industry and community stakeholders. The Steering Committee is to provide advice and comment to the development and final management of the Brisbane Valley Rail Trail and the implementation and strengths or deficiencies of the SEQ Active Trails Strategy and the equity of implementation processes.*

*This committee could be expanded to form a broader Committee of Management in the future including community and user group representatives.*

*The Steering Committee provides independent advice to the Planning Group, Southern Division on delivery and management of the Brisbane Valley Rail Trail Plan*

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**2. Brisbane Valley Rail Trail Grants - community partnerships program**

*The Brisbane Valley Rail Trail community partnerships program is a grants program open to not-for-profit, incorporated community organisations, local councils and tertiary institutions throughout South East Queensland.*

*The program provides grants of between \$2000 and \$10,000 (GST exclusive) to contribute to eligible project costs. Up to 50% of the total eligible project costs can receive funding. Requests for a higher contribution may be considered in special cases.*

*The objective of the Brisbane Valley Rail Trail community partnerships program is to assist organisations and Brisbane Valley communities to undertake activities and projects that will support the delivery and operation of the Brisbane Valley Rail Trail.*

**3. Marketing and Community Engagement**

- *Community engagement activities including information session at Yarraman and assistance with adjacent landowner discussions including advertising and associated costs with a public information session (\$1,500)*
- *Inclusion in all marketing and communications strategies and activities including website, fact sheets and QORF marketing strategy (\$25,000).*
- *Collation, design and printing of 10,000 Blackbutt to Yarraman brochure (see attached PDF of current Moore – Blackbutt) (\$1,500).*
- *Assistance with an official opening (\$1,500).*

**4. Construction and Design**

- *Full access to all planning documents, feasibility studies and construction and infrastructure designs prepared for the Brisbane Valley Rail Trail.*
- *10 farm gates – (\$3,000).*
- *1 trail head sign at Yarraman (see attached Fernvale signage) – (\$2,500).*
- *Code of conduct signage at Nukku Road and Yarraman (\$2,500).*
- *Directional and trail markers where required (\$2,000)."*

In summary, the value of support already promised to TRC which can be measured, amounts to \$38,000.

There would of course be construction costs for portions of the trail, most notably a major creek crossing. As a guide, South Burnett Regional Council has assessed their construction costs at \$17,000 per km of trail. It is however, important to note that these costs included the construction of six creek crossings, one toilet block, the refurbishment of a second toilet block, four shelters with tables etc at trail heads, two horse loading ramps and multiple gates and sections of fencing.

Construction costs for the Yarraman to Nukku section (15km) are not expected to be as extensive but have as yet not been quantified. It is also important to note that, in addition to the grant funding available above (refer point 2), there are additional sources of funding

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(State, Federal, private) to which Council may apply for support in construction of elements of the trail.

There are also the costs associated with ongoing maintenance. South Burnett Regional Council estimates the cost for their 23km section at between \$1,000 and \$1,200 per km inclusive of all costs from erosion repair and weed spraying to the maintenance and cleaning of toilets. In this respect, it is worth noting that Council is provided with access to \$7,000 per annum for maintenance of the corridor under their lease agreement with Queensland Transport. Council has responsibilities under this lease to manage weeds and erosion on the leased area regardless of the use which Council makes of the leased area.

In the current 2010/2011 budget, Council has allocated \$20,000 to planning for this project. Representatives of Department of Infrastructure and Planning have indicated that all higher level planning has been completed through such instruments as the Brisbane Valley Rail Trail Plan and that Council's current funding could be directed towards project planning and possible construction of major elements such as the Yarraman creek crossing. Support for this planning may also be available as the Department of Infrastructure and Planning are seeking to appoint a construction manager for the other unconstructed sections of the BVRT in January of 2011.

## **CONCLUSION**

Development of a trail along the alignment of the Brisbane Valley Rail line from Yarraman to Blackbutt was a vision of the previous Rosalie Shire Council. The invitation of sponsorship to the Steering Committee of the Brisbane Valley Rail Trail and the support offered by the Department of Infrastructure and Planning are conducive to realising this vision.

## **RECOMMENDATION**

1. That Council accept the invitation of the Mayor of South Burnett Regional Council, for nomination to the Brisbane Valley Rail Trail Steering Committee.
2. That Council accept the support offered by the Department of Infrastructure and Planning in consulting with residents and landholders with regard to developing the Nukku to Yarraman section of the Brisbane Valley Rail Trail.
3. That, prior to determining its commitment to support the development of the Brisbane Valley Rail Trail, Council consider a further report exploring the final project costings and recommended staging for development of the extension of the Brisbane Valley Rail Trail from Nukku to Yarraman.

## **REASONS FOR RECOMMENDATION**

As detailed above.

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**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 8)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1	B. Pidgeon	Please arrange for letter to be prepared to the Mayor of South Burnett Regional Council advising of Toowoomba Regional Council's acceptance of the offer of sponsorship to the Brisbane Valley Rail Trail Steering Committee	31/12/10
2	Mark Ready	Please advise Department of Infrastructure and Planning of Council's acceptance of its offer of support to undertake public consultation.	31/12/10
3	Mark Ready	Please prepare a report on the costs associated with the ongoing development of the Yarraman to Nukku section of the Brisbane Valley Rail Trail	20/04/11



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Portfolio: **ENVIRONMENTAL AND  
COMMUNITY SERVICES**

**9**

**REPORT TITLE** Renaming Wine Drive Park  
**AUTHOR** Office Co-ordinator, Parks and Recreation Services (Leonie Mackay) - 18 November 2010

**PURPOSE OF REPORT**

To seek Council's determination for the renaming of a Toowoomba Regional Council Park, namely Wine Drive Park.

**CORPORATE PLAN REFERENCE**

4.1 The region has an accessible network of green spaces and its land and water assets are conserved and managed.

**BACKGROUND**

On 1 November 2010, Council received a request from the Area Co-ordinators of Neighbourhood Watch-Area 24 to consider renaming Wine Drive Park after James Jaffery Burn, a steward of Baillie Henderson Hospital, Hogg Street, Toowoomba.

As stated in the 'Centenary of Baillie Henderson Hospital' booklet, James Jaffery Burn was appointed as steward in 1888 (similar to a modern day manager). His first job was to ensure the hospital was ready to accommodate patients and staff which entailed liaising with officials in Brisbane, local administrators and suppliers and the first Medical Superintendent, Dr J B Hogg and later the second Superintendent Dr Nicholl.

He was also responsible for overseeing the building of roads, fences, gardens and the farm where future residents of the hospital would work. The farm, and more importantly, the piggery became his chief interests.

James married Elizabeth Charlotte Dickson in 1906 and they had one daughter, Genette Mary born in 1909.

James retired in 1918 and the hospital Annual Report stated 'for the longer period of nearly 30 years he served the interests of this hospital with conspicuous efficiency and with a zeal particularly his own. James Burn worked co-operatively with medical superintendents and staff. He saw to the maintenance of buildings and equipment, the provisioning of the hospital and the overseeing of the daily functioning of water supply, lighting, heating, grounds, staff facilities, pay and changes to the management finances and the many crises which occurred, confirming he was a competent man. The Audit Department at the hospital appreciated James Burn for his practical knowledge and sound judgement in all matters pertaining to farm stock, truly a remarkable man'. James Burn passed away on 3 June 1928 aged 81 and was buried at the Drayton and Toowoomba Cemetery.

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**CONSULTATION UNDERTAKEN**

Internal consultation with Property Services Section.

**ISSUES AND RESPONSES**

The request from Neighbourhood Watch-Area 24 can be considered under Council's Policy 2.06 - Naming of Parks. In accordance with Section 4.1.2 of the Policy, "Initiation of Proposal to Name a Park", a proposal to name a park can be initiated by residents of the Local Authority Area in respect of any unnamed or default named park and subject to an officer report at any time.

Using Section 4.2 of the Policy, the following criteria for naming the park was considered:

- Named after a person of historical significance to the region.
- Culturally sensitive - taking care not to include words or terms offensive to particular sectors of the community.
- Unique - no other park bears the same name.
- Length of name not more than 20 characters.
- Significant to the local community and suburb.
- Verifiable in the historic record (Centenary of Baillie Henderson Hospital booklet).
- Not be named after a living person.

The proposal to rename "Wine Drive Park" to "James Jaffery Burn Park" generally meets the criteria in accordance with Section 4.2 of Council's Naming of Parks Policy.

The renaming of the area bounded by North/Tor/Hogg/Greenwattle Streets (which incorporates Wine Drive Park) to "Wilsonton Heights" was carried out in 2004/2005 following a request from the Crime Prevention Partnership Committee. Public consultation was carried out prior to the decision of Council on 8 March 2005.

The name "Wilsonton Heights Park" is also being submitted for consideration as an alternative name for the park. The park occupies a prominent location in this area and, by identifying the park as "Wilsonton Heights Park", it may create an affiliation with the new name (Wilsonton Heights).

This report is presented so that Council may consider the proposed park names. Council may:

- choose to adopt either of the proposed names; or
- decline to adopt one or both of the proposed names; or

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- adopt an alternative name; or
- defer a decision pending public consultation if it is thought community consultation may provide a better outcome.

**FINANCIAL IMPLICATIONS**

It is anticipated that there would be no up-front financial implications for Council apart from staff resources and time allocated to the public consultation.

Cost of new park signage at a later date is estimated at between \$2,000 - \$3,000 and can be funded from the District Park Enhancement Program in the Park and Recreation Services Budget.

**CONCLUSION**

The booklet 'Centenary of Baillie Henderson Hospital' gives insight into the scope and magnitude of the contribution James Jaffery Burn had in the development of the hospital and it would seem appropriate for Council to consider this proposal and an alternative name "Wilsonton Heights Park" pending the outcome of a public consultation with the local community to ensure the best outcome.

**RECOMMENDATION**

That prior to considering the matter further, Council consult with the community to ascertain whether there is a preference to rename "Wine Drive Park" to either "James Jaffery Burn Park" or "Wilsonton Heights Park".

**REASONS FOR RECOMMENDATION**

As above.

**COMMITTEE RECOMMENDATION**

1. That prior to considering the matter further, Council consult with the community to ascertain whether there is a preference to rename "Wine Drive Park" to either "James Jaffery Burn Park" or "Wilsonton Heights Park".
2. That, prior to the public consultation process commencing, Councillors be advised of the proposed consultation approach.

