



**SOUTH BURNETT**  
**REGIONAL COUNCIL**

South Burnett Regional Council

ABN 89 972 463 351

PO Box 336

Kingaroy QLD 4610

☎ 1300 789 279 or (07) 4189 9100

☎ (07) 41 62 4806

✉ info@southburnett.qld.gov.au

🌐 www.southburnett.qld.gov.au

Enquiries s 47F  
Telephone s 47F  
ST:LT IR1116191

19 December 2012

The Director  
Housing Affordability Fund  
Department of Families, Housing, Community Services and Indigenous Affairs  
PO Box 7576  
**CANBERRA ACT 2610**

Dear s 47F

**Funding Agreement for Mixed Capital Works  
Link Road, Kingaroy Project**

I refer to the abovementioned matter and in particular an email sent on 17 December to s 47F advising that Council will not be seeking an extension of time for the completion of Milestone No. 1. To date the developer has not provided satisfactory security to Council in the form of a Bank Guarantee or 1<sup>st</sup> Mortgage. As a result, the matter was referred to Councils' meeting on 19 December 2012.

Further to the above, I advise that Council at its meeting today resolved "that Council request the Chief Executive Officer to notify the Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) its intention to withdraw from the Funding Agreement as proposed, due to the developer being unable to provide to Council's satisfaction security to ensure the completion of the 250 lots covering Council's potential liability under the Agreement".

Please note and advise accordingly.

Yours faithfully

**s 47F**

Ken McLoughlin  
**CHIEF EXECUTIVE OFFICER**

cc

s 47F

Housing Affordability Fund  
Department of Families, Housing, Community Services and Indigenous Affairs  
PO Box 7576  
**CANBERRA ACT 2610**

**Customer Service Centres**

☐ **Blackbutt** 69 Hart Street

☐ **Kingaroy** 45 Glendon Street

☐ **Nanango** 48 Drayton Street

☐ **Murgon** 42 Stephens Street West

☐ **Wondai** Cnr Mackenzie & Scott Streets



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19 December 2012

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Housing Affordability Fund  
Department of Families, Housing, Community Services and Indigenous Affairs  
PO Box 7576  
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Link Road, Kingaroy Project***

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Yours faithfully

**s 47F**

Kenwick Loughnan  
**CHIEF EXECUTIVE OFFICER**

cc **s 47F**  
Housing Affordability Fund  
Department of Families, Housing, Community Services and Indigenous Affairs  
PO Box 7576  
**CANBERRA ACT 2610**

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Blackbutt 69 Hart Street

Kingaroy 45 Glendon Street

Murgon 42 Stephens Street West

Wondal Cnr Mackenzie & Scott Streets

s 47F

**From:** s 47F s 47F on behalf of s 47F  
**Sent:** Wednesday, 19 December 2012 4:27 PM  
**To:** s 47F  
**Subject:** Funding Agreement for Mixed Capital Works - Link Road Kingaroy Project  
**Attachments:** SBRC-PT01\_KCustCon5035\_0241\_001.pdf

Letter advising Council resolution attached.

s 47F

Project Support Officer  
Planning & Environment  
South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610

' s 47F

7

s 47F

[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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-----Original Message-----

**From:** s 47F " s 47F  
**Sent:** Wednesday, 19 December 2012 3:26 PM  
**To:** s 47F  
**Subject:** Attached Scan

s 47F

**From:** s 47F s 47F  
**Sent:** Monday, 17 December 2012 5:46 PM  
**To:** s 47F  
**Cc:** Ken McLoughlin  
**Subject:** Link Road - Sunnyvale Kingaroy

Hi s 47F

I refer to the above mentioned matter and advise that Council will not be seeking an extension of time for the completion of milestone no.1.

The developer has not provided satisfactory security in the form of a bank guarantee or 1st mortgage and the matter is being referred to Council meeting of the 19/12/2012.

I will advise of Council's decision.

Regards

s 47F

General Manager

Planning and Environment

South Burnett Regional Council

PO Box 336

KINGAROY QLD 4610

s 47F

s 47F

s 47F

s 47F

[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au) <<http://www.southburnett.qld.gov.au/>>

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s 47F

**From:** s 47F s 47F ]  
**Sent:** Thursday, 13 October 2011 12:36 PM  
**To:** s 47F  
**Subject:** FW: Funding agreement amendments.  
**Attachments:** A FaHCSIA App form - Completed.doc

Good afternoon s 47F

Please find attached the amended application form for your use and records. I will also send through a funding timing schedule on my next email as s 47F is not in today for me to send it to you. The Developer was kind enough to do so.

Could you also explain to me what you mean by scaling up and down as the project progresses in regard to security bonding, as I am not quite sure of what you require. This road and the supporting infrastructure is councils and always will be, as councils can't sell their roads here in QLD.

Will talk more with you more once you get our documentation and to ensure you have what you need.

Regards s 47F

---

**From:** s 47F  
**Sent:** Thursday, 13 October 2011 11:25 AM  
**To:** s 47F  
**Subject:**

s 47F  
Mayor's Personal Assistant  
South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610

 s 47F  
 s 47F  
 s 47F  
[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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**Australian Government**

**Department of Families, Housing,  
Community Services and Indigenous Affairs**

# **2009-10 Application for Funding under the Housing Affordability Fund Round Two**

## **Information for Applicants**

Applications must be submitted by **5:00pm Australian Eastern Daylight Time (AEDT)**  
**8 January 2010.**

### **How to lodge**

Applications forms must be submitted to the [haf@fahcsia.gov.au](mailto:haf@fahcsia.gov.au) email address prior to the closure date and time. Applicants will receive an email acknowledging receipt of the application. Attach the completed application form to the email, and any other documentation as appropriate. Please note the size limit for each email is 15 MB. If the email and attachments exceed this limit, please break the application up into smaller emails. Each email should use the same subject line.

This form enables applicants to apply for funding to deliver reform, or infrastructure or both reform and infrastructure projects. Applicants seeking funding for more than one reform or one infrastructure proposal will need to submit separate application forms for each proposal.

### **The Guidelines**

Applicants should read the *Housing Affordability Fund Round Two Guidelines*. These Guidelines provide detailed information about how the Fund will operate, including information about the types of proposals that are acceptable. The Guidelines should be considered when completing this application form.

### **Funding Agreement**

To receive funding, successful applicants will be invited to sign a funding agreement with the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (the Department). Draft funding agreements are located on the Department's website via the Housing Link at <http://www.fahcsia.gov.au>

The Department recommends applicants obtain any relevant legal advice prior to lodging an application form. Funding agreements are contracts and involve legal obligations. Applicants are responsible for reading the Guidelines and the draft Funding Agreements, including the relevant Terms and Conditions, before submitting an application for funding.

### **Completion**

Applicants must complete all relevant questions as outlined in this Form. Failure to provide the required information may render the application non-compliant and excluded from further assessment processes.

## Instructions

Please read the Housing Affordability Fund Round Two Guidelines and the applicable Draft Funding Agreement before completing this Application Form.

