



Somerset
REGIONAL COUNCIL

**Minutes of Ordinary Meeting
Held Wednesday 26 February 2020**

*Held in the Simeon Lord Room
Library / Museum Building
Redbank Street, Esk*

Present

Cr G D Lehmann	(Mayor)
Cr D Hall	(Deputy Mayor)
Cr H Brieschke	(Councillor)
Cr S Choat	(Councillor)
Cr C Gaedtke	(Councillor)
Cr M Ogg	(Councillor)
Cr B Whalley	(Councillor)
Mr A Johnson	(Chief Executive Officer)
Mr M McGoldrick	(Director Corporate and Community Services)
Mr C Young	(Director Operations)
Mr S Brennan	(Acting Director Planning and Development)
Mr G Smith	(Director Finance)
Mrs K Jones	(Director HR and Customer Service)
Mrs S Pitkin	(Minute Secretary / Executive Assistant)
Ms M Maesele	(Communications and Marketing Manager)

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Opening of Meeting

The Mayor, Cr Graeme Lehmann, opened the meeting at 8.59 am.

Leave of Absence

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Brieschke

Seconded – Cr Ogg

“THAT the Minutes of the Ordinary Meeting held Wednesday 12 February 2020 s circulated to all Members of Council be confirmed”.

Vote - Unanimous

Carried

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Cr Gaedtke - Matters of public interest**

28 February Official Opening Kilcoy Showground - Kilcoy Racecourse Redevelopment
 29 February 10 am - Jimna - Ceremony to remember lost wildlife
 29 February Nudes to fall from the skies - Toogoolawah
 07 March Somerset Dam and District Progress Association Inc AGM
 07 March Free Tree Day - SRC - Esk

Well done to the new management of both Harlin and Linville Hotels, with new energy and vision, both hotels are going well and are creating increased interest. The businesses rely on passing trade, so tourism is a great economic driver.

Cr Choat - Matters of public interest

With the welcome rains has come the proliferation of vegetation growth which has transformed our parched region into a lush and green landscape. For most residents this is a relief, but it also means the need to maintain growth in private and public urban spaces.

Residents will know that only days after maintenance, grass and other vegetation will grow back quickly under the current conditions. Council has vast areas to manage and I ask that residents consider this and the growing conditions and be patient and understanding as Council's hard-working team addresses these matters as quickly with follow up soon as is possible.

Cr Brieschke - Matters of public interest*March*

- 5 Rural Financial Counselling Service SE Qld will be attending Toogoolawah Golf Club to offer assistance to local farmers.
- 7 Koala Free Tree Day, 8 am to 12 pm, Esk Library Carpark.
Somerset Dam & District Progress Association AGM, 10 am Coronation Hall, Somerset Dam.

There has been heightened interest lately in the reduction of Doctor services in Esk and Toogoolawah. More specifically the closure of one facility for the past three months and another for a month. This is becoming a problem in many rural communities and I would like our community to know that Council has been and will continue to meet with relevant stakeholders to address this issue.

Cr Hall - Matters of public interest

Cr Hall also commented on the growth of the grass, following a period of drought.

Conflict of Interest

No declarations of conflict of interest in the following agenda items were notified at this time.

Subject:	Development Application No 17371 - Request to extend Currency Period to Development Approval under section 86 of the Planning Act 2016
File No:	DA17371
Action Officer:	PO-RC
Assessment No:	05064-20000-000

1.0 APPLICATION SUMMARY**Subject Land**

Location	801 Cressbrook Caboonbah Road, Cressbrook
Real Property Description	Lot 205 on Crown Land CSH2421
Area	102.8 hectares
Current land use	Watts Bridge Memorial Airfield

Original Planning Scheme Information

Planning scheme	Somerset Region Planning Scheme Version Two
Zone	Rural

Current Planning Scheme Information

Planning Scheme	Somerset Region Planning Scheme Version Three
Zone	Rural

ShapingSEQ

Land Use Category	Regional Landscape and Rural Production Area
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Application

Original Category of Assessment	Impact
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Original Date of Approval	28 March 2018
Original Approval	Development Permit for Reconfiguring a Lot by Subdivision dividing land into parts by agreement - Subdivision by lease for 60 year term
Applicant Details	Watts Bridge Memorial Airfield Inc. c/- Mayhill Planning and Architecture Pty Ltd Attn: Michael Lowe 2/72 Merivale Street South Brisbane QLD 4101
Date application received	18 January 2020
Date application made	29 January 2020

State Agency Referrals

Concurrence Agency	The State Assessment and Referral Agency on behalf of the Department of State Development, Manufacturing, Infrastructure and Planning
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RECOMMENDED DECISION

THAT Council approve the request to extend the currency period for Development Approval No 17371 for a further two-year period from 4 April 2022 to 4 April 2024.