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**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 9)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1.	Leonie Mackay	Please advise applicant of Council's decision.	24/12/10
1 and 2.	N. Hauser	Please arrange for Councillors to be consulted on the public consultation process and instigate the public consultation process.	31/01/11

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Portfolio: **ENVIRONMENTAL AND  
COMMUNITY SERVICES**

**10**

**REPORT TITLE** Proposed Free Entry Agreement with Cobb & Co Museum  
**AUTHOR** Director, Environmental and Community Services (Brian Pidgeon) -  
18 November 2010

**PURPOSE OF REPORT**

To consider a proposal to continue a further Free Entry Agreement with Queensland Museums for the Cobb & Co Museum.

**CORPORATE PLAN REFERENCE**

1.1.2 Ensure cultural facilities and services, such as theatres, art galleries and museums, meet the needs of our growing and diverse community.

**BACKGROUND**

As a gift to residents to celebrate the Centenary of Federation in 2001, the Toowoomba City Council entered into a three year agreement with the Queensland Museums to provide residents with free entrance into the Cobb & Co. Museum upon presentation of their City Library card (referred to as a Cultural Card). To compensate Cobb & Co. for foregone entrance fees, Council paid the museum \$50,000 (plus GST) per year. This agreement was subsequently extended for two further periods.

In 2008, after the formation of Toowoomba Regional Council, the Chief Executive Officer of Queensland Museums, Dr. Ian Calloway requested a review of the agreement due to factors arising from amalgamation. Since all residents of the new Toowoomba Regional Council area could obtain a City Library card free of charge, the Museum had been approached by several school groups and community organisations from outside the former T.C.C. boundaries requesting free entry under the Cultural Card programme.

**COUNCIL DECISION - 15 JULY 2008 (Committee of the Council - 8 and 9 July 2008 - Item 24)**

*That Council authorise the Chief Executive Officer to vary its Agreement with the Board of the Queensland Museums as follows:*

- 1. The Queensland Museums is to provide free entrance to Cobb & Co. Museum to any resident in the Toowoomba Regional Council area on proof of residency.*
- 2. Toowoomba Regional Council is to pay to the Queensland Museums a flat rate of \$65,000 (plus GST) per year, from the commencement date of the agreed variations, to compensate the Museum for foregone entry fees.*

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**PROPOSAL FROM COBB & CO. MUSEUM DATED 14 OCTOBER 2010**

In a new submission on 14 October 2010, the Director of the Cobb & Co. Museum and Queensland Museums Regional Services, proposed the following:

**"...Proposal for extension of the partnership 2010-2013**

The opening of the NCF (National Carriage Factory) is an opportunity to re-evaluate the partnership to maximise community impact and access while investigating ways in which the TRC and Cobb + Co Museum can leverage a range of additional outcomes.

During September, 10,350 people visited the Cobb + Co Museum which was a 96% increase in visitor numbers from 2009. On a very conservative basis, 40,000 local residents will use the Museum's facilities during 2010-11. Under Council's partnership, each adult resident would now save \$12.50 per visit to the Museum. There is an expectation in the community that free access to the new facility for residents will be maintained.

A more effective working partnership could be facilitated between Cobb + Co Museum and TRC through the establishment of a working group of senior staff from the Museum and Council to develop an annual program of joint activities. This working party could meet each quarter to review the outcomes achieved and plan for the future. Activities could include but not be limited to the following:

- Investigate opportunities to develop an application for Commonwealth funding for a significant cultural heritage regional development project which would enable the relocation of Council's **Local History Library** to a Cultural Heritage Centre at the Cobb + Co Museum. With the assistance of Cobb + Co Museum staff, this would enable public access seven days a week to this very significant community asset.
- This project would provide opportunities for extensive community involvement in local history projects which have the capacity to greatly strengthen the social capital and social cohesion within the community. Projects could include the **long term preservation of the archives** through digitalisation, exhibitions at Cobb + Co Museum, **travelling displays** throughout the region, **public art projects, print and web publications**, and education resources linked to the new National Curriculum for schools.
- Provide TRC with access to Cobb + Co Museum facilities without a hire charge for **functions and events** involving staff and families, **visiting delegations** or even planned outside **events** like music in the park, that sometimes have to be cancelled because of inclement weather.
- Significant collections and stories held in some of the collecting organisations within the Toowoomba region are being displayed on a temporary basis in the Toowoomba Gallery at Cobb + Co Museum during 2010-11 with support from the Museum Development Officer. This project could be extended to include Council's library facilities across the region. For example, when the Pittsworth Lace collection display is finished at Cobb + Co Museum it might then travel to one of Council's regional libraries and be displayed there before returning to its permanent home thus providing a much wider exposure to our shared regional heritage.
- TRC's support of Cobb + Co Museum provides a great service for the local residents and many take advantage of the free entry to visit the Museum repeatedly. In

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appreciation and promotion of this investment by TRC, Cobb + Co Museum acknowledges the Council in every press release, poster and speech. There are many opportunities for TRC to also promote their support to the local community. One option that could be implemented very simply would be to incorporate a small banner or logo on the website, correspondence to ratepayers and other documents.

- It is proposed that the Cobb + Co Museum marketing staff implement regular meetings with TRC marketing section to ensure maximum leverage of the ongoing partnership.
- Cobb + Co Museum is working closely with Toowoomba & Golden West Tourism to ensure a whole of region approach to all marketing we undertake in both local and other areas. This strategy will guarantee additional positive exposure of the TRC's support from the Cobb + Co Museum..."

Queensland Museums have now proposed that the Toowoomba Regional Council

- "• increases its contribution to \$1.20 per rateable household to reflect the much increase(d) use of Cobb + Co Museum and greatly increase(d) Museum offering for the community. This would amount to just under \$80,000 + GST.
- provides an annual CPI increase each year.
- extends the contract period until 30 June 2015 to enable the Museum to develop more stable strategic planning directions..."

## **CONSULTATION UNDERTAKEN**

Curator, Toowoomba Regional Art Gallery.

## **ISSUES AND RESPONSES**

### **Benefits to Council and Community**

There can be no doubt that the work done by Cobb & Co., its exhibitions, workshops and education programmes, are of immense benefit to the community and help achieve two of the desired outcomes from the Toowoomba Regional Community Plan :

"...Cultural Diversity and Heritage - Our communities value our cultural heritage and diverse backgrounds. We actively share our cultural heritage and intergenerational knowledge and skills."

And

"...Creative Expression - Our communities have a range of opportunities for creative expression and cultural exchange."

It can also be argued that the Museum services provided by Cobb & Co have helped to meet the community's expectations that a city of this size has a museum. Without the Cobb

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& Co Museum, the community would be likely to expect Toowoomba Regional Council to provide a similar service.

The recently opened extensions to the Cobb & Co. Museum have increased its capacity to continue to contribute to the goals of the Toowoomba Regional Community Plan.

Council's contribution to the Museum has continued to be acknowledged through appropriate signage, in advertising and on relevant promotional material and in press releases.

**Cobb & Co Museum - Relevant Statistics 2009/10**

- \$65,000 TRC contribution for free entry to TRC residents
- 26,197 free entries to TRC residents (\$2.48/head)
- 12,306 paid entries from visitors
- \$85,830 income from admissions (average admission fee \$6.97/head)
- Cobb & Co total income approximately \$499,000
- Cobb & Co net cost approximately \$1.3 million
- 209,135 free entries to TRC residents since Agreement in 2001.

Cobb & Co has now increased entry fees which will mean the average entry fee will be approximately \$10/head. If the same number of TRC residents use the service in 2010/2011 (26,197), the value of the entry equates to approximately \$260,000 in return for TRC's contribution.

The community also gets value for the investment made by TRC in the following ways:

- access to quality education and recreation, and cultural services for the entire community;
- access for those economically disadvantaged;
- increasing the use of a valuable community asset.

**Cultural Heritage Network**

It is worth noting that more than one Museum exists in the Toowoomba Regional Council area. Many are run by volunteers with varying levels of support from Council. This support ranges from ownership of property and assets (Pittsworth Pioneer Historical Village), paid staff (Jondaryan Woolshed), provision of marketing advice (Milne Bay Military Museum), provision of premises at peppercorn rent (Toowoomba Historical Society) to the upkeep of grounds and verges. Vicki Warden, a Regional Museum Development Officer for Queensland Museums based in Toowoomba, has been instrumental in bringing 24 Cultural Heritage organisations into a network for the region. There is potential for this group to approach Council in future with requests for assistance.



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**Equity**

A question to consider is whether it is the Toowoomba Regional Council's core business to fund access to a State Government provided facility?

TRC funds considerable cultural assets and services within its region, and usually without on-going State Government funding. Likewise, the State Government usually operates and funds its own facilities.

The Queensland Museums provides free admission to their facility at South Bank in Brisbane but chooses to charge entry fees for their Regional Museums and Science Centre. This creates an inequity between users of free museum services in South East Queensland and users in regional Queensland who have to pay.

In the case of Cobb & Co Museum, the TRC rate payers are paying to provide equitable access to a State-owned facility.

**FINANCIAL IMPLICATIONS**

Cobb & Co Museum has requested TRC increase its annual contribution to \$80,000 + GST per annum, adjusted annually for C.P.I.

For the previous three agreements, funds were allocated annually within the Cultural Development budget and there has been no provision for additional funding above \$65,000 within the Ten Year Financial Plan.

**CONCLUSION**

The former Toowoomba City Council and Toowoomba Regional Council have an admirable history of financially supporting the Museum so that it may provide free access to TRC residents.

It does represent a substantial financial commitment by Council. Although Toowoomba Regional Council receives fair acknowledgment and kudos for its further support of the cultural heritage sector, it can be argued that funding a State Government facility and determining to what level the community has access to that facility should remain the State's responsibility.

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**RECOMMENDATION**

1. That Council extend its current Agreement with the Board of Queensland Museums for a further twelve months from 30 September 2010.
2. That Council advise Queensland Museums that it will not be extending the Agreement beyond 30 September 2011 and request that Queensland Museums provide free general access to the Cobb & Co. Museum for all residents and visitors in line with its access policy for the State's major museum at South Bank.

**REASONS FOR RECOMMENDATION**

1. To give adequate notice of the changed arrangements as the current Agreement expired on 30 September 2010 and the Cobb & Co Museum has continued in good faith to provide TRC residents with free access.
2. To free up TRC funding that has been used to support services that are the core business of the State Government.
3. To encourage the State Government to extend free general access to the Cobb & Co Museum in line with similar benefits enjoyed by the South East Queensland metropolitan area through free access to the Museum at South Bank Brisbane.