**PLEASE NOTE:** Applications that are incomplete, do not address the selection criteria, do not include the requested documentation, have not been signed by the appropriate delegate or are submitted late may be deemed ineligible. The Department is not obliged to request additional or missing information from applicants.

## Fraud

The Department is committed to the Commonwealth Fraud Control Policy and Guidelines. Applicants should familiarise themselves with the Department's Fraud Control Policy Statement at [www.fahcsia.gov.au](http://www.fahcsia.gov.au). This outlines applicants' fraud and risk minimisation responsibilities when dealing with the Department. One key responsibility is to report all suspected fraud to the relevant contact officer or Fraud Control Manager within the Department.

## Privacy

Any personal information provided is protected under the *Privacy Act 1988*. The Department will not use any personal information for any other purposes unless required by law or if consent is granted. The Department will not disclose any personal information to any other organisation or to any individual unless required by law or consent is granted.

## Use of Information

Please note that copies of applications may be provided to relevant State, Territory or local government agencies and external consultants engaged by the Department for assessment purposes.

Please indicate whether you agree to the Department using the information (not personal information) you have provided in your application for the purposes above.

I agree

I do not agree



**PART 1a Applicant Details**

The Applicant will be the legal entity that FaHCSIA will deal with for the purposes of obtaining additional information about the proposal.

1. What is the legal name of your organisation?   
This is the name that appears on all official documents and legal papers. It may be different to your trading name.
2. What is the trading name of your organisation?   
This is the name your organisation trades under.
3. Organisation's eligibility  
Please mark the box that best describes your organisation.  
If you do not indicate any of these boxes, your organisation is **NOT** able to apply for funding for this program.  
Please refer to the *Application Guidelines*.
- |  |                                     |
|--|-------------------------------------|
| Local Government                                   | <input checked="" type="checkbox"/> |
| Local Government Association                       | <input type="checkbox"/>            |
| State or Territory Government Department or Agency | <input type="checkbox"/>            |
4. Are you also applying for the National Rental Affordability Scheme (NRAS)?  
No   
Yes  **Note:** You need only submit a single set of financial statements relevant to the organisation's financial viability.

5. What is the organisation's physical address? (Not a PO Box)
- |                        |                   |               |
|------------------------|-------------------|---------------|
| Building/Floor         | Council Offices   |               |
| Number and street name | 45 Glendon Street |               |
| Suburb/Town/Locality   | Kingaroy          |               |
| State/Territory        | QLD               | Postcode 4610 |
6. What is the organisation's postal address?  
If the same as Question 6, please write 'as above'.
- |                        |                 |               |
|------------------------|-----------------|---------------|
| Building/Floor         | Council Offices |               |
| Number and street name | PO Box 336      |               |
| Suburb/Town/Locality   | Kingaroy        |               |
| State/Territory        | QLD             | Postcode 4610 |

7. Who are the authorised Contact Persons for this application?

	Preferred Contact	Alternative Contact
Title	Mr	Mr
First name	Ken	s 47F
Family name	McLoughlin	s 47F
Position in organisation	CEO	Director Infrastructure
Telephone number	s 47F	s 47F
Mobile number		
Fax number	s 47F	s 47F
Business email address		

8. Has your organisation received any funding from the Department in the past 5 years? No  Yes  > Has your organisation previously been known by any other legal name? If so please identify the names below:

Other legal names known previously include:

Kingaroy Shire Council, Nanango Shire Council, Wondai Shire Council, Murgon Shire Council

Program name	Amount of funding	Period of funding
	\$	
	\$	

9. Does your organisation have an Australian Business Number (ABN)? No  > Your organisation is not eligible for funding Yes  > ABN

Name listed on the ABN

South Burnett Regional Council

10. If you are aware of any of the following applying to your organisation, please mark the relevant box(s)

Note: The Department may seek further information and examine your organisation's history if deemed necessary.

Not currently solvent

Currently named or subject of any enquiry under state or Commonwealth legislation e.g. HREOC, Discrimination, Office of Workplace Services, EEO, etc.

Litigation during the past three years, current or pending or threatened   
NOTE: If you have settled a claim on confidential terms, please indicate this in your response

Insolvency proceedings against the organisation during the last three years, current or pending, or any other formal charges (e.g. a notice to pay an outstanding debt by a collection agency on behalf of a creditor)

Any potential conflict of financial interest for the organisation's directors or principals

Any outstanding tax liabilities (beyond normal BAS amounts)

Future commitments or contingent liabilities that might materially affect the organisation

Financial statements for any holding or subsidiary entities that materially impact on the financial viability of the organisation

You have further information which you believe demonstrates that the organisation is or is not financially viable

Any other information which may adversely affect the capacity of the organisation to participate in the Program

Please provide a short explanation if you indicated any of the above applying to your organisation

11. Is there any other matter relating to the financial situation of your organisation (or subsidiaries) which, if known to the Department, could affect a decision to provide funding to your organisation? No  Yes  > Additional comments



## PART 2 Summary of Proposal

Please provide the following summary information of this proposal

14. Name of the proposal for which funding is being sought

Link Road Infrastructure

**Note:** this name should appear in the subject line of the email(s) used when you lodge your application.

15. Is the proposal seeking funding for:

Reform?

> Successful reform applicants will be offered funding using the Department's *Long Form Funding Agreement* template.

Infrastructure?

> Successful infrastructure applicants will be offered funding using the Department's *Capital Works Funding Agreement* template.

Combined infrastructure and reform?

> Successful combined infrastructure and reform applicants will be offered funding using the Department's *Mixed Capital and Non-Capital Works Funding Agreement* template.

### Funding Agreements

**Note:** Funding Agreements are contracts and involve legal obligations. Applicants are responsible for reading the draft Funding Agreement appropriate to your proposal, including the relevant Terms and Conditions, prior to submitting an application for funding. All funding agreement templates are included in the application package on the Department's website. It can be accessed via the Housing Link at <http://www.fahcsia.gov.au>

16. Please provide a succinct **SUMMARY** of your proposal. (*Maximum 250 words*)

The information you provide here will be used to populate the Activity Goals/Objectives section of a funding offer, if your application is successful.

17. Please provide a **DETAILED DESCRIPTION** of your proposal. (*Minimum two pages*)

The project description should expand the summary you provided at Question 16 of this form. Please include any relevant background information, the rationale supporting your proposal, a detailed explanation of the expected benefits, details of any alignment with relevant State, Territory and local government policies, indicative timings and details of the reform and/or infrastructure to be delivered.

Please provide your responses to questions 16 and 17 as an attachment to your application entitled 'Summary plus Detailed Description'.

18. Funding structure

Total funding being sought

\$ 3,700,000

		Month	Year
What is the start and end date (month/year) for which the funding is being sought?	Start date	January	2012
	End date	January	2013

Please set out the distribution of funding sought for each financial year

Year of funding	2011-12	2012-13	2013-14	2014-15
Amount of funding	\$ 1,435,592	2,264,408	Benefits	\$ Benefits

19. Does your proposal comply with existing Commonwealth, State or Territory and local government regulations or seek to reform these regulations?