2.0 BACKGROUND TO APPROVAL

On 4 April 2018, Council approved DA17371 for Development Permit for Reconfiguring a lot by subdivision dividing land into parts by agreement - Subdivision by lease for 60 year term.

The applicant has now requested to extend to the currency period for DA17371 development approval for an additional two years from the 4 April 2022 to the 4 April 2024.

2.1 The current approval

The site is currently occupied by Watts Bridge Memorial Airfield. Under the *Planning Act 2016*, the definition of Reconfiguring a lot includes any lease agreement for a term greater than 10 years (including renewal options). Therefore, a development approval was required to enable registration of leases for the proposed term.

Until 2015, Seqwater owned the land on which the Watts Bridge Memorial Airfield sits. Seqwater leased the land to Somerset Regional Council, who sub-leased it to Watts Bridge Memorial Airfield Inc., who then sub-sub-leased it to individual tenants. Watts Bridge Memorial Airfield Inc. has now purchased the property, taking over the existing lease between Seqwater and Somerset Regional Council. This change effectively created an inefficient structure where Watts Bridge Memorial Airfield Inc. now owned the land, which it leases to Somerset Regional Council, which sub-leases it back to Watts Bridge Memorial Airfield Inc., which sub-sub leases it to individual members.

The purpose of the current development approval would facilitate a restructuring of the lease agreements. However, as there are over 50 lease holders at the airfield, the Board of Management has not been able to secure agreement from the membership on the type, form or length of replacement leases.

The existing leases will naturally expire in 2023. When this occurs, the Board of Management will have the opportunity to offer replacement leases to the membership for them to accept or decline. The current development approval currency period expires on the 4 April 2022. The

extension to currency period request is to extend the relevant period for an additional two years, with the new currency period proposed to expire on the 4 April 2024. This will provide coverage past the point at which the existing lease agreements naturally expire.

The applicant has not proposed any changes to the approved development conditions, nor to the existing subdivision arrangement as per the Watts Bridge Memorial Airfield Master Plan, approved under the Preliminary Approval by the former Esk Shire Council in 2007.

The Plan of Subdivision has been provided at Attachment 1.

3.0 PLANNING CONSIDERATIONS

Section 86 of the *Planning Act 2016* (the Act) provides the opportunity for the applicant to seek an extension to the relevant period of development approvals, preventing the application from lapsing.

Pursuant to s87 of the Act, Council as the assessment manager may consider any matter considered to be relevant, even if the matter was not relevant at the time of assessing the original development application.

Officers have assessed the application and have no objections regarding the extension request.

The request to extend the currency period was made to Council on 18 January 2020.

4.0 REFERRAL AGENCY

The *Planning Act 2016* does not require applicants to seek advice from relevant referral agency when seeking to extend the currency period of the development approval. As such, no comments or conditions have been sought from the Agency. However, the Act does require Council, after deciding the extension application, give a decision notice to relevant agency.

5.0 CONCLUSION

The Extension to currency period request has been assessed and in light of the circumstance on the purpose of the extension to time frame request, it is considered reasonable to extend the currency period for an additional two years from 4 April 2022 to 4 April 2024.

6.0 ATTACHMENT

Approved Plans of Subdivision.

RECOMMENDED DECISION

THAT Council approve the Extension to the currency period under section 86 of the *Planning Act 2016* for Development Approval No 17371 on land described as Lot 205 on Crown Land CSH2421 and situated at 801 Cressbrook Caboonbah Road, Cressbrook for an additional two years, up to and including 4 April 2024.

Resolution

Moved – Cr Choat

Seconded – Cr Ogg

“THAT Council approve the Extension to the currency period under section 86 of the *Planning Act 2016* for Development Approval No 17371 on land described as Lot 205 on Crown Land CSH2421 and

situated at 801 Cressbrook Caboonbah Road, Cressbrook for an additional two years, up to and including 4 April 2024."