**COMMITTEE RECOMMENDATION**

1. That Council extend its current Agreement with the Board of Queensland Museums for a further twelve months from 30 September 2010.
2. That Council and Cobb & Co. Museum work together to identify opportunities to consolidate history/museum collections (for example, the Local History Library) and gain mutual benefit from the implementation of co-operative programs.
3. That a report be presented to Council outlining outcomes from Recommendation 2 as part of consideration for the extension of future funding arrangements.

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**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 10)**

Committee Report adopted by Council at its meeting of 14 December 2010

<b>ACTION TO BE TAKEN</b>
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<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1.	B. Pidgeon	Please advise Cobb & Co. Museum of Council's decision.	24/12/10
2.	B. Pidgeon	Please arrange discussions with Cobb & Co Museum in accordance with 2. above.	31/01/11
3.	B. Pidgeon	Please arrange for report to be presented to Council in due course.	31/05/11

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Portfolio: **CULTURAL HERITAGE AND  
FACILITIES SERVICES**

11

**REPORT TITLE** Regional and Local Community Infrastructure Program (RLCIP)  
Grants - Round 3 - Milne Bay Aquatic Centre Refurbishment Works  
**AUTHOR** Manager, Community Development and Facilities (Paul Reynolds) -  
23 November 2010

**PURPOSE OF REPORT**

To advise Council of the planned scope of works and associated approvals required in relation to the Federal Regional and Local Community Infrastructure Program (RLCIP) Grants - Round 3 - Milne Bay Aquatic Centre refurbishment works.

This report follows the report presented to Council on 14 July 2010 seeking approval to submit a funding application for RLCIP Grants - Round 3 - Milne Bay Aquatic Centre Refurbishment and Oakey swimming pool rectification works.

**CORPORATE PLAN REFERENCE**

- 1.2 A community involved in sport and recreational activities
- 3.3 Toowoomba Region's infrastructure networks and assets are developed and maintained in a coordinated and integrated manner

**BACKGROUND**

**COUNCIL DECISION - 20 JULY 2010 (Committee of the Council - 13 and 14 July 2010 - Item 20)**

That Council submit an application for Aquatic Upgrades - Oakey Swimming Pool and Milne Bay Aquatic Centre for funding from the \$768,000 Regional and Local Community Infrastructure Program (RLCIP) - Round 3 allocation to Toowoomba Regional Council by the closing date of 30 July 2010.

**CONSULTATION UNDERTAKEN**

Not applicable.

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**ISSUES AND RESPONSES**

As identified in previous reports, Milne Bay Aquatic Centre is in need of refurbishment to improve a significant number of safety, hygiene and aesthetic issues at the facility. The only way to effectively address these issues is to have a planned shutdown of the indoor components of the facility.

The RLCIP funding has provided an unique opportunity to fast-track the facility refurbishment.

***Scope of Works - Milne Bay Aquatic Centre Shutdown***

The refurbishment works can be broadly categorised as repair, maintenance, improvement to the following areas of the facility:

- Replace 25m pool concourse with anti-slip material
- Indoor Pool - replace expansion joints, lane rope ends check earthing
- Repair/replace external fencing
- Repair water slide
- Dehumidifier and Ozone reconditioning
- Replace skirting boards to first aid station and cafe
- Repair and paint Crèche, replace play area with soft materials
- Re-floor, repaint and new curtains to Aerobics Room
- Re-surface walls of indoor pool
- Upgrade of lighting.

Total project costs are anticipated to be \$820,000. It is anticipated this will be funded by \$220,000 RLCIP (Round 3) and \$600,000 Council funds. At the time of writing this report, the Federal Regional and Local Community Infrastructure Program (RLCIP) Grants - Round 3 had been signed by Council and forwarded to the Commonwealth Government for execution.

In order to adequately rectify and/or improve issues in these areas, it is necessary to restrict/prevent patron access to the indoor components of the facility throughout the duration of the planned works. To achieve acceptable ongoing use of the facility and ensure minimal impact on patrons, shutdown works for the indoor components of the facility are scheduled to commence 14 March 2011 and be completed by 21 April 2011.

***Indoor Facility Shutdown***

The scheduled closure of the indoor components (wet areas) of the facility is 14 March 2011. It is expected all rectification works will be completed within a six week period. The planned reopening of the facility (indoor) is 22 April 2011. These dates have been selected due to minimising the impact on the learn to swim and the carnival season, whilst providing aquatic space (outdoor pool) for general patrons during the close-down works.

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***Logistic Arrangements***

The planned shutdown works will have a direct impact on patron movement and access to identified components of the centre's services. The planned shutdown will significantly limit patron access to the indoor components (ground level) of the facility.

The impacts on patron movements as a result of the planned shutdown works include:

<b>Service Delivery Area</b>	<b>Expected Impact (during shutdown period)</b>	<b>Financial Implications</b>
Front Desk Activities - Access to facility & change rooms	All facility access will be via the original facility entry point (Victoria Street Car park entrance) – Front desk and limited kiosk activities to be established. The only change rooms available during this time will be the change rooms adjacent to 50m pool	Yes, establishment costs, potential reduced labour costs
Aquatic Areas <ul style="list-style-type: none"> <li>• Spa / Sauna</li> <li>• 25m Indoor pool (including wave pool)</li> <li>• Program Pool</li> <li>• 50m pool</li> </ul>	Unavailable Unavailable  Unavailable Available – utilisation anticipated to be high therefore issues with patron supervision and management are required to be managed effectively	Yes - loss of income individuals/ bookings
Learn to swim Activities	Minor Impact – planned to reduce Learn to Swim term duration, may experience reduced attendance due to holding lessons in 50m pool (water temperature and over-crowding will be an issue)	Yes - reduced income
Café / Kiosk	Minor Impact – limited stock lines will be available for sale, sales will occur through temporary 'Access to facility' arrangements	Yes - reduced income, reduced cost (labour)
Gym	Use alternate 'Access to facility' then proceed up stairs east end of gym, change rooms adjacent to 50m pool	Yes, loss of membership
Group Fitness	Use alternate 'Access to facility' the proceed to Group fitness room, change rooms adjacent to 50m pool	Yes, minor

***Acknowledgment of Impact on financial performance***

The planned shutdown of the facility will have an operational financial impact on approved budgets for the 2010/2011 financial year. Although not accurately costed at the time of writing this report, financial implications are expected to see significant pressure on income in the following areas:

- Learn to swim patronage may fall due to a shorter term and issues with water space over-crowding and pool temperature.
- Gym and fitness activities may experience reduced patronage due to inconvenience with modified entry point and patrons being dissatisfied with having to use external change room facilities.
- Café / Kiosk turnover is expected to be significantly impacted due to reducing product lines and having limited kiosk space for patrons.
- Indoor Aquatics - due to these components of the facility being offline, income will be foregone relating to wave pool activities, spa, sauna and program pool bookings.

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As a result of shutdown activities and requiring supervision of a smaller area, cost reductions are expected to be achieved in the following areas:

- Labour cost savings due to supervision of a smaller water space area, however bather loads per m<sup>3</sup> of water will increase significantly.
- Reduced electricity, gas, water filtration and chemical costs due to managing a smaller water volume.

***Community Awareness Program***

Given the impact of the planned shutdown on the broader community, the development of a community awareness program is essential to ensure a smooth transition and set a level of customer expectation which can be met. In addition to general patron awareness, key user groups including a number of schools, disability/rehab groups and the Flyers Swimming Club will need to be undertaken. It is anticipated an external professional design and graphic consultancy firm be engaged to produce mock colour schemes and finished product imagery.

***Reflooring Option - Register of Pre-Qualified Suppliers***

Over the last five or so years, a number of tests have been carried out and sample floor/concourse products have been trialled by accredited manufacturers/suppliers to identify a solution to the current slip resistance, cleaning and aesthetic issues with the current concourse flooring.

Through numerous trials and industry research, it has been determined that a Monotek product is the most cost effective and appropriate solution to meet local conditions (water quality, red soil/staining etc). A number of different colour and slip resistance trials are currently being undertaken to assess slip resistance, colour retention, staining and easy of cleaning.

**FINANCIAL IMPLICATIONS**

See table above.

**CONCLUSION**

This report's primary purpose is to advise Council of the planned scope of works and associated approvals required in relation to the Federal Regional and Local Community Infrastructure Program (RLCIP) Grants - Round 3 - Milne Bay Aquatic Centre refurbishment works.

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**RECOMMENDATION**

1. That Council note the planned temporary shutdown of the indoor components of the Milne Bay Aquatic Centre between 14 March 2011 to 21 April 2011 to allow refurbishment works to be undertaken.
2. That a community awareness program be undertaken to inform the Toowoomba and wider community and key stakeholder groups of the planned temporary shutdown of the Milne Bay Aquatic Centre for the refurbishment.

**REASONS FOR RECOMMENDATION**

To ensure users of the Milne Bay Aquatic Centre are aware of the impacts of the proposed refurbishment works.

**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 11)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1 and 2	P. Reynolds	Please instigate all follow-up action.	31/01/11



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**Portfolio: TOURISM EVENTS AND PARKS  
SERVICES**

**12**

**REPORT TITLE** Recommendations - Toowoomba Carnival of Flowers Advisory Committee  
**AUTHOR** Manager, Economic Development, Tourism and Events (Debra Howe) and Event Coordinator, Toowoomba Carnival of Flowers (Erika Tornquist) - 23 November 2010

**PURPOSE OF REPORT**

To advise Council of the recommendations from the 22 and 23 November 2010 planning meetings of the Toowoomba Carnival of Flowers Advisory Committee (TCOF AC).

**CORPORATE PLAN REFERENCE**

- 1.1.1 Identify and promote opportunities for creative expression.
- 1.1.3 Facilitate equitable access to appropriate social and cultural activities to promote community interaction.
- 1.4.3 Strengthen social networks and provide appropriate social infrastructure to build resilience and connectivity of the community.
- 1.5.2 Encourage and support activities to achieve multicultural and intergenerational understanding and equity.
- 1.5.3. Promote a sense of community among young people and encourage them to participate and remain in their community.
- 5.1.5. Promote the Toowoomba Region as a place for business and encourage the establishment of new businesses.
- 5.1.6 Promote the region as a tourist destination.
- 5.1.7 Explore opportunities for the Region to host a variety of festivals and events.

**BACKGROUND**

Following Council's decision to implement the Toowoomba Carnival of Flowers Advisory Committee for the purpose of strategic direction and community involvement, planning days were held for the 2011 event and beyond, on 22 and 23 November 2010. Planning aspects were discussed including business plan development, standard operation procedures manual, marketing plans, intensive website development and utilisation, social media market.