No  >

Yes

**Note:** Your application cannot be considered for funding.

**20. Please describe how your proposal is consistent with or will lead to the reform of:**

- Relevant Regional Strategic Plans;
- Any State, Territory or local government affordability targets for the local government area;
- State, Territory or local government requirements regarding accessibility; and
- Commonwealth, State, Territory and local government environmental law and planning requirements.

 **Please provide your response to question 20 as an attachment to your application entitled 'Government Policies'.**

 **If your proposal is for INFRASTRUCTURE only – GO to SECTION B**

**SECTION A – Reform Proposals**


**21. Where applicable, which of the following objectives will your reform proposal enable?**

**Note:** More than one option may be selected

- |  |                                     |
|--|-------------------------------------|
| Facilitate Transit-Oriented Development(s)                                       | <input checked="" type="checkbox"/> |
| Facilitate Public Housing redevelopment to create mixed communities              | <input type="checkbox"/>            |
| Provide more affordable housing opportunities for low to moderate income earners | <input checked="" type="checkbox"/> |
| Deliver greater efficiency in the supply of housing                              | <input checked="" type="checkbox"/> |


**22. How will your proposal help deliver the objective(s) selected above**

Please provide a detailed explanation of how your reform proposal will deliver the objective(s) you selected above.

 **Please provide your response to question 22 as an attachment to your application entitled 'Reform Objectives'.**

**23. Where applicable, describe how your proposal delivers one or more of the following objectives:**


- Increases the supply of affordable dwellings, for private purchase or rent, suitable for low to moderate income earners;
- Increases the supply of dwellings targeting Indigenous households;
- Improves the efficiency of the housing market; and/or
- Improves the efficiency of planning processes for new dwellings.

 **Please provide your response to question 23 as an attachment to your application entitled 'Reform Objectives'.**

**24. If applicable, please provide information demonstrating how your proposal will address accessibility and sustainability outcomes.**

This should include, where relevant, information about how your proposal will use universal design principles to deliver dwellings that are accessible to people with disabilities and older Australians.

Also include, where relevant, information about how your proposal will deliver energy and water efficiency leading to reduced living costs. Please indicate whether 6, 5 or 1 – 4 star energy efficiency ratings will be achieved.

 **Please provide your response to question 24 as an attachment to your application entitled 'Reform Accessibility and Sustainability'.**

<b>25. How many dwellings will benefit from this reform in the next:</b>	12 months?	Nil
	5 years?	300

**26. When will this project start and finish**

Start date  DD/MM/YYYY

End date  DD/MM/YYYY

**Note:** These dates will be used in your Funding Agreement, if you are offered funding.

**27. If applicable, define the average reduction in time taken from the planning stage of development resulting from the reform**

What is the current average number of days per dwelling to assess at the planning stage of development?  Days

What is the average number of days per dwelling saved in the assessment of the planning stage of development?  Days

**28. If applicable, define the average reduction in assessment timeframes for the new dwellings benefitting from the reform**

What is the current average number of days per dwelling to assess?  Days

What is the average number of days per dwelling saved as a result of the reform?  Days

**29. Provide key milestone delivery dates and indicative payment requirements**

**Note:** This information should be consistent with information outlined in the Project Plan you are asked to provide in SECTION B below.

Payment required	Due date	Milestone description
Refer Attachment	Refer Attachment	Refer Attachment
\$		
\$		
\$		

Attach details on a separate sheet if insufficient space available

**> If your proposal is for REFORM only – GO TO PART 3 to complete the remaining Criteria for funding.**

**SECTION B – Infrastructure Proposals**

**30. Where applicable, which of the following objectives will your infrastructure proposal enable?**

**Note:** More than one option may be selected


Facilitate Transit-Oriented Development(s)

Facilitate Public Housing redevelopment to create mixed communities

Provide more affordable housing opportunities for low to moderate income earners

**31. How will your proposal help deliver the objective(s) selected in Question 30?**

Please provide a detailed explanation of how your infrastructure proposal will deliver the objective(s) you selected in Question 30.

 **Please provide your response to question 31 as an attachment to your application entitled 'Infrastructure Objectives'.**

**32. When will this project start and finish?**

Start date  DD/MM/YYYY

End date  DD/MM/YYYY

**Note:** These dates will be used in your Funding Agreement, if you are offered funding.

**33. Provide key milestone delivery dates and indicative payment requirements**

**Note:** This information should be consistent with information outlined in the Project Plan within you are asked to provide in **PART 3** below.

Payment required	Due date	Milestone description
Refer Q29 Attachment	Refer Q29 Attachment	Refer Q29 Attachment
\$		
\$		
\$		

Attach details on a separate sheet if insufficient space

**34. How many new dwellings/lots will be created by this proposal?**

New dwellings	735
New lots	389

**35. If you are offered funding, how many subsidised dwellings/lots will be delivered in the following years?**

	2012	2013	2014	2015	2016 and beyond
<b>Total number of subsidised dwellings/lots</b>	Nil	30	50	40	Complete
<b>Total value of savings to be passed on to the purchasers</b>	\$ Nil	\$ 150,000	\$ 250,000	\$ 200,000	\$ Complete

**36. How many new dwellings and/or lots that will have savings passed on to the purchaser will be created by the proposal?**

No. of new dwellings/lots	Amount of savings per dwelling/lot	Indicative Sale Price (per unit)	Types of dwellings/lots specify the type of dwelling using the examples as a guide
25	\$6,000	\$140,000	3 – bedroom units
40	\$10,000	\$120,000	2 – bedroom units
20	\$2,100	\$110,000	1 – bedroom units
10	\$1,500	\$60,000	Vacant residential lots
120	\$5,000	\$80,000	Vacant residential lots

**Note:** If your proposal will create less than 50 subsidised dwellings and/or lots your application is not compliant and will not be eligible for funding.

If you are offered funding, your Funding Agreement will require you to deliver the savings exactly as specified in your response to this question and question 35

**37. Will the provision of infrastructure bring forward the development of the dwellings identified in Question 36?**

No

Yes  > Please provide details of how your proposal will achieve this  
(Maximum 100 words)

Refer Q37 Attachment

On average how many days earlier will the dwellings identified in Question 36 be available for purchase?  Days

What is the estimated cost saving per dwelling as a result of bringing forward this development?

**38. Please list the approvals that are required for your proposal to start and be completed.**

Date approval obtained or to be obtained

	Type of approval	
For example	Permission from local council to subdivide land	15/04/2009
	Building Approval (for dwellings)	March 2011
	Amend planning scheme	January 2012
	Complete Infrastructure Agreement	January 2012
	Funding Approval	Nov/Dec 2011
	Operational Works Stages 1 & 2B	February 2012
	Stages 1 & 2B Approved On Maintenance	January 2013
	Stages 1 & 2B Costs recovered in full	June 2015

**39. By what date will you have obtained all the approvals necessary for your proposal to start and finish?**

To start	To finish
<input style="width: 150px;" type="text" value="28/02/2012"/>	<input style="width: 150px;" type="text" value="31/01/2013"/>
DD/MM/YYYY	DD/MM/YYYY

**40. What is the total cost saving to purchasers to be delivered by the proposal?**

**Note:** this is the total of savings identified in Questions 35 and 36.

**41. Describe how you will ensure that the savings are passed on to the purchasers of the identified dwellings.**

**Note:** Showing the dwellings are less costly to bring to market is not sufficient. Your response should outline how you will ensure that the savings are passed on to the purchasers of the dwellings.