Carried

Subject:	Development Application No 19082 - Application for a Development Permit for Reconfiguring a Lot by Subdivision (One into Two Lots)
File No:	DA19082
Action Officer:	PO - RC
Assessment No:	80465-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	47 Taylor Street, Kilcoy
Real Property Description	Lot 89 on K3796
Area	0.184 hectare
Current land use	Residential – Dwelling house

Somerset Region Planning Scheme Version Three

Zone	General residential
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ShapingSEQ

Land Use Category	Urban Footprint
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Application

Proposed Development	Subdivision – One into Two Lots
Category of Assessment	Code
Applicant/s	JA La Spina and ML La Spina as Trustee c/- Alex Long
Applicants contact	221 F Lindsay Road Rocksburg QLD 4510
Date application received	6 December 2019
Date properly made	6 December 2019

Referral Agencies	No referral required
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Public Notification	Not required
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RECOMMENDED DECISION

Approve the Development Application No 19082 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to reconfigure and subdivide the existing lot to create two General residential lots. The applicant has not proposed further improvement, building works or additional land use as part of the application. The proposed plan of subdivision is provided as Attachment 1.

Details of the proposed lots are as follows:

Proposed Lot	Proposed Area	Proposed Frontage (Dimension)
Lot 12	870m ²	15.35m
Lot 11	974m ²	5m (Width of the access handle)

The proposed development complies with the minimum lot sizes stipulated by the Planning Scheme. The applicant is seeking an alternative solution for the dimension.

Both proposed lots will be accessed from Taylor Street. Proposed Lot 12 has a direct street frontage access onto Taylor Street and proposed Lot 11 will be a battle-axe block, located to the rear of proposed Lot 12. No access easement has been proposed as part of the development. The access handle will be 5m wide and will be constructed over the existing driveway. After the subdivision, the existing Domestic outbuilding will be located in proposed Lot 12 and the existing Dwelling house will be located in the proposed Lot 11.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is a rectangular shaped residential property, located in the Kilcoy Urban Footprint. The site's topography falls away from the road. The site boundaries are defined by Taylor Street to the north and by other general residential properties to the remaining directions. The site is currently improved by a Dwelling house and a Domestic outbuilding. The predominately surrounding land uses are residential and subdivision configurations to the one proposed are common in the immediate locality. The site lacks significant vegetation and habitat corridors, watercourses or cultural features.

4.0 STATE ASSESSMENT

4.1 State Planning Policy

The *State Planning Policy (SPP)* has been updated since the *Somerset Region Planning Scheme* came into effect. As such, assessment against the SPP is required, however, the relevant components of the SPP had not been altered since the planning scheme came into effect.

4.2 Vegetation Management Act 1999

As per the Department of State Development, Manufacturing, Infrastructure and Planning's Development Assessment Mapping System, the proposed development footprint is located in Class X area regulated vegetation management area but does not require referral to the State in accordance with the *Planning Regulation 2017*.

4.3 Environmental Protection Act 1994

The site is not listed on the Contaminated Land Register or the Environmental Management Register.

5.0 COUNCIL ASSESSMENT

An assessment against the relevant parts of the planning scheme is set out below.

5.1 Strategic Framework

An assessment against the Strategic Framework was not required as the proposed development is not an impact assessable development.

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Reconfiguring a lot code	Yes	Alternative solutions provided for

		PO1 and PO11
Services, works and infrastructure code	Yes	Complies with the relevant Acceptable Outcomes
Transport, access and parking code	Yes	Alternative solution provided for PO11