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**ISSUES AND RESPONSES**

TCOF AC members Jan Johnson, Garry Humphries, Gary Love, David Heberlein, Ida Kendrick, Brian Pidgeon and Debra Howe attended the first Planning Day, with Brian Pidgeon and Garry Humphries not present on the second Planning Day. Major points discussed and matters arising therefrom are summarised as follows:

- Survey results indicate that event growth and opportunity for further growth exists.
- The event's marketing strategy is currently reactive, rather than pro-active.
- Marketing needs a strategic shift to a greater on-line presence to ensure event growth, as this is how customers want to be educated about the event.
- A business plan of three to five years is also required to ensure longevity and direction of the event.
- A Standard Operation Procedures manual is vital to ensure consistency, accuracy and longevity.

**CONCLUSION**

The TCOF AC sees -

- a great and immediate need for a marketing strategy to be implemented for the 2011 event before specific planning begins.
- a great and immediate need for the 2011 event planning to be recorded to ensure a Standard Operation Procedures Manual is implemented for future events.
- the need for a business plan to be developed, to include all aspects of the event.

**RECOMMENDATION**

1. That a fully costed marketing plan be formulated for the 2011 Toowoomba Carnival of Flowers as a matter of urgency, based on recent research and identified target markets and including the website, social media, advertising, branding and public relations strategy.
2. That a program be developed to formulate a five year business plan up to 2015 including:
  - Community engagement strategy.
  - Business engagement strategy.
  - Sponsorship.
  - Volunteer development.
  - Marketing and promotions.

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- Review of the elements of the events (including sub-events).
  - Internal and external stakeholder management.
  - Budgeting and resourcing to achieve the plan.
3. That a Standard Operation Procedures Manual be developed during 2011 for the Toowoomba Carnival of Flowers sub- events.

**REASONS FOR RECOMMENDATIONS**

- The implementation of the above recommendations will ensure that stakeholder / sponsor's relationship with management continue to strengthen, meet sponsor's expectations and enhance their community profile, thus ensuring the longevity of the event. Event research shows the need for a strong on-line presence as this area is growing strongly each year.
- The various business plan components will formulate guidelines for event growth from year to year and provide strategic direction to officers and stakeholders.
- A Standard Operation Procedures Manual will act as a guide for officers responsible for the delivery of the event, ensuring accuracy, consistency and quality of event delivery.

<b>COMMITTEE RECOMMENDATION</b>
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That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 12)**

Committee Report adopted by Council at its meeting of 14 December 2010

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**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1 to 3	D. Howe	Please initiate all follow-up action, including referring those elements of the marketing and business plans to Council for consideration.	25/02/11

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Portfolio: **TOURISM EVENTS AND PARKS  
SERVICES**

13

**REPORT TITLE** Event Support Funding - 2010/11 Financial Year  
**AUTHOR** Senior Administration Officer, Economic Development Tourism and Events (Simon Underwood) - 24 November 2010

**PURPOSE OF REPORT**

To submit applications for event support funding for the 2010/2011 financial year.

**CORPORATE PLAN REFERENCE**

- 1.1.1 Identify and promote opportunities for creative expression.
- 1.1.3 Facilitate equitable access to appropriate social and cultural activities to promote community interaction.
- 1.2.1. Collaborate with external agencies to encourage physical activity in the community.
- 1.4.3 Strengthen social networks and provide appropriate social infrastructure to build resilience and connectivity of the community.
- 1.5.2 Encourage and support activities to achieve multicultural and intergenerational understanding and equity.
- 1.5.3. Promote a sense of community among young people and encourage them to participate and remain in their community.
- 5.1.5. Promote the Toowoomba Region as a place for business and encourage the establishment of new businesses.
- 5.1.6 Promote the region as a tourist destination.
- 5.1.7 Explore opportunities for the Region to host a variety of festivals and events.

**BACKGROUND**

**Local Government (Finance, Planning and Reporting) Regulation 2010**

In accordance with Part 4 Community Grants the local government may give a grant to a community organisation only;

- (a) if the local government is satisfied:
  - (i) that the grant will be used for a purpose that is in the public interest;

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- (ii) the community organisation meets the criteria stated in the community grants policy; and,
- (b) in a way that is consistent with the local government's community grants policy.

There are new Event Support Grants Scheme Guidelines that have been developed under a proposed Community Support Policy, but the policy and guidelines are yet to be approved by Council. As Council is yet to adopt the new Community Support Policy and Events Support Grants Scheme Guidelines, the existing support arrangements from the amalgamating Councils are still in place.

The applications recommended for approval cover the Toowoomba Service Centre and the Pittsworth Service Centre and are consistent with the proposed policy guidelines and the previous policies of these amalgamating Councils.

### **CONSULTATION UNDERTAKEN**

Not applicable.

### **ISSUES AND RESPONSES**

#### **First Round Applications - 2010/2011**

The first round of the Events Support Grants Program was conducted over a period of five weeks (28 August to 31 October) and attracted fifteen enquiries resulting in:

- (i) Seven formal applications (1 Major, 2 Regional and 4 Community) see below.
- (ii) One application that was withdrawn (Toowoomba Says No To Violence).
- (iii) Two applications received out of time. An application from the Warriors Reunion Committee in respect of the Warriors Knock-out Tournament was referred to an appropriate State Government Department for assistance. Assistance had also been provided to this Committee from Council's Sports Tourism Project officer. The second application from the Toowoomba Hot Rodders Club Inc. seeking \$1,900 for entertainment and in-kind support (road closure treatment) in conjunction with the High Altitude Rod Run on Sunday, 13 March 2011 will be held-over pending the advertising of a second round of the Event Support Grant Program.
- (iv) An application was received from the City Golf Club Toowoomba seeking \$10,000 to assist with the marketing and promotion of the Queensland PGA Golf Championships to be held at the Club involving a week of associated activities from 21 to 27 February 2011. Under the provisions of the proposed guidelines, any organisation with gaming machines and/or trading regularly with a liquor licence most days of the week will be ineligible to seek assistance and therefore, it is recommended that the applicant be advised that Council is unable to consider the application for these reasons. Apart from this avenue, it is worth noting that Council provides the City Golf Club with in-kind support for this event through its Sports Tourism Project as a means of ensuring the success of the event and that it remains

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in the region. The in-kind support provided is itemised as follows:

- advice regarding sponsorship package development and the identification of potential sponsors.
- assistance with introductions to potential sponsors and event partners.
- event marketing and development advice.
- co-ordination and delivery of event media launch.
- supply and placement of What's on Wall banner.
- supply and placement of Margaret Street banner.
- advice regarding funding submission.

**REPORT OF THE MEETING OF THE COMMITTEE OF THE COUNCIL  
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**(a) Rotary Club of Toowoomba Inc. - Ride the Range Cycle Challenge - Picnic Point - Sunday, 27 February 2011 - Community Event**

<p><b>Applicant / Funding Details</b></p> <p><b>Rotary Club of Toowoomba Inc.</b></p> <p>Seeking \$1,500 towards:</p> <ul style="list-style-type: none"><li>• promotion, marketing, registration management and communications.</li><li>• administration and event management costs.</li></ul>
<p><b>Event</b></p> <p>Ride the Range is a challenging event commencing at Heller Street Park, Picnic Point. Riders will travel down the Range using Flagstone Creek Road through the salad bowl of the Locker Valley and return to Picnic Point via Blanchview Road. There is an option to ride either 100kms or 60 kms. The event will promote the Toowoomba Rotary Club and raise funds for local charities and projects. Half of the funds raised will be given to the Prostrate Cancer Foundation of Australia.</p>
<p><b>Details / Background Information</b></p> <p>New event on the local calendar.</p> <p>One day event proposing to attract 900 participants, 200 support personnel and 800 spectators (total of 1,900)</p> <p>Total participants from TRC area are expected to be 300 along with 600 from south east Queensland.</p> <p>Total budget \$112,812</p> <p>Grow the event over the next 3 years to attract 2,500 riders.</p> <p>Media partners are being sought.</p> <p>200 persons from outside the TRC area are expected to seek accommodation.</p> <p>100 volunteers from local Rotary Clubs.</p> <p>Encouraging the community to become fitter and healthier.</p> <p>Local traffic disruptions will occur.</p> <p>Entry fee for riders is \$75 with no spectator fees.</p>
<p><b>Suggested Assistance</b></p> <p><b>\$1,500 towards promotion, marketing, registration management and communications.</b></p> <p><b>No funding to be utilised on administration and event management costs.</b></p>
<p><b>Reasons</b></p> <p>New event with the potential for growth.</p> <p>Although a one day event, visiting participants will stay for at least one night.</p> <p>Economic and social benefits.</p>



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- (b) **Easterfest Festival 2011 - Friday, 22 April 2011 to Sunday, 24 April 2011 - Major Event**  
**Easterfest City 2011 - Friday, 22 April 2011 to Sunday, 24 April 2011 - Major Event**

**Applicant / Funding Details**

Australian Gospel Music Festival Ltd: (Total of \$66,365)

- seeking \$56,155 for Easterfest (same base amount as 2010 i.e. \$55k with 2.1% CPI added) for marketing and promotion. Seeking to improve attendees from NSW, Gold Coast and Northern Queensland.
- seeking \$10,210 to assist Easterfest City (same base amount as 2010 i.e. \$10k plus 2.1% CPI) for attracting entertainment, advertising along with providing opportunities for local business involvement. (Specifically, this assistance relates to attracting entertainment - securing headline musical performers and celebrities. Local business involvement - printing of 30,000 food guides for CBD traders. Offering entertainment free of charge to local cafes, restaurants and licensed venues. Promotion of CBD businesses through media campaigns including radio and television.

The financial support being sought is less than 3.5% of the total budgeted expenditure.

**Event**

Easterfest is a locally organised festival at Easter about Easter with a music focus. It attracts thousands of tourists and international artists from around the world.

**Details / Background Information**

The event has been running since 1999 and has received financial and in-kind support since that time.

In relation to in-kind support, a fee reduction for the use of the park is granted as follows:

- Bump-in and bump-out, total of 14 days at \$37 per day (non-commercial use of a park).
- Performance days, 5 days at \$647 per day (commercial use of a park)

These fees are in lieu of the "Large Scale Commercial Use of a Park at \$1,000 per day. This reduction in site fees equates to a saving to the applicant of \$15,247.

In 2009, Easterfest City received \$10k; Easterfest Festival received \$55k. Total of \$65k.

Scale of Visitation: TRC area - 28%, South-East Qld - 46%, Interstate -17%, International - 2%

Event is endorsed by Qld Police Service, various Church Denominations, Volunteers Qld, Gospel Music Assn of Australia and New Zealand, Qld Events & Q Music.