Please provide your response to question 41 as an attachment to your application entitled 'Savings methodology'.



42. Will this proposal receive any additional support which will result in extra savings to home buyers?

No

Yes  > Please detail (Maximum of 100 words)

The Master Plan aspires to improve the affordability of all households in its community through best-practice urban design.

Moreover, it offers residents of the region an enduring variety of integrated lifestyle choices across a broad demographic spectrum.

What is the average saving per new dwelling that will result from this additional support?

\$ Intangible

43. Will the proposal result in dwellings that are highly accessible to older Australians or people with disabilities? No  Yes

Will the proposal result in dwellings with good connections to adjacent communities, services, employment and retail areas for pedestrians, cyclists and public transport? No  Yes

45. Is the proposal underpinned by a rigorous economic/social/environmental impact assessment undertaken with the involvement of relevant stakeholders? No  Yes

46. Indicate the number of dwellings that will achieve the following energy ratings.

1 – 4 star	428
5 star	350
6 star	unknown

47. Has sustainable water use and reuse been maximised in the development?

No

Yes  > Which benchmark is this being measured against? (Max. 100 words)

The Master Plan provided for a detailed flood study of the site and adjacent environs. Notwithstanding the obvious benefits of contemporary on-site water storage policy, it is a recommendation of the flood-study that “contributing catchments limit their flows by the use of on-site detention systems, which could include any or all of the following elements: Roof water buffer tanks, Underground storage tanks with free-flow or pumped outlets and Detention storage in car parks, landscaped areas etc (as appropriate)

These conditions, as a minimum, will be a condition of building applications for each parcel of land. The Master Plan as a function of its design will offer the greatest opportunity for energy and water efficient choices in the built form stage of the development.

48. Will the proposed development maximise the use of renewable energy and include energy efficient built forms in terms of:

Site orientation	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>
Materials used	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>
Built form features	No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>

49. Does the proposal maximise the capture and recycling of building waste? No   
Yes

50. Does the initial and maintenance urban design strategy include a plan to maximise the retention or creation of locally specific native vegetation use in open spaces? No   
Yes

51. Where possible, please provide information demonstrating how your proposal will address accessibility and sustainability outcomes.


This should include, where relevant, information about how your proposal will use universal design principles to deliver dwellings that are accessible to people with disabilities and older Australians.

Also include, where relevant, information about how your proposal will deliver energy and water efficiency leading to reduced living costs.

 Please provide your response to question 51 as an attachment to your application entitled 'Accessibility and Sustainability Outcomes'

52. Where applicable, describe how your proposal delivers one or more of the following objectives:

- Increases the supply of affordable dwellings, for private purchase or rent, suitable for low to moderate income earners; and/or
- Increases the supply of dwellings targeting Indigenous households.

 Please provide your response to question 52 as an attachment to your application entitled 'Infrastructure Objectives'.

## PART 3 Viability

53. Financial Information

 Please provide the following:


Your organisation's audited financial statements for the last three years.

Provide evidence of financial arrangements including documentation and status of any grant funding.

Provide a budget for your proposal. The budget should include estimates of the following:


- Revenue
- Outgoings
- Management fees
- Total loan costs, interest rates and terms of any loan(s); and
- Plant, staff and equipment costings.

54. Project Plans and Risk Management Plans

 Provide a detailed Project Plan (**minimum two pages**) showing how your proposal will be managed and implemented. You should identify scheduled activities and show where the Housing Affordability funding will be directed. Please include specific timeframes and key deliverables.

Provide a detailed Risk Management Plan showing how identified project risks will be managed and risk mitigation strategies.

55. Organisational Capacity

 Provide information demonstrating your organisation has the capacity to plan, manage and monitor your proposal, including appropriate oversight of any sub-contracting, maintaining accurate financial controls and ability to meet the reporting and acquittal requirements associated with this funding. Include documentation relating to your organisation's management structure and governance arrangements, experience and skills of staff in project management, financial management and grievance procedures.

## PART 4 Declaration

Please complete and sign the declaration

I declare that:

- The information, including financial information, contained in this form and supplied via attachments to this application is true and accurate;
- I have read and accepted the **Housing Affordability Fund Round Two Guidelines**, and relevant Draft Funding Agreement/s and where applicable, the relevant financial security document;
- I have read, understood and accept the terms and conditions of funding and my organisation will be able to comply fully with those conditions;
- The application has been completed and there are no omissions to information provided in the proposal;
- I understand that incomplete applications may not be considered;
- The Lead Agency has undertaken due diligence within any Joint Venture arrangements; and
- If and where any personal details of a third party are included, the third party has been made aware of, and given permission for, those details to appear in this application.

Signature

s 47F

Name (please PRINT) *U*

Tony Hayward

Date

6/1/2010

Position in your organisation

CEO – South Burnett Regional Council

Signature JV Partner *A*

s 47F

Name (please PRINT)

s 47F

Date

6/1/2010

Position in your organisation

Director – Tapwood Nominees Pty Ltd

## PART 5 Application Checklist

This checklist is provided as a tool to assist you to check your application is complete. Please ensure you have read the Housing Affordability Fund Round Two Guidelines, and the draft Funding Agreement, including the Terms and Conditions relevant for your proposal.

Please mark the boxes as you complete the checklist.

Yes

**PART 1a Applicant's Details:** Completed

**PART 1b Joint Venture Details:** (If applicable)

Joint Venture members and roles listed?

**PART 2 Summary of Proposal:**

Attachment for question 16 attached as required?

Attachment for question 17 attached as required?

Attachment for question 20 attached as required?

**Section A – Reform Proposal**

Have all questions been answered?

Attachment for question 22 attached as required?

Attachment for question 23 attached as required?

Attachment for question 24 attached as required?

**Section B – Infrastructure Proposal**

Have all questions been answered?

Attachment for question 31 attached as required?

Attachment for question 41 attached as required?

Attachment for question 51 attached as required?

Attachment for question 52 attached as required?

**PART 3 Viability**

**Financial Information**

Provided your organisation's Audited Financial Statements for the last three years and your proposal's planned budget?

**Project and Risk Management Plans**

Provided a detailed Project Plan and Risk Management Plan?

**Organisational Capacity**

Provided information on your organisation's capacity to manage and implement your proposal?