Reconfiguring a lot code

Performance outcomes	Examples						
Lot size and subdivision design							
<p>PO1 Lot size and dimensions:</p> <p>(a) provide sufficient area for the siting and construction of buildings and structures;</p> <p>(b) provide for safe vehicular and pedestrian access;</p> <p>(c) respond appropriately to site characteristics including slope of the land and topography; and</p> <p>(d) are consistent with the intended character of the zone.</p>	<p>AO1.1 The minimum <i>lot</i> size and dimensions complies with Table 8.3.4.3.B– Minimum Lot Size and Dimensions.</p> <p>Table 8.4.3.B – Minimum Lot Size and Dimensions</p> <table border="1"> <thead> <tr> <th>Zone</th> <th>Minimum Lot Size</th> <th>Minimum frontage</th> </tr> </thead> <tbody> <tr> <td>General residential zone</td> <td>600 square metres</td> <td>18 metres</td> </tr> </tbody> </table>	Zone	Minimum Lot Size	Minimum frontage	General residential zone	600 square metres	18 metres
Zone	Minimum Lot Size	Minimum frontage					
General residential zone	600 square metres	18 metres					
Performance outcome assessment							
<p>Both proposed lots comply with the minimum lot size as stipulated by the Planning Scheme.</p> <p>Proposed Lot 12 has a proposed frontage of 15.35m and proposed Lot 11 is a battle-axe block.</p> <p>The relaxation being sought for the proposed street frontage width is considered as minor and the lot created will provide sufficient area for the siting and construction of future buildings and structures. The adjoining lot to the immediate west of the subject site has a similar frontage width.</p> <p>Proposed Lot 11 is a battle-axe block and will provide sufficient area and width for the siting and construction of future buildings and structures.</p>							
Movement network and access							
<p>PO11 Rear <i>lot</i> access is appropriately managed to reduce vehicular conflict and provide legal access.</p>	<p>AO11.1 The minimum width of an access handle for rear lots is:</p> <p>(a) 6 metres for residential activities; and</p> <p>(b) 8 metres for other activities.</p> <p>AO11.2 The maximum length of an access handle for a rear allotment is 50 metres.</p>						
Performance outcome assessment							
<p>The proposed access handle for proposed rear Lot 11 is 5m and the proposed length is approximately 53.9m.</p>							

Despite the non-compliance with the acceptable outcome, as the proposed access handle only services a single rear lot, it is considered any vehicular conflict created will be minor and provides a legal access to Taylor Street. The access handle will be sealed as per Council's Design Standards.

Transport, access and parking code

Performance outcomes	Examples
Vehicle standing and manoeuvring areas	
PO11 Long driveways are designed and treated to soften their visual appearance when viewed from the street frontage.	AO11.1 Internal driveways do not exceed 50 metres in length.
Performance outcome assessment	
The proposed access handle will be 53.9m long. The access handle is not considered to impact on the visual street appearance when viewed from the site's frontage.	

6.0 OTHER PLANNING CONSIDERATIONS

6.1 Trunk Infrastructure and Services

The following items of trunk infrastructure and services applicable to the proposed development are individually addressed below.

6.2 Water Supply and Sewerage

The subject land is located within an area serviced by a reticulated water supply network and reticulated sewer network. Conditions have been included requiring the development to be connected to these networks and provide connection certificates as part of the plan sealing process.

6.3 Stormwater/Drainage

The site falls away from the road. Concerns were raised by Council officers regarding the additional stormwater being generated by the new lot (and potential future dwelling) to the natural flowpath and would cause an actionable nuisance on downstream properties. An information request seeking further information from the applicant was issued.

The applicant has subsequently provided a Stormwater Management Plan, showing a negligible increase in stormwater which is considered to be unlikely to result in an actionable nuisance on downstream properties damage. A condition has been included requiring the applicant to install stormwater drainage works generally in accordance with the proposed stormwater drainage plan as part of the development. The proposed Stormwater Management Plan and communication are provided at Attachments 2 and 3.

There is associated infrastructure charge for development of this type in the Region.

A condition requiring the land owner to ensure that stormwater is delivered to a legal point of discharge and designed in accordance with the Queensland Urban Drainage Manual has been included in the Schedules of Conditions.

6.4 Transport network

The proposed development is not considered to unreasonably burden upon local transport networks. There is associated infrastructure charge for development of this type in the Region.

6.5 Parks and Open space

The proposed development is not considered to have any adverse impacts upon the Parks and open space network. There is associated infrastructure charge for development of this type in the Region.

6.6 Infrastructure charges

As discussed above, Infrastructure Charges are applicable for development of this type under Council's current *Infrastructure Charges Resolution (No 1) 2019*. The draft Infrastructure Charges Notice is provided at Attachment 4.

6.7 Environment

The proposal will not lead to environmental degradation and as such there are no environmental considerations for the proposal.

6.8 Heritage

The site neither adjoins nor contains a heritage feature listed in either the Queensland Heritage Register.

7.0 CONCLUSION

The proposed development is for a one into two lot subdivision infill development. The development will create two general residential allotments. The proposed lots will comply with the minimum lot sizes but not the lot dimensions stipulated in the Planning Scheme. The applicant is seeking relaxation of the street frontage width. This is considered minor and the lots created will provide sufficient area for the construction of any future buildings and structures. Safe vehicular and pedestrian accesses to the lots created will also be provided. Although there are concerns that the proposed subdivision may result in additional stormwater adding to the natural flowpath and may cause an actionable nuisance on downstream properties, the applicant has provided information showing that there is a negligible increase of stormwater and is unlikely to result in an actionable nuisance on downstream properties.