Easterfest receives funding from donors, sponsors and Queensland Events.

TV packaged specials (excluding news coverage) have occurred in the past. Nothing confirmed for 2011, at this stage.

Economic Benefits:

- participants - 600 rooms x 3.5 nights = 2,100 room nights
- support crew = 4,900 room nights
- Spectators - commercial rooms 7,000 nights, campers in Queen's Park 14,000 nights & friends, family, church halls 10,500 nights
- Total 31,500 room nights
- all permanent staff employed locally \$300k
- local equipment hire \$130k
- local production equipment hire \$50k
- local security \$45k

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- prior to Easterfest, Toowoomba's population decreased at Easter, however, it now increases.

**Social Benefits:**

- Lifeline, supply and sale of opportunity shop clothing to attendees for the "Fancy Pants Ball"
- Teen Challenge
- Numerous church groups
- Crime prevention

**Suggested Assistance**

**In view of the limitations within Council's 2010/11 budget along with the in-kind support provided by Council in respect of the fees for the use of Queen's Park for the event, it is suggested that the applicant's request for additional funds (inclusion of CPI) not be acceded to.**

**The applicant be therefore offered \$55,000 for Easterfest towards marketing and promotion and \$10,000 for Easterfest City for entertainment, advertising and local business involvement.**

**Reasons**

Major Event with a sub- event run over three days attracting crowds greater than 5,000 from outside the region and providing substantial economic and social benefit.

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**(c) Toowoomba Cycling Club Inc. - Tour of Toowoomba - 17 to 19 June 2011 - Regional Event**

<p><b>Applicant / Funding Details</b></p> <p>Seeking \$10,000 for marketing/advertising (placement of full page, four colour, advertisements in State and national cycling magazines). Advertising brochures, web sites along with direct email marketing to all racing and recreational clubs and societies in South-East Qld and Northern NSW.</p> <p>The financial support being sought equates to 6.7% of the total expenditure in the budget.</p>
<p><b>Event</b></p> <p>The "Tour of Toowoomba" was initiated by the Toowoomba Cycling Club in 2010. It was then the first National Road Series event to be held in Queensland. The National Road Series is a series of events of Australian professional racing teams.</p>
<p><b>Details / Background Information</b></p> <p>Three day road cycling race that is part of Cycling Australia's National Road Series.</p> <p>This event was first run in 2010 and this is its second year.</p> <p>In 2010, the event was filmed and broadcast nationally, as organised by Cycling Australia. This included a 60 minutes highlights program on SBS. The 2011 broadcaster is unknown at this stage.</p> <p>Scale of event:</p> <ul style="list-style-type: none"><li>• 20% Toowoomba City</li><li>• 19% TRC Area</li><li>• 50% Southeast Qld</li><li>• 5% State</li><li>• 5% National</li><li>• 1% International</li></ul> <p>Event Participants: 90 riders (5 from TRC Region, 30 from South-East Qld, 50 from interstate and 5 International).</p> <p>Support Personal: 110</p> <p>Spectators: Four races (350 per race) and main race (500) - Total of 1,550</p> <p>Local Goods and Services: Hire, printing, transport, accommodation, signage and food approximately \$12,000</p> <p>The applicant's long term aim is to have the Tour of Toowoomba recognised by the world governing body "The UCI" as a Pro Tour level international three day event.</p> <p>In 2010, Council assisted the applicant with mobile stage, traffic control measures and in-house promotion services to the value of \$1,000. It also provided further support through its Sports Tourism Officer.</p> <p>Sports Tourism support will be provided for the 2011 event and includes:</p> <ul style="list-style-type: none"><li>• advice regarding sponsorship package development and the identification of potential sponsors;</li><li>• assistance with introductions to potential sponsors and event partners;</li><li>• event marketing and development advice;</li><li>• co-ordination and delivery of event media launch;</li><li>• supply and placement of What's on Wall banner;</li><li>• supply and placement of Margaret Street banner;</li><li>• advice regarding funding submission.</li></ul>

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<b>Suggested Assistance</b>
In view of the economic/tourism opportunities arising from this event being established as a regular event, it is suggested that \$10,000 be made available to the applicant for marketing/advertising purposes subject to a detailed marketing program being submitted and approved by the Chief Executive Officer or his delegate.
<b>Reasons</b>
Development of a sports tourism opportunity.

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**(d) Leafmore Garden Society Inc. Two Day Winter Garden School - 8 and 9 June 2011 - Community Event**

<b>Applicant / Funding Details</b>  Leafmore Garden Society Inc. seeking \$1,000 towards advertising and marketing (program mail-out, media advertising, website advertising and program distribution).
<b>Event</b>  Two day garden school held at the City Golf Club encompassing ten hours of presentations by five presenters on gardening topics.  The presenters are well known gardening personalities who use data productions, demonstrations and hand-outs to assist comprehension of concepts.
<b>Details / Background Information</b>  A two day gardening education event that commenced in 2001 and held every second year since then with an average attendance of 145 persons with 55% from the TRC Region, 20% South-East Qld, 18% State and 7% National.  Economic benefits: <ul style="list-style-type: none"><li>• participants, 77 room nights</li><li>• support personnel, 10 room nights</li><li>• trade displays/sales from 2 nurseries, 1 bookseller and 1 garden tool supplier</li></ul> In 2009, Council provided \$1,000 towards the running of the event.
<b>Suggested Assistance</b>  <b>\$1,000 for advertising and promotion.</b>
<b>Reasons</b>  An event that supports the area's Garden City image and provides economic and social benefits.

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**(e) Pittsworth Junior Rugby League Club Inc. - Pittsworth District Community Carnival - Saturday, 4 December 2010 - Community Event**

<p><b>Applicant / Funding Details</b></p> <p>Pittsworth Junior Rugby League Club Inc. seeking \$1,500 towards the provision of entertainment (children's rides) at a community event.</p> <p>The cost of the rides on the day will be \$6,500 with \$5,000 being recouped in ticket sales and the remaining \$1,500 via the Council grant.</p>
<p><b>Event</b></p> <p>An event that promotes inclusiveness and friendship within the community by showcasing sport and recreation options, local produce and craft stalls along with rides and games in a family friendly atmosphere.</p>
<p><b>Details / Background Information</b></p> <p>The event is organised in an effort to welcome new members into the community of Pittsworth and make them aware of the sport and recreation options available within the community.</p> <p>The objective of the event is to promote local sports clubs, attract new volunteers to clubs and increase the use of the community facility known as The Leagues Club.</p> <p>The applicant expects an attendance of 800 persons on the day with 95% attending from the Pittsworth area and 5% from the region.</p> <p>Social benefits:</p> <ul style="list-style-type: none"><li>• local community and sports groups will provide food stalls &amp; sports and entertainment displays (Rotary, Lions, Sports Clubs, Choirs &amp; Chaplaincy)</li><li>• interaction with the growing migrant population in Pittsworth</li></ul> <p><b>Note: the Pittsworth Leagues Club operates a licensed bar area along with 5 poker machines, however, the applicant is separate from this entity.</b></p>
<p><b>Suggested Assistance</b></p> <p>\$1,500 towards children's rides.</p>
<p><b>Reasons</b></p> <p>Social benefits arising from a Community fun day and supporting the needs of a rural community.</p>

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**(f) Toowoomba & District Old Machinery Society Inc. - Historical Expo - 5 and 6  
March 2011 - Regional Event**

<p><b>Applicant / Funding Details</b></p> <p>Seeking \$5,000 to run an advertising campaign through TV, print media, national machinery magazines and flyers for distribution to local and national clubs.</p>
<p><b>Event</b></p> <p>The 2011 Historical Expo at the Toowoomba Showgrounds will provide entertainment for the whole family throughout the weekend. The main feature for 2011 will be "All Things British" with anything from home appliances, cars, trucks and tractors made in Britain.</p> <p>In addition, there will be working tractors, cars, steam engines, stationary engines, farm implements, windmills &amp; historical memorabilia.</p> <p>Food, children's entertainment, animal nursery and various stalls.</p>
<p><b>Details / Background Information</b></p> <p>The objective of this two day event is to preserve and promote the interests of old machinery and memorabilia within the wider community. Through annual expos, the applicant feels that this goal is being achieved and hopes to continue to provide this event for many more years. The expo attracts a diversity of people such as adults, children, farmers, collectors, various clubs and interstate visitors.</p> <p><b>Scale:</b> Toowoomba City 45% Toowoomba Region 30% South-East Queensland 10% State 10% National 5% 50 room nights</p> <p><b>Participants:</b> Exhibitors 200 with 140 from Toowoomba Region, 55 South-East Queensland and 5 Interstate.</p> <p><b>Visitors:</b> Likely spectators 3,500 to 4,000</p> <p>The event is held at the Toowoomba Showgrounds at the same time as another activity, 'Bookfest' with both of these events supporting each other.</p> <p>This event was supported by Council in 2010 (\$1,000).</p>
<p><b>Suggested Assistance</b></p> <p><b>\$1,000 towards promotion and marketing.</b></p>
<p><b>Reasons</b></p> <p>Development of an established event.</p> <p>Economic and social benefits.</p> <p>Supporting another event at the same venue.</p>

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**(g) Southbrook Central State School P & C Bush Dance - Friday, 29 October 2010 - Community Event**

<b>Applicant / Funding Details</b> Seeking \$600 towards entertainment (bush band) for a Community Bush Dance held at the Southbrook Hall to celebrate the centenary of the School and to showcase the students' dancing skills.
<b>Event</b> Southbrook Central State School celebrated its centenary on 30 October 2010 and in an effort to bring the community together in an affordable fun filled way, it ran a Community Bush Dance.
<b>Details / Background Information</b> Total cost of the Band was \$600 and the total amount of door sales were 70 tickets at \$5.00, thus leaving a deficit of \$250. School age children and below were not charged an admission fee.  This was a one-off event and therefore, has not been supported in the past.
<b>Suggested Assistance</b>  <b>\$250 towards the cost of providing the band.</b>
<b>Reasons</b>  The event provided social interaction within a small community and supported an historical mile-stone.

**FINANCIAL IMPLICATIONS**

Funding of \$105,000 has been allocated in the Toowoomba Service Centre budget with funds held in other service centre budgets to be identified.

The value of the requested support is \$85,965.

The value of the suggested support is \$80,250.

The surplus funds of \$24,750 will enable a second funding round to occur.

**CONCLUSION**

The events recommended for funding are consistent with the previous policies of the amalgamating Councils and proposed policy guidelines.