**PART 4 Declaration:** Have you read and completed the declaration?

**Note: Applications that are incomplete may not be considered.**

s 47F

**From:** s 47F [s 47F]  
**Sent:** Thursday, 13 October 2011 12:37 PM  
**To:** s 47F  
**Subject:** FW: Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

Hi again s 47F

This is the further information I said I would send.

Regards s 47F

---

**From:** Mail - s 47F s 47F  
**Sent:** Thursday, 13 October 2011 11:26 AM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** FW: Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

Timing schedule as requested.

Regards,

s 47F

---

**From:** Mail - s 47F s 47F  
**Sent:** Monday, 10 October 2011 4:14 PM  
**To:** s 47F  
**Subject:** RE: Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

Hello s 47F

Please find below the updated timing schedule.

Infrastructure/reform deliverables	Start date	End Date	Amount budgeted: (GST Exclusive)	Infrastructure Reform (R)
Planning reform	July 2010 Jan 2012	Aug 2010 Feb 2012	\$20,000	R
Road Corridor (Escrow)	Aug 2010 Jan 2012	Aug 2010 Jan 2012	\$170,481	I
Project Management	Aug 2010 Jan 2012	Aug 2011 Dec 2012	\$32,000	I/R
Sewer Diversion	Aug 2010 Feb 2012	Sept 2010 Mar 2012	\$85,755	I
Detention Basins	Sept 2010 Mar 2012	Nov 2010 May 2012	\$581,175	I
Cross Road Stormwater Culvert	Sept 2010 Mar 2012	Nov 2010 May 2012	\$290,256	I
Underground Stormwater Drainage	Sept 2010	Dec 2010	\$255,925	I

	Mar 2012	Jun 2012		
Road works	Sept 2010 Mar 2012	Feb 2011 Aug 2012	\$1,661,856	I
Trunk mains	Jan 2011 July 2012	Mar 2011 Sept 2012	\$216,246	I
Street lighting	Mar 2011 Sept 2012	July 2011 Dec 2012	\$353,622	I
Contingency	Aug 2010 Dec 2012	Aug 2010 Dec 2012	\$32,684	I/R
TOTAL			\$3,700,000	

Regards,

s 47F

---

**From:** Mail - s 47F s 47F  
**Sent:** Wednesday, 23 June 2010 4:22 PM  
**To:** s 47F  
**Subject:** RE: Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

s 47F, responses as follows in red.

Regards,

s 47F

---

**From:** s 47F s 47F ]  
**Sent:** Wednesday, 23 June 2010 11:28 AM  
**To:** s 47F  
**Subject:** FW: Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

Hi s 47F

As discussed, below is the email from the Department seeking further clarification on our successful Housing Affordability Fund application.

I will be in contact tomorrow to follow up.

Thanks heaps

s 47F

s 47F  
**Executive Assistant**  
 South Burnett Regional Council  
 PO Box 336  
 KINGAROY QLD 4610

☎ s 47F  
 📠 s 47F  
 📧 s 47F

[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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PARTNER**

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---

**From:** Housing Affordability Fund [mailto:haf@fahcsia.gov.au]

**Sent:** Tuesday, 22 June 2010 2:13 PM

**To:** s 47F

**Cc:** s 47F

**Subject:** Further Information Required - Link Road Infrastructure Project HAF R2 [SEC=IN-CONFIDENCE]

Good afternoon Mr Hayward,

Can you please provide the following information about the South Burnett Regional Council Link Road Infrastructure project. This information will be used to assist with developing the funding agreement.

The total amount of funding for the project is \$3,700,000

- What is the amount of funding allocated for the infrastructure component (required for financial security)? \$3,650,000.00
- What is the amount of funding allocated for the reform component? Planning reform \$20,000.00 + \$30,000.00 contingency

Savings methodology – (further information required)

- Can you please confirm that the savings to be passed on to Eligible Purchasers is \$5,000 for 120 lots? correct
- Please let me know if these savings are incorrect or if there are more savings to be passed on.

Bank Account Details

- Bank and Branch:
- Account Name:
- BSB:
- Account Number:

Confirm Contact Officer Details (This should be someone who can answer questions and assist with information around project performance reports, milestone deliverables etc.)

- Name: Mr Tony Hayward
- Postal Address: Council Offices, PO Box 336, Kingaroy QLD 4610
- Street Address: Council Offices, 45 Glendon Street, Kingaroy QLD 4610
- Email Address:
- Telephone: s 47F
- Facsimile: s 47F

Below table

- Can you please complete the start and end date for each infrastructure component as well as the amount budgeted for each component (if there are further components that are not listed please add).
- Can you please specify the reform components, timeframes and amount budgeted.

Infrastructure/reform deliverables	Start date	End Date	Amount budgeted: (GST Exclusive)	Infrastructure Reform (R)
Road works	Sept 2010	Feb 2011	\$1,661,856	I
Underground Stormwater Drainage	Sept 2010	Dec 2010	\$255,925	I
Cross Road Stormwater Culvert	Sept 2010	Nov 2010	\$290,256	I
Detention Basins	Sept 2010	Nov 2010	\$581,175	I
Sewer Diversion	Aug 2010	Sept 2010	\$85,755	I
Street lighting	Mar 2011	July 2011	\$353,622	I
Trunk mains	Jan 2011	Mar 2011	\$216,246	I
Road Corridor (Escrow)	Aug 2010	Aug 2010	\$170,481	I
Project Management	Aug 2010	Aug 2011	\$32,000	I
Contingency	Aug 2011	Aug 2011	\$32,684	I/R
Planning reform	July 2010	Aug 2010	\$20,000	R
TOTAL			\$3,700,000	

Could this information be returned by COB Thursday 24 June 2010, to ensure you receive your Funding Agreement by 30 June 2010.

If you have any questions please do not hesitate to email the Housing Affordability Fund via the mailbox [haf@fahcsia.gov.au](mailto:haf@fahcsia.gov.au).

Kind regards,

s 47F

s 47F

**Housing Affordability Fund**

**Department of Families, Housing, Community Services and Indigenous Affairs**

s 47F



s 47F

**From:** Housing Affordability Fund  
**Sent:** Thursday, 23 September 2010 8:57 AM  
**To:** s 47F  
**Subject:** response to issues raised by South Burnett Regional Council [SEC=IN-CONFIDENCE:COMMERCIAL]

**Security Classification:** COMMERCIAL-IN-CONFIDENCE

Hi s 47F

Tony Hayward, CEO of South Burnett Regional Council, posed a number of questions to the Housing Affordability Fund in an email on 5 August. Please accept our apologies for the delay in responding. I am now able to provide the following responses to the issues raised:

- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for the issue of the financial security to the Commonwealth.

s 42

- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for Council to acquire security from the developer, Talwood Nominees Pty Ltd, to secure Council's obligations under the Funding Agreement.

s 42

- Council inviting tenders for the performance and supply of the works and completion of negotiations with the successful tenderer.

s 42

- The negotiation of a mutually agreed arrangement with the developer, Talwood Nominees Pty Ltd for access to the site.

s 42

- The entering into of a joint venture arrangement with the developer, Talwood Nominees Pty Ltd on terms satisfactory to Council.

s 42

- The negotiation of mutually agreed arrangements with each freehold mortgagee of the land concerning the provision of security by Talwood Nominees Pty Ltd and the acceptance of access rights and performance of the works if Talwood Nominees Pty Ltd is the successful

tenderer.

s 42

I trust that this information is useful to Council in determining that it meets the requirements as outlined in the draft agreement.

Please be advised that the Contract Manager for your funding agreement is s 47F, who can be contacted via [haf@fahcsia.gov.au](mailto:haf@fahcsia.gov.au) or on s 47F should you require any further information on this, or any other matter related to your funding agreement. Please direct all correspondence regarding your funding agreement to the email above.

Kind Regards

s 47F  
Acting Section Manager  
Housing Affordability Fund

s 47F

---

**From:** Housing Affordability Fund  
**Sent:** Thursday, 23 September 2010 10:14 AM  
**To:** s 47F  
**Subject:** Financial Guarantee [SEC=IN-CONFIDENCE:COMMERCIAL]  
**Security Classification:** COMMERCIAL-IN-CONFIDENCE

Dear s 47F

I refer to your email of 20 August, 2010 regarding the provision by South Burnett Regional Council of a financial guarantee by a bank.

Clause 15.7 of the draft agreement requires that financial security be obtained from 'a financial institution We approve'. HAF would be happy to have a discussion with Council about the financial institution that is being proposed by the developer to ensure that it meets the abovementioned conditions of the funding agreement.

Please provide the details of the financial institution that is being proposed by Council for our consideration.

Kind Regards

s 47F  
Acting Manager  
Housing Affordability Fund.

s 47F

From: s 47F  
 Sent: Monday, 20 September 2010 11:07 AM  
 To: s 47F  
 Cc: s 47F  
 Subject: FW: Sunnyvale Estate - Affordable Housing Grant Agreement [SEC=IN-CONFIDENCE:STAFF]  
 Security Classification: STAFF-IN-CONFIDENCE

Hi s 47F

As discussed, please see immediately below for the draft responses to s 47F of South Burnett Regional Council (SBRC) regarding the questions contained in their correspondence to us. The reply is heavily based on legal advice that was sent from s 47F to s 47F and yourself in mid-August. I have highlighted in red any text that was provided to us in the legal advice and is relevant to the decision at hand, but will not be included in the response to SBRC.

Due to the time delays experienced thus far in getting this funding agreement signed, I suspect that we would need to change the dates of key deliverables as the timeframes specified in the draft agreement will not be able to be met. Should we refine timeframes before signing or do a variation once the original agreement is signed?

I suspect that you will wish to discuss this with s 47F before it goes out. I am happy to brief s 47F or yourself at any time on these matters. I have prepared the response under your hand as the questions were originally directed to you and it holds more weight with the funding recipient than coming from me as contract manager.

Cheers

s 47F  
 Housing Affordability Fund  
 Social Housing Initiative and Development Policy Branch  
 FaHCSIA  
 s 47F

Hi s 47F

Tony Hayward, CEO of South Burnett Regional Council, posed a number of questions to the Housing Affordability Fund in an email on 5 August. Please accept our apologies for the delay in responding. I am now able to provide the following responses to the issues raised:

- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for the issue of the financial security to the Commonwealth.

s 42

- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for Council to acquire security from the developer, Talwood Nominees Pty Ltd, to secure Council's obligations under the Funding Agreement.

s 42

- Council inviting tenders for the performance and supply of the works and completion of negotiations with the successful tenderer.

s 42

- The negotiation of a mutually agreed arrangement with the developer, Talwood Nominees Pty Ltd for access to the site.

s 42

- The entering into of a joint venture arrangement with the developer, Talwood Nominees Pty Ltd on terms satisfactory to Council.

s 42

- The negotiation of mutually agreed arrangements with each freehold mortgagee of the land concerning the provision of security by Talwood Nominees Pty Ltd and the acceptance of access rights and performance of the works if Talwood Nominees Pty Ltd is the successful tenderer.

s 42

I trust that this information is useful to Council in determining that it meets the requirements as outlined in the draft agreement.

Please be advised that the Contract Manager for your funding agreement is s 47F, who can be contacted via this email account or on s 47F should you require any further information on this, or any other matter related to your funding agreement.

Kind Regards

s 47F  
Acting Section Manager  
Housing Affordability Fund

---

**From:** s 47F  
**Sent:** Thursday, 5 August 2010 5:13 PM  
**To:** 'Tony Hayward'  
**Cc:** s 47F  
**Subject:** RE: Sunnyvale Estate - Affordable Housing Grant Agreement [SEC=UNCLASSIFIED]

Thanks for your letter Tony. I will seek advice from Senior Management and respond to s 47F with a decision. Due to staff travel, this will not happen until mid next week.

Kind Regards

s 47F

A/g Section Manager  
Housing Affordability Fund  
Department of Families, Housing, Community  
Services and Indigenous Affairs

s 47F

---

**From:** Tony Hayward [mailto:THayward@southburnett.qld.gov.au]  
**Sent:** Thursday, 5 August 2010 5:12 PM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** Sunnyvale Estate - Affordable Housing Grant Agreement  
**Importance:** High

s 47F

We have sought legal advice on the agreement as provided and as a result of the legal advice our Lawyers have asked that we send the **attached** letter to the Department for consideration. Please advise my Assistant s 47F on s 47F or via email s 47F of your decision?

Thanks  
Tony

**Tony Hayward**  
**Chief Executive Officer**

South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610  
s 47F  
s 47F  
✉ [thayward@southburnett.qld.gov.au](mailto:thayward@southburnett.qld.gov.au)  
🌐 [www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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s 47F

**From:** s 47F  
**Sent:** Friday, 17 September 2010 3:11 PM  
**To:** s 47F  
**Subject:** FW: Tapwood Nominees Grant Kingaroy [SEC=UNCLASSIFIED]  
**Security Classification:** UNCLASSIFIED

s 47F

Could you have a look at his previous emails regarding the questions about tapwood nominees please?

s 47F

*A/g Section Manager  
Housing Affordability Fund  
Department of Families, Housing, Community  
Services and Indigenous Affairs*

s 47F

---

**From:** Tony Hayward [mailto:THayward@southburnett.qld.gov.au]  
**Sent:** Friday, 17 September 2010 2:22 PM  
**To:** s 47F  
**Subject:** Tapwood Nominees Grant Kingaroy

Hi s 47F,

Now that we have a Minister appointed, how are the answers to the questions that were raised in relation to the Tapwood Nominees Grant going?. An update would be great.

Enjoy your weekend.