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**RECOMMENDATION**

1. That Council provide the Rotary Club of Toowoomba Inc. with funding of \$1,500 from the Event Support Grant Program to assist with promotion, marketing, registration management and communications in connection with the running of the inaugural "Ride the Range Cycle Challenge" commencing and concluding at Heller Street Park, Picnic Point on Sunday, 27 February 2011, subject to the standard conditions for providing the funding.
2. That Council provide Australian Gospel Music Festival Limited (trading as Easterfest) with funding of:
  - (i) \$55,000 from the Event Support Grant Program to assist with the marketing of Easterfest 2011, being held at Queen's Park from Friday, 22 to Sunday, 24 April 2011, subject to the standard conditions for providing the funding; and,
  - (ii) \$10,000 from the Event Support Grant Program to assist with entertainment, advertising and providing opportunities for local business involvement as part of Easterfest City, being held within the Toowoomba CBD from Friday, 22 to Sunday, 24 April 2011, subject to the standard conditions for providing the funding.
3. That Council provide the Toowoomba Cycling Club Inc. with funding of \$10,000 from the Event Support Grant Program to assist with the marketing and promotion of the "Tour of Toowoomba" National Road Series Cycling Event over the weekend of Friday, 17 to Sunday, 19 June 2011, subject to:
  - (i) the marketing and promotion program being submitted to the Chief Executive Officer or his delegate for prior approval; and,
  - (ii) subject to the standard conditions for providing the funding.
4. That Council provide Leafmore Garden Society Inc. with funding of \$1,000 from the Event Support Grant Program to assist marketing and advertising (program mail-out, media advertising, website advertising and program distribution) in connection with its two day Winter Garden School on Wednesday, 8 June 2011 and Thursday, 9 June 2011 at the City Golf Club, subject to the standard conditions for providing the funding.
5. That Council provide Pittsworth Junior Rugby League Club Inc. with funding of \$1,500 from the Event Support Grant Program towards the provision of entertainment (children's rides) at its proposed Pittsworth District Community Carnival on Saturday, 4 December 2010, subject to the standard conditions for providing the funding.
6. That Council provide Toowoomba & District Old Machinery Society Inc (TADOMS) with funding of \$1,000 from the Event Support Grant Program to assist with promotional opportunities associated with its Historic Expo ("All Things British") at the Toowoomba Showgrounds on Saturday, 5 March 2011 and Sunday, 6 March 2011,

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subject to the standard conditions for providing the funding.

7. That Council provide Southbrook Central State School Parents and Citizens Association with funding of \$250 from the Event Support Grant Program to assist with bush-band entertainment at its Community Bush Dance held at the Southbrook Hall on Friday, 29 October 2010 to celebrate the centenary of the School and to showcase the students' dancing skills to the local community, subject to the standard conditions for providing the funding.
8. That the successful applicants be advised that on-going support of their respective event is not to be expected and Council reserves the right to determine future applications in accordance with Council's policy and available funding.
9. That the President, Toowoomba City Golf Club Inc. be advised that Council:
  - (i) is unable to assist by providing additional financial support of \$10,000 to assist with the marketing and promotion of the Queensland PGA Golf Championships; and,
  - (ii) will continue to provide the same level of in-kind assistance for this event through its Sports Tourism Project, as for the 2009 event.

**REASONS FOR RECOMMENDATION**

To distribute grant funding to eligible organisations.

**DECLARATION OF MATERIAL PERSONAL INTEREST**

Councillor Ramia declared a Material Personal Interest in Item 13 as he operates food stalls during the Easterfest Festival and left the meeting at 11.56 a.m. prior to discussion on this item.

**COMMITTEE RECOMMENDATION**

1. That Council provide the Rotary Club of Toowoomba Inc. with funding of \$1,500 from the Event Support Grant Program to assist with promotion, marketing, registration management and communications in connection with the running of the inaugural "Ride the Range Cycle Challenge" commencing and concluding at Heller Street Park, Picnic Point on Sunday, 27 February 2011, subject to the standard conditions for providing the funding.
2. That Council provide Australian Gospel Music Festival Limited (trading as Easterfest) with funding of:
  - (i) \$55,000 from the Event Support Grant Program to assist with the marketing of Easterfest 2011, being held at Queen's Park from Friday, 22 to Sunday, 24 April 2011, subject to the standard conditions for providing the funding; and,

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- (ii) \$10,000 from the Event Support Grant Program to assist with entertainment, advertising and providing opportunities for local business involvement as part of Easterfest City, being held within the Toowoomba CBD from Friday, 22 to Sunday, 24 April 2011, subject to the standard conditions for providing the funding.
- 3. That Council provide the Toowoomba Cycling Club Inc. with funding of \$10,000 from the Event Support Grant Program to assist with the marketing and promotion of the "Tour of Toowoomba" National Road Series Cycling Event over the weekend of Friday, 17 to Sunday, 19 June 2011, subject to:
  - (i) the marketing and promotion program being submitted to the Chief Executive Officer or his delegate for prior approval; and,
  - (ii) subject to the standard conditions for providing the funding.
- 4. That Council provide Leafmore Garden Society Inc. with funding of \$1,000 from the Event Support Grant Program to assist marketing and advertising (program mail-out, media advertising, website advertising and program distribution) in connection with its two day Winter Garden School on Wednesday, 8 June 2011 and Thursday, 9 June 2011 at the City Golf Club, subject to the standard conditions for providing the funding.
- 5. That Council provide Toowoomba & District Old Machinery Society Inc (TADOMS) with funding of \$1,000 from the Event Support Grant Program to assist with promotional opportunities associated with its Historic Expo ("All Things British") at the Toowoomba Showgrounds on Saturday, 5 March 2011 and Sunday, 6 March 2011, subject to the standard conditions for providing the funding.
- 6. That Council provide Southbrook Central State School Parents and Citizens Association with funding of \$250 from the Event Support Grant Program to assist with bush-band entertainment at its Community Bush Dance held at the Southbrook Hall on Friday, 29 October 2010 to celebrate the centenary of the School and to showcase the students' dancing skills to the local community, subject to the standard conditions for providing the funding.
- 7. That the successful applicants be advised that on-going support of their respective event is not to be expected and Council reserves the right to determine future applications in accordance with Council's policy and available funding.
- 8. That Council note that the Pittsworth District Community Carnival activity scheduled for 4 December 2010 was cancelled due to inclement weather and accordingly, the applicant is no longer seeking funding for this particular event.
- 9. That the President, Toowoomba City Golf Club Inc. be advised that Council:
  - (i) is unable to assist by providing additional financial support of \$10,000 to assist with the marketing and promotion of the Queensland PGA Golf Championships; and,
  - (ii) will continue to provide the same level of in-kind assistance for this event through its Sports Tourism Project, as for the 2009 event.

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- (iii) will liaise with the City Golf Club to explore alignment of Council's existing marketing program and that of the PGA.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 13)**

**Item 13  
Event Support Funding - 2010/11 Financial Year**

**Declaration of Material Personal Interest**

Councillor Ramia declared a Material Personal Interest in Item 13 as he operates food stalls during the Easterfest Festival. Councillor Ramia left the meeting at 9.27 a.m. and was absent for voting on this item.

**MOTION:**

Moved by Cr. Strohfeld, seconded by Cr. Marks

That the Committee Recommendation be adopted.

**Carried**

Councillor Ramia returned to the meeting at 9.28 a.m.

<b>ACTION TO BE TAKEN</b>
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<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1 - 9	S. Underwood	Please initiate all follow-up action.	17/12/10

Councillor Ramia returned to the meeting at 12.07 p.m.

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Portfolio: **FINANCIAL AND SPORTING  
SERVICES**

**14**

**REPORT TITLE** Request for Approval to Write-Off Outstanding Debtor Account  
**AUTHOR** Co-ordinator - Revenue Collection (Jan Sondergeld) - 25 October  
2010

**PURPOSE OF REPORT**

The purpose of this report is to seek Council approval to write-off an outstanding invoice greater than \$2,000. The Chief Executive Officer is delegated authority to write-off debts up to the value of \$2,000 (A13 of the Register of Delegations from Council to the Chief Executive Officer).

**CORPORATE PLAN REFERENCE**

7.4 Provide ongoing support for the financial planning and management program including financial and statutory accounting requirements.

**BACKGROUND**

In April 2007, Council issued an invoice amounting to \$3,383.89 for repairs made to damaged Council property resulting from an accident involving the debtor's vehicle in the vicinity of the intersection of Ruthven and Margaret Streets, Toowoomba.

The debtor claims not to be the driver of the vehicle at the time of the accident. Consequently, Council requested a signed statutory declaration stating same, however, as at the date of this report, the debtor has declined this request.

Information has been sought from the Toowoomba Police and they advise that they have been unable to identify the driver of the vehicle at the time of the accident which resulted in the damage to Council property.

**CONSULTATION UNDERTAKEN**

Not applicable.

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**ISSUES AND RESPONSES**

The matter of the debt was forwarded to Council's debt collection agency (Dun and Bradstreet) and judgment was obtained in the Magistrates Court against the debtor on 15 March 2010.

As previously mentioned, Council has been unable to establish any proof that the debtor was in charge of the vehicle at the time of the accident or obtain a signed statutory declaration from the debtor stating that they were not the driver of the vehicle at the time of the accident.

**FINANCIAL IMPLICATIONS**

Considerable administrative cost has been incurred in pursuing the outstanding amount of \$3,383.89 through correspondence with the owner of the vehicle, referral to the debt collection agency, as well as preparing a report for Council consideration to write-off the debt.

Delegation A13 of the Register of Delegations from Council to the Chief Executive Officer states:

"To write-off stores, assets and debts up to the value of \$2,000 that are deemed to have no value or are uneconomic to recover".

It is considered timely for the amount value of the delegation to the Chief Executive Officer to be reviewed. It is proposed that the amount value be raised to \$10,000 and that the delegation contain a condition that Council be advised, through the monthly Departmental Report, of all amounts written-off up to \$10,000.

For the information of Council, a total of \$9,287.66 debtor write-offs has occurred during the 2010/2011 financial year, including the amount the subject of this report.

**CONCLUSION**

As Council has exhausted all avenues for recovery of this debt, it is recommended that the debt for \$3,383.89 be written-off.

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**RECOMMENDATION**

1. That the outstanding amount of \$3,383.89 on debtor account 7005761 be written-off.
2. That Delegation A13 of the Register of Delegations from Council to the Chief Executive Officer be amended as follows:
  - (a) Deleting the amount of \$2,000 and inserting the amount of \$10,000 in its stead.
  - (b) Inserting the following Condition and Limitation:

"Council to be advised, through the monthly Departmental Report, of all amounts written-off up to \$10,000".