Regards  
Tony

**Tony Hayward**  
**Chief Executive Officer**

South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610  
s 47F  
s 47F  
✉ [thayward@southburnett.qld.gov.au](mailto:thayward@southburnett.qld.gov.au)  
🌐 [www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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s 47F

**From:** Housing Affordability Fund  
**Sent:** Friday, 20 August 2010 10:04 AM  
**To:** s 47F  
**Subject:** FW: SBRC Bank Guarantee [SEC=UNCLASSIFIED]  
**Security Classification:** UNCLASSIFIED

FYI I have moved this into their file

s 47F

*A/g Section Manager  
Housing Affordability Fund  
Department of Families, Housing, Community  
Services and Indigenous Affairs*

s 47F

**From:** s 47F s 47F ]  
**Sent:** Friday, 20 August 2010 8:59 AM  
**To:** Housing Affordability Fund  
**Cc:** Tony Hayward  
**Subject:** SBRC Bank Guarantee

Dear s 47F

As discussed, we are still awaiting confirmation from the Department whether they will approve a bank guarantee for the Link Road Infrastructure funding agreement. Once notification has been received from the department, this will be forwarded to you.

Kind regards

s 47F


**Executive Assistant**  
South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610


s 47F

s 47F

s 47F

[www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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s 47F

**From:** s 47F s 47F ]  
**Sent:** Friday, 20 August 2010 8:59 AM  
**To:** Housing Affordability Fund  
**Cc:** Tony Hayward  
**Subject:** SBRC Bank Guarantee

Dear s 47F

As discussed, we are still awaiting confirmation from the Department whether they will approve a bank guarantee for the Link Road Infrastructure funding agreement. Once notification has been received from the department, this will be forwarded to you.

Kind regards

s 47F  
**Executive Assistant**  
South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610

s 47F

s 47F

s 47F

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s 47F

**From:** s 47F  
**Sent:** Friday, 13 August 2010 4:17 PM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** Comments on letter from South Burnett Regional Council [SEC=IN-CONFIDENCE:LEGAL]

Dear s 47F and s 47F

Thank you for providing the letter received from the South Burnett Regional Council ("the Council") dated 5 August 2010 concerning the proposed HAF Agreement in respect of the Sunnyvale Master Planned Estate.

The issues raised in the letter are matters for the Council to resolve. However, I have provided comments below in relation to each issue which may assist in considering the Council's request for revision of milestone due dates. Please note I have not reviewed the draft agreement with the Council so have based my comments on the standard HAF Round 2 agreement.

- **Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for the issue of the financial security to the Commonwealth.**

s 42

- **Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for Council to acquire security from the developer, Talwood Nominees Pty Ltd, to secure Council's obligations under the Funding Agreement.**

s 42

- **Council inviting tenders for the performance and supply of the works and completion of negotiations with the successful tenderer.**

s 42

- **The negotiation of a mutually agreed arrangement with the developer, Talwood Nominees Pty Ltd for access to the site.**

s 42

- The entering into of a joint venture arrangement with the developer, Talwood Nominees Pty Ltd on terms satisfactory to Council.

s 42

- The negotiation of mutually agreed arrangements with each freehold mortgagee of the land concerning the provision of security by Talwood Nominees Pty Ltd and the acceptance of access rights and performance of the works if Talwood Nominees Pty Ltd is the successful tenderer.

s 42

I would be very happy to discuss any of the above issues further.

This advice has been second counselled by s 47F, Principal Legal Officer.

Kind regards

s 47F

s 47F

Senior Legal Officer | Housing Section | Commercial and Indigenous Law Branch  
Department of Families, Housing, Community Services and Indigenous Affairs

s 47F | s 47F | s 47F

**Note: This is a confidential communication containing legal advice. This advice must not be disclosed to external third parties without seeking assistance of a FaHCSIA Legal Officer.**

s 47F

**From:** s 47F  
**Sent:** Thursday, 5 August 2010 5:13 PM  
**To:** 'Tony Hayward'  
**Cc:** s 47F  
**Subject:** RE: Sunnyvale Estate - Affordable Housing Grant Agreement [SEC=UNCLASSIFIED]

Thanks for your letter Tony. I will seek advice from Senior Management and respond to s 47F with a decision. Due to staff travel, this will not happen until mid next week.

Kind Regards

s 47F

*A/g Section Manager  
Housing Affordability Fund  
Department of Families, Housing, Community  
Services and Indigenous Affairs*

s 47F

---

**From:** Tony Hayward [mailto:THayward@southburnett.qld.gov.au]  
**Sent:** Thursday, 5 August 2010 5:12 PM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** Sunnyvale Estate - Affordable Housing Grant Agreement  
**Importance:** High

s 47F

We have sought legal advice on the agreement as provided and as a result of the legal advice our Lawyers have asked that we send the **attached** letter to the Department for consideration. Please advise my Assistant s 47F on s 47F or via email s 47F of your decision?

Thanks  
Tony

**Tony Hayward**  
**Chief Executive Officer**

South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610

s 47F  
s 47F

✉ [thayward@southburnett.qld.gov.au](mailto:thayward@southburnett.qld.gov.au)  
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s 47F

**From:** Tony Hayward [THayward@southburnett.qld.gov.au]  
**Sent:** Thursday, 5 August 2010 5:12 PM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** Sunnyvale Estate - Affordable Housing Grant Agreement  
**Importance:** High  
**Attachments:** 3457\_001.pdf

s 47F

We have sought legal advice on the agreement as provided and as a result of the legal advice our Lawyers have asked that we send the **attached** letter to the Department for consideration. Please advise my Assistant s 47F on s 47F or via email s 47F of your decision?

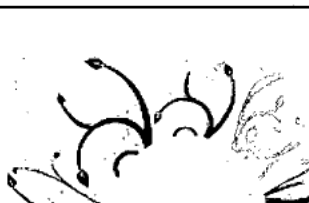
Thanks  
Tony

**Tony Hayward**  
Chief Executive Officer

South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610  
s 47F  
s 47F  
✉ [thayward@southburnett.qld.gov.au](mailto:thayward@southburnett.qld.gov.au)  
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**SOUTH BURNETT  
REGIONAL COUNCIL**

Enquiries: Tony Hayward  
s 47F  
IR 906628 TR:JOH

5 August 2010

South Burnett Regional Council  
ABN 89 972 463 351  
PO Box 336  
Kingaroy QLD 4610  
☎ (07) 4162 6200  
☎ (07) 4162 4806  
✉ info@southburnett.qld.gov.au  
■ www.southburnett.qld.gov.au

s 47F  
A/G Section Manager  
Housing Affordability Fund  
Department of Families Housing  
Community Services and Indigenous Affairs  
s 47F

Dear s 47F

**South Burnett Regional Council Funding Agreement – Link Road Infrastructure Project**

I have received legal advice that Council is not in a position to sign the proposed Funding Agreement.

There are a number of significant matters which would need to be resolved before Council is able to sign the Agreement. These are:

- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for the issue of the financial security to the Commonwealth.
- Council obtaining approval pursuant to the *Statutory Bodies Financial Arrangements Act 1982* for Council to acquire security from the developer, Tapwood Nominees Pty Ltd, to secure Council's obligations under the Funding Agreement.
- Council inviting tenders for the performance and supply of the works and completion of negotiations with the successful tenderer.
- The negotiation of a mutually agreed arrangement with the developer, Tapwood Nominees Pty Ltd for access to the site.
- The entering into of a joint venture arrangement with the developer, Tapwood Nominees Pty Ltd on terms satisfactory to Council.
- The negotiation of mutually agreed arrangements with each freehold mortgagee of the land concerning the provision of security by Tapwood Nominees Pty Ltd and the acceptance of access rights and performance of the works if Tapwood Nominees Pty Ltd is the successful tenderer.