**REASONS FOR RECOMMENDATION**

1. All avenues for recovery of this debt have been exhausted.
2. To set a reasonable value to allow the Chief Executive Officer to write-off a debt without reference to Council.

**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 14)**

Committee Report adopted by Council at its meeting of 14 December 2010

REPORT OF THE MEETING OF THE COMMITTEE OF THE COUNCIL  
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**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
1.	J. Sondergeld	Please implement Council's decision.	17/12/10
2.	A. O'Neil	Please update Register of Delegations	17/12/10
2.	A. Betts	Please arrange for advice to be provided to Council through the monthly Departmental Report.	17/12/10



REPORT OF THE MEETING OF THE COMMITTEE OF THE COUNCIL  
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Portfolio: **STRATEGIC SERVICES**

15

**REPORT TITLE** Local Laws and Subordinate Local Laws Development Update  
**AUTHOR** Manager, Community and Business Planning (Kevin Wruck) - 19  
November 2010

### PURPOSE OF REPORT

To provide Council with an update on the development of new Local Laws and Subordinate Local Laws for Toowoomba Regional Council.

### CORPORATE PLAN REFERENCE

2.1.5 Review and ensure compliance with policies, standards, codes and other legislative requirements.

### BACKGROUND

Toowoomba Regional Council commenced operations with 185 Local Laws (LLs) and 126 Subordinate Local Laws (SLLs). Due to different terms and conditions, the administration and regulation of LLs and SLLs varies across the Council.

During 2010, Council officers have been committed to developing an integrated set of LLs and SLLs. In developing a process for a uniform set of laws, three main issues were considered, namely:

- The development of Council's LLs and SLLs would be an important step in integrating Council business and decision-making.
- If Council adopted the model LLs developed by the Department of Infrastructure and Planning, the introduction of Council's LLs and SLLs could **not** be introduced on a staged basis - the entire suite of LLs had to be developed and introduced at the same time.
- All continuing LLs and SLLs would no longer apply after 31 December 2011.

With the above issues in mind, it was decided to adopt the model LLs and commission King & Company to assist in drafting of the SLLs. It is anticipated that a total of 6 LLs and 26 SLLs need to be developed to meet Council's requirements.

The attached Project Plan (Attachment A) was developed and endorsed by the Executive Management Team to guide the LLs and SLLs process. In accordance with the Project Plan, the following actions have been completed:

- Preparatory meetings conducted with attendees prior to workshop (28 June to 9 July).

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- King & Company workshop (19 July to 21 July).
- King & Company prepared draft SLLs (26 July to 20 August).
- Memo from Chief Executive Officer to Managers (23 August) requesting feedback of draft LLs.
- Distribution of draft SLLs to Council working groups for feedback (23 August to 10 September).
- Advised King & Company of any amendments required (13 September) - Sent 24 September.
- King & Company amended SLLs and provided amended drafts to Council by 1 November (27 September to 1 November).
- Progress report presented to the Executive Management Team meeting on 18 November - included draft SLLs LLs and draft community consultation plan.

#### **CONSULTATION UNDERTAKEN**

During the development of the SLLs, there has been extensive consultation with Directors, Managers and senior staff.

A draft Communication Consultation Plan (Attachment B) has been prepared to encourage community feedback on the SLLs. The Communication Plan provides for a much wider consultation program than would usually be undertaken in the law making process however, given the volume of laws being presented for public comment, Council may consider it reasonable to expand the consultation process.

#### **ISSUES AND RESPONSES**

In order to complete the LLs and the SLLs process, the following actions are required:

- Obtain feedback from Chief Executive Officer and Directors by 9 December - endorsement required from Executive Management Team to progress draft laws to Council briefing sessions.
- Prepare memorandum to Councillors and distribute laws and consultation plan (7 January 2011).
- Council Information session for 25 January 2011 (after Ordinary Meeting).
- Council Information session for 9 February 2011 (after Committee Meeting).
- Prepare report for consideration by Council at its meeting of 15 March 2011 (Committee of the Council - 7 and 8 March 2011). A Council resolution is required proposing to make the model LLs and proposing to make the SLLs.

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- Forward a letter to the Department of Transport and Main Roads seeking the Chief Executive's written agreement for Toowoomba Regional Council to make a Local Law relating to a declared road in its area (Section 66(5) of *Transport Operations (Road Use Management) Act 1995*) - 14 March 2011.
- Public Consultation period - 19 March 2011 to 15 April 2011 (26 days).
- Prepare report to Executive Management Team meeting of 28 April 2011 summarising submissions from consultation (18 April to 21 April).
- King & Company to prepare final draft SLLs based on submissions from public consultation (2 May to 13 May).
- Distribute final draft SLLs from King & Company to Councillors (16 May) prior to Council Information Session on 14 June 2011.
- Council Information session on 14 June 2011.
- Prepare report for consideration by Council at its meeting of 19 July 2011 (Committee of the Council - 12 and 13 July 2011). Council resolutions are required to make the model LLs and the SLLs.
- Publish notice in the Gazette and forward certified copies of the LLs and gazette notice to Minister.
- Prepare LLs register.

As indicated above, the LLs and SLLs are anticipated to be made in August 2011. While the proposed timeframe is well ahead of the 31 December deadline, it may be impacted by the amount of public interest and the level of Council effort required to satisfy that interest.

### **FINANCIAL IMPLICATIONS**

Additional funding of approximately \$20,000 will be sought at the December Quarterly Budget Review for additional legal costs and costs associated with the community consultation phase.

### **CONCLUSION**

The process and timing for developing LLs and SLLs are being managed and monitored through a detailed project management plan, including tasks completed to date and activities still outstanding.

Further progress updates will be provided to Council in accordance with that Plan.

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**RECOMMENDATION**

That Council note the progress towards the development of an integrated set of Local Laws and Subordinate Local Laws for Toowoomba Regional Council.

**REASONS FOR RECOMMENDATION**

To provide Council with timely information regarding the development of Local Laws and Subordinate Local Laws.

**COMMITTEE RECOMMENDATION**

That Council note the progress towards the development of an integrated set of Local Laws and Subordinate Local Laws for Toowoomba Regional Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 15)**

Committee Report adopted by Council at its meeting of 14 December 2010

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	K. Wruck A..Milton	Please note.	19/12/10

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Portfolio: **CORPORATE SERVICES**

16

**REPORT TITLE** Community Engagement Policy  
**AUTHOR** Manager, Governance and Administration (Norm Garsden) - 1  
November 2010

### **PURPOSE OF REPORT**

To present a draft Community Engagement Policy to Council for adoption.

### **CORPORATE PLAN REFERENCE**

- 2.1.5 Review and ensure compliance with policies, standards, codes and other legislative requirements.
- 2.3.1 Provide a solid foundation for management and efficient administrative support for Councillors.

### **BACKGROUND**

Section 4 of the *Local Government Act 2009* establishes four principles of Local Government, including: "democratic representation, social inclusion and meaningful community engagement".

Section 130 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* requires Council to prepare and adopt a policy (a community engagement policy) describing how the local government engages with the community about:

- preparing, reviewing and changing its long-term community plan; and
- any other matters mentioned in the policy relevant to establishing or reviewing the performance of its system of financial management.

The policy should be adopted before 31 December 2010.

### **CONSULTATION UNDERTAKEN**

Consultation on the draft policy has been undertaken internally, having been discussed with the most affected stakeholders: Executive Management Team and staff in the Land Use Planning, Integrated Regional Planning, Community Development and Facilities, Policy and Corporate Communication areas.

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**ISSUES AND RESPONSES**

The draft policy takes a principled approach to community engagement to ensure maximum flexibility in engaging the community and considers community engagement beyond the Community Plan.

The draft policy uses the Public Participation Spectrum framework developed by the International Association for Public Participation (IAP2) which is recognised as 'best practice' to provide a structure for and direction of community engagement. Although a core element of the policy, each community engagement project plan will have the flexibility to tailor the activities to the specific target group and circumstance (scale, budget, etc). The techniques identified in the plan are not to be seen as limiting the engagement techniques, but an example of the appropriate methods for the category of engagement.

Following adoption of the Community Engagement Policy, a draft Community/Councillor Engagement Action Plan for 2011 will be developed for discussion at a Councillor information session in January 2011 and subsequent adoption by Council in February 2011.

**FINANCIAL IMPLICATIONS**

It is not envisaged that this policy would significantly increase the level of resources required for community engagement over and above Council's current commitment however, some community engagement training for Councillors and selected staff is considered appropriate when funds permit.

**CONCLUSION**

The Draft Community Engagement Policy provides an appropriate framework for community consultation.

**RECOMMENDATION**

That the Community Engagement Policy be adopted.

**REASONS FOR RECOMMENDATION**

The attached policy will satisfy the requirements of the *Local Government Act 2009* and regulation 113 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*.

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**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 16)**

**Item 16  
Community Engagement Policy**

**MOTION:**

Moved by Cr. McVeigh, seconded by Cr. Antonio

That the matter be deferred for further discussion at a Councillor information session.

**Carried**

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	N. Garsden	Please instigate all follow-up action, including arranging an information session for Councillors in January 2011.	17/12/10

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Portfolio: **CORPORATE SERVICES**

**17**

**REPORT TITLE**            Review of Locations for Monthly Ordinary Meetings of Council  
**AUTHOR**                    Chief Executive Officer (Ken Gouldthorp) - 30 November 2010

A review has been undertaken of the current practice of holding the monthly Ordinary Meetings of Council on a rotational basis at service centres in the Toowoomba Regional Council area, to gauge the effectiveness of this practice in engaging the community in Council's decision-making.

The review found that attendance by the public at the monthly meetings was very low. It should be noted that the agenda for Ordinary Meetings is determined by the need for a Council decision on any matter of Council business. Consequently, agenda items at meetings held in district areas are often not specifically related to that district. Furthermore, the structure of Ordinary Meetings allows minimal capacity for public participation in discussion and no capacity for a member of the public to raise a matter that is not on the agenda from the public gallery.

Following consultation with Councillors, it is proposed that all monthly Ordinary Meetings of Council be held in Toowoomba commencing in February 2011 and that, in lieu of the meetings being held in the service centres, community consultation days be held across the Region on a regular basis. These consultation sessions will provide an opportunity for information to be conveyed on matters of specific relevance to the district in which they are held and for members of the public to raise any matter they wish to discuss directly with Councillors.