**Customer Service Centres**

Kingaroy 45 Glendon Street  
 Nanango 48 Drayton Street

ph (07) 4162 6200  
fax (07) 4162 4806  
ph (07) 4171 6800  
fax (07) 4163 1729

Murgon 42 Stephens Street West  
 Wondal Cnr McKenzie & Scott Streets

ph (07) 4169 9000  
fax (07) 4168 2627  
ph (07) 4169 2555  
fax (07) 4168 5808



Against this background, the milestone due dates in the proposed Funding Agreement would need to be revised.

Would you kindly advise the Department's attitude towards the above. Also, will the Department defer its requirement for execution of the Funding Agreement by Council pending resolution of these issues.

Yours faithfully

**s 47F**

**Tony Hayward**  
**CHIEF EXECUTIVE OFFICER**

s 47F

**From:** s 47F  
**Sent:** Wednesday, 21 July 2010 8:59 AM  
**To:** s 47F  
**Subject:** FW: Sustainable Housing Project - Sunnyvale Estate, Kingaroy Queensland  
**Importance:** High  
**Attachments:** Financial guarantee letter (to be cleared by s 47F).nrl

Hi s 47F this is the original message, can you pls draft up a response and send to s 47F

Below is para from HAFR2 guidelines and I have also included link to previous round one FG letter. He also says that the FG should only be on the total amount of savings for the 120 dwellings (600k) but we actually require it for all of the infrastructure works to be undertaken (3.7million).

All funding offers to applicants with infrastructure projects will require, as a term of the funding agreement, that the funding recipient provide the Department with a Financial Security in favour of the Commonwealth to the total value of the funding. The Financial Security will be required prior to any funding being provided by the Department. This is necessary because the funding will be provided before the required project outcomes, normally a specified savings amount to be passed to the purchasers of an agreed number of new dwellings, are delivered. The Financial Security will cease once the agreed outcomes have been delivered.

Thanks

s 47F

Housing Affordability Fund

Affordable Housing Programs | Department of Families Housing Community Services and Indigenous Affairs

s 47F

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**From:** Tony Hayward [mailto:THayward@southburnett.qld.gov.au]  
**Sent:** Wednesday, 7 July 2010 4:34 PM  
**To:** s 47F  
**Cc:** s 47F  
**Subject:** Sustainable Housing Project - Sunnyvale Estate, Kingaroy Queensland  
**Importance:** High

Hi s 47F,

Thank you for taking our telephone call this morning regarding the Department's approval of funding for the *Link Road Infrastructure for the Sunnyvale Master Planned Estate*. As discussed we have some concerns regarding the proposal for the lodgement of an *unconditional bank guarantee* for the value of the grant funding (i.e. \$3,700,000).

In reading the agreement that was received in the mail from the Department our concerns are as follows:


1. The requirement to lodge a bank guarantee for the total value of the grant, when the grant will only be released in four (4) payments over a 13 month period.
2. That the bank guarantee should be lodged to cover the value of the unexpended value of the grant monies being held by Council at each grant release date (i.e. 30 September 2010; 31 January 2011; 1 July 2011 & 31 October 2011). Council could provide details of funds released prior to each scheduled payment of grant funds by the Department to Council.

21/07/2010

- 3. That there are 600 parcels of land (approximately) to be created in the estate and of these 120 parcels are available for affordable housing rebates.

We understand that the Department wishes to protect the governments funding for this project, however the Council considers it somewhat unfair if it lodges an *unconditional bank guarantee* that exceeds the level of exposure (i.e. greater than the value of grant funds held). The road when constructed will be handed to Council as it will become a community road like nearly all other roads in this local government area. The Council can verify all payments made to the developer by the *Project Manager* certifying all claims lodged by the developer. Council would only release funds based on this certification.

The issue would appear to be protecting the Department's interest in the 120 lots that are to be offered for *Affordable Housing* and ensuring that the savings are delivered to these purchasers. The parcels of land may not be sold for some time after the completion of the road works and their handover to the Council. Based on this it is understood that the Department would require to hold the value in an *unconditional bank guarantee* of the unreleased funds that relate to the rebate for the affordable housing parcels (i.e. maximum of \$600,000). That this amount would be reduced as each of the 120 parcels of land are sold and the rebate is provided by the Council.

Should you require any clarification of the matters outlined please do not hesitate to contact me on  s 47F

Regards

Tony


**Tony Hayward**  
**Chief Executive Officer**


South Burnett Regional Council  
 PO Box 336  
 KINGAROY QLD 4610

s 47F  
 s 47F

✉ [thayward@southburnett.qld.gov.au](mailto:thayward@southburnett.qld.gov.au)  
 🌐 [www.southburnett.qld.gov.au](http://www.southburnett.qld.gov.au)

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**Australian Government**

**Department of Families, Housing,  
Community Services and Indigenous Affairs**

<<NAME>>

<<ADDRESS>>

Dear <<NAME>>

Following my last letter to you of 7 May 2009, a number of additional questions have been raised about the need for a financial guarantee.

As you are aware, the \$512 million Housing Affordability Fund aims to lower the cost of building new homes by giving developers and local government the incentive they need to reform development and planning systems and cut infrastructure charges and pass on savings to new home owners. Through this assistance, the program addresses two significant barriers to increasing the supply of affordable housing:

- the 'holding' costs incurred by developers as a result of long planning and approval times, such as interest paid to banks while waiting on development decisions by councils; and
- infrastructure costs, such as laying of water pipes sewerage, transport, and the creation of parks.

The Housing Affordability Fund is aimed at assisting State, Territory and local governments, in conjunction with the private sector, to address these market barriers and, importantly, ensure that savings generated from the Commonwealth's investment are passed on to the new home buyer.

In order to achieve the Australian Government's policy objectives as outlined above, proposals and business cases put forward by prospective funding recipients identified land to be developed and savings in relation to the sale of that land, which would be passed on to purchasers.

The requirement for a financial guarantee has been raised by a number of applicants as a significant issue.

The purpose of a financial guarantee is to protect the investment of the Australian Government and to ensure the program objectives; to increase the supply of affordable housing and pass savings on to homebuyers, are met which is required of us under the *Financial Management and Accountability Act 1997*. The financial guarantee is the mechanism required by the Australian Government to ensure the savings generated through the Australian Government's infrastructure funding are passed on to the homebuyers.

We are interested in talking to you further about this and other issues which may be impacting on your ability to accept the funding offer. To this end, my staff will be contacting you to arrange a suitable time for further discussions.

Yours sincerely,

s 47F

Manager

Housing Affordability Fund

s 47F

15 May 2009