As discussed in a previous report in relation to the adoption of a Community Engagement Policy, the format for and timing of the consultation days would be incorporated into the annual community engagement action plan. The action plan for 2011 will be the subject of a Councillor information session in January 2011 and for subsequent consideration and adoption by Council in February 2011.

**RECOMMENDATION**

That, from February 2011, the Ordinary Meetings of Council be held in the Council Chambers, City Hall, 541 Ruthven Street, Toowoomba commencing at 3.00 p.m.

**COMMITTEE RECOMMENDATION**

That the existing meeting structure be retained.



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**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 17)**

**Item 17**

**Review of Locations for Monthly Ordinary Meetings of Council**

**MOTION:**

Moved by Cr. Ramia, seconded by Cr. Strohfeld

1. That the existing meeting structure be retained.
2. That further discussion on the locations for holding the monthly Ordinary Meetings of Council take place during the proposed Councillor information session on the Community/Councillor Engagement Action Plan for 2011.

**Carried**

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	N. Garsden	Please include for discussion at the information session scheduled for Tuesday, 25 January 2011.	22/01/11

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Portfolio: **CORPORATE SERVICES**

18

**REPORT TITLE** Portfolio Leaders; Seeking Advice and Information; and Submitting Customer Requests  
(Deferred from the Ordinary Meeting of Council of 16 November 2010 [Committee of the Council - 9 and 10 November 2010 - Item 14])

**AUTHOR** Manager, Governance and Administration (Norm Garsden) - 1 November 2010

NOTE: This report was initially presented to Council during the November round of meetings where it was deferred for further discussion at an information session for Councillors. This information session was held on 16 November 2010. The following report and attached guidelines/policies are now re-presented in their original form for Council's consideration, with two minor amendments to the guideline wording to provide clarity.

#### **PURPOSE OF REPORT**

To:

- Document the role of portfolio leader in the Toowoomba Regional Council;
- Consider the guidelines for seeking advice and information; and
- Establish a process to submit customer requests and complaints.

#### **CORPORATE PLAN REFERENCE**

2.3.1. Provide a solid foundation for management and efficient administrative support for Councillors.

#### **BACKGROUND**

The *Local Government Act 2009* (the Act) came into force on 1 July 2010 and encourages the better definition of the processes and machinery of government (governance) and is founded on the proposition that the Council organisation is constituted by two distinct arms:

- the governing arm constituted by the elected councillors - responsible for strategy, policy, outcomes, reviewing performance and is the ultimate decision making authority; and
- the operational arm constituted by the chief executive officer and other employees - responsible for implementing the policies and priorities of the Council, providing sound and impartial advice and achieving Council's corporate and community plan objectives.

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In particular, section 170A of the Act provides that a councillor may request a local government employee provide advice to help the councillor make a decision, however, the request must comply with the CEO's advice guidelines.

This is consistent with the 'Westminster Doctrine of the Separation of Powers' and is reinforced by certain provisions of the Act (especially sections 12, 13, 170 and 170A), however this dichotomy requires an agreed understanding of the interface between the two arms to ensure the best outcomes for the community and organisation. It is noted that the Act does not establish a specific legislative basis for the creation of the Portfolio role for Councillors. The Portfolio system has been put in place at Toowoomba and other local governments to:

- (i) Share the workload amongst Councillors;
- (ii) Provide a focal point for a member of the community seeking to discuss a matter with a Councillor; and
- (iii) Assist the Council to collectively fulfil its governance role by encouraging each of its members to have a greater understanding of a specific area of Council activity.

The guidelines largely articulate the current practices and custom in respect to portfolio leaders, and seeking advice and information from Council officers.

Guidelines are also provided to give a mechanism for Councillors to process complaints/requests on behalf of residents into the recently improved Customer Request System. The proposed approach is consistent with the back of house system that will be utilised with the implementation of the new Customer Service Branch in March 2011.

A mechanism is also provided to enable individual Councillors to seek a report on a particular matter to be presented to the full Council. This effectively places the matter "on the table" at a Council meeting were Councillors collectively can provide direction through a majority decision. This enables Councillors to collectively exercise their authority as the ultimate decision making Board in the organisation.

## **CONSULTATION UNDERTAKEN**

A presentation to Councillors was made on 19 October 2010 and feedback was considered in developing the guidelines.

## **ISSUES AND RESPONSES**

The attached guidelines provide a solid foundation to better define the roles of Councillors and staff, whilst:

- Respecting the democratic principles and primacy of Council over the administration;
- Acknowledging the different roles, responsibilities and obligations for Councillors and staff; and

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- Supporting the integrity of those positions.

### **Portfolio Leaders**

The role of a **portfolio leader** has been defined as:

- Becoming familiar with an allocated area and developing a greater depth of understanding and focus;
- Monitoring Council performance within the portfolio;
- Studying all reports, proposals or policies that come before Council and leading the discussion;
- Speaking on the Mayor's behalf on matters related to the portfolio, when requested; and
- Representing the elected Council in forums related to the portfolio, when requested.

### **Seeking Advice or Information**

The guidelines for Councillors seeking advice or information provide that:

- **Any councillor** may seek advice or information from:
  - the Chief Executive Officer;
  - any of Council's directors;
  - the Manager Governance and Administration in relation to:
    - Councillor remuneration and superannuation;
    - reimbursement of expenses; or
    - Councillor support.
- **Portfolio leaders** may request advice or information from a manager within the Councillor's portfolio; but
  - Where a request involves the use of Council resources, the request must be referred to the director;
  - When a Councillor seeks advice, the Councillor should advise if a similar request has been made to other employees; and
  - Where that advice may be of relevance to all Councillors, the information may be provided to all Councillors.
- The **Mayor** may request advice or information from any employee.
- **All managers** are required to:

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- make all reasonable endeavours to comply with the Councillor's request when made in accordance with the guideline; and
- provide advice which is thorough, responsive and unbiased;
- Other employees are not required to act on any directions from a Councillor and must inform the Chief Executive Officer if directions are given.
- **Reports** on a particular matter to a committee or meeting of Council may be requested from the Chief Executive Officer or director, following discussion with the relevant officer.
- Where a request for a report is not agreed to, the Councillor may escalate the matter firstly to the Chief Executive Officer and, if still not satisfied with the response, to a meeting of Council.
- Councillors must take care to avoid attempting to influence (or being perceived to influence) reports or recommendations.

### **Requests and Complaints**

Where a request for service or a complaint is received by a Councillor, details are to be forwarded to a Councillor Support Officer for:

- acknowledgment; and
- entry into the 'Pathway' Customer Service System for subsequent action by officers.

Each month, a report will be generated and distributed to Councillors, detailing:

- the date the matter was entered into pathway;
- a summary of the matter;
- the date the matter was actioned; and
- a summary of the action taken.

Templates to request a report or forward a request for service or complaint have been set-up in 'outlook' to assist Councillors make their requests.

It is noted that contact with employees that does not comply with the guidelines can be assessed as inappropriate conduct, misconduct or official misconduct and may be referred to either the:

- Mayor;
- Regional Conduct Review Panel; or
- Remuneration and Discipline Tribunal.

Details of complaints must also be available for inspection and published on the Council's website and in the Annual Report.

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**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the endorsement of the guidelines.

**CONCLUSION**

The draft guidelines:

- Rely on an understanding, acceptance of each others' roles and a preparedness to identify, discuss and resolve problems when they arise;
- Establish a practical basis to promote Council effectiveness within the legislative framework;
- Clarify the role of portfolio leader;
- Document a workable process to seek advice or information from staff; and
- Establish an efficient process to submit customer requests and complaints.

**RECOMMENDATION**

That the Chief Executive Officer's guidelines provided in accordance with section 170A of the *Local Government Act 2009* be received and the approach outlined, together with the policy on Portfolio Leaders and process to submit Customer Requests and Complaints, be endorsed.

**REASONS FOR RECOMMENDATION**

These guidelines document the current understanding of the role of portfolio leader in the Toowoomba Regional Council, practice to seek advice and information from staff and process to submit customer requests and complaints.

**COMMITTEE RECOMMENDATION**

That the recommendation be adopted by Council.

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**COUNCIL DECISION - 14 DECEMBER 2010 (Committee of the Council - 8 December 2010 - Item 18)**

**Item 18**

**Portfolio Leaders; Seeking Advice and Information; and Submitting Customer Requests**

**Motion:**

Moved by Cr. McVeigh, seconded by Cr. C. Taylor

That the Committee Recommendation be adopted.

**Carried**

Councillors Marks and Cahill requested that their vote against the motion be recorded.

**ACTION TO BE TAKEN**

<b>Rec No.</b>	<b>Action Officer</b>	<b>Action</b>	<b>Nominated Achievement Date</b>
	N. Garsden	Please instigate all follow-up action.	22/12/10

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**OTHER BUSINESS**

**Under this heading, Councillors are able to raise strategic issues for the purpose of requesting an officer report to a future meeting of the Committee of the Council, an information/briefing session or an inspection.**



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Meeting Concluded: 12.50 p.m. on Wednesday, 8 December 2010

.....  
**HIS WORSHIP THE MAYOR, COUNCILLOR P.M. TAYLOR - CHAIRPERSON**

.....  
**APOLOGY FOR COMMITTEE MEETING  
COUNCILLOR R.P. ANTONIO (PORTFOLIO LEADER, WATER SERVICES)**

.....  
**APOLOGY FOR COMMITTEE MEETING  
COUNCILLOR W.W. CAHILL (PORTFOLIO LEADER, ENVIRONMENTAL AND COMMUNITY  
SERVICES)**

.....  
**COUNCILLOR A.C. GLASHEEN (PORTFOLIO LEADER, DISTRICT SERVICES)**

.....  
**COUNCILLOR P.C.T. MARKS (PORTFOLIO LEADER, PLANNING AND DEVELOPMENT  
SERVICES)**

.....  
**COUNCILLOR J.J. McVEIGH (PORTFOLIO LEADER, CORPORATE SERVICES)**

.....  
**COUNCILLOR J. RAMIA (PORTFOLIO LEADER, TOURISM EVENTS AND PARKS SERVICES)**

.....  
**COUNCILLOR R.S. SCOTNEY (PORTFOLIO LEADER, CULTURAL HERITAGE AND FACILITIES  
SERVICES)**

.....  
**COUNCILLOR N.L. STROHFELD (PORTFOLIO LEADER, STRATEGIC SERVICES)**

.....  
**COUNCILLOR C.E. TAYLOR (PORTFOLIO LEADER, ENGINEERING SERVICES)**

.....  
**COUNCILLOR M.A. WILLIAMS (PORTFOLIO LEADER, FINANCIAL AND SPORTING SERVICES)**