The proposed development complies with the acceptable outcomes of the relevant assessment benchmarks or provided alternative solutions for the performance outcomes when it did not meet the acceptable outcomes. The proposed development will be conditioned to be carried out generally in accordance with the development conditions attached to the Decision Notice and supporting material in the Attachments.

8.0 ATTACHMENTS

1. Proposed Subdivision, Drawing No: 6088P/1, Sheet 1, Revision B, Date unknown.
2. Stormwater drainage communication, Prepared by CF at Contour Consulting Engineers Pty Ltd, Reference as CIV02387, Dated 4 February 2020.
3. Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No: 2387-C01, Sheet 1, Dated 31 January 2020.
4. Draft Infrastructure Charges Notice, Prepared by SRC.

RECOMMENDED DECISION

1. THAT Council approve the Development Application No 19082 for a Development Permit for a Reconfiguring a Lot for Subdivision (One into two lots) on land described as Lot 89 on K3796 and situated at 47 Taylor Street, Kilcoy subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT Council report for this application be published to the website as Council's

Statement of Reasons in accordance with the s63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Proposed Subdivision, Drawing No: 6088P/1, Sheet 1, Revision B, Date unknown.	
	Stormwater drainage communication, prepared by CF at Contour Consulting Engineers Pty Ltd, Reference as CIV02387, Dated 4 February 2020.	
	Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No: 2387-C01, Sheet 1, Dated 31 January 2020.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to Plan of Subdivision Endorsement Request
1.4	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing.	Prior to Plan of Subdivision Endorsement Request
1.5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Natural Resources, Mines and Energy. Currently, the amount is set at \$37 per allotment.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Plan of Subdivision Endorsement Request
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Plan of Subdivision Endorsement Request

2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to Plan of Subdivision Endorsement Request
2.4	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
General Services		
2.5	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect directly to such service to the approval and requirements of the service provider.	Prior to Plan of Subdivision Endorsement Request
2.6	The applicant must provide written evidence (eg. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Plan of Subdivision Endorsement Request
2.7	Any existing roofwater conduits, electrical conduits, irrigation pipes, Telstra conduits, reticulated water conduits and any other utility conduits common to both proposed lots shall be terminated within each proposed lot.	Prior to Plan of Subdivision Endorsement Request
Vehicle access		
2.8	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to Plan of Subdivision Endorsement Request
2.9	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards	At all times
2.10	The Applicant is to construct a vehicle access for proposed Lot 11 in accordance with Council's standard drawing SRC-ROAD-012.	Prior to Plan of Subdivision Endorsement Request
2.11	Construct a minimum 3 meter sealed driveway for the full length of the access handle of proposed Lot 11 in accordance with Council standard. The access is to be sealed with a minimum of a two-coat bitumen seal.	Prior to Plan of Subdivision Endorsement Request

	Stormwater	
2.12	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.13	Stormwater drainage shall be constructed in general accordance with Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No.: 2387-C01, Sheet 1, Dated 31 January 2020.	Prior to Plan of Subdivision Endorsement Request
	Erosion and sediment control	
2.14	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures • Be responsible for the restoration work. <p>Should the development fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times
2.15	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ol style="list-style-type: none"> i. Milling; ii. Chipping and/or mulching iii. Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times
SCHEDULE 3 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the Planning Act 2016 . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being four (4) years starting the day the approval takes effect.		
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the Planning Regulation 2017 .		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		

The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
The form <i>Application to Approval Plan of Subdivision</i> [version 1.0 effective 3 July 2017] must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.
The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.
Any further developments of the site may require further approvals.

Attachments for the Decision Notice include:

- Proposed Subdivision, Drawing No: 6088P/1, Sheet 1, Revision B, Date unknown.
- Stormwater drainage communication, prepared by CF at Contour Consulting Engineers Pty Ltd, Reference as CIV02387, Dated 4 February 2020.
- Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No: 2387-C01, Sheet 1, Dated 31 January 2020.

Resolution	Moved – Cr Hall	Seconded – Cr Gaedtke
	<p>"1. THAT Council approve the Development Application No 19082 for a Development Permit for a Reconfiguring a Lot for Subdivision (One into two lots) on land described as Lot 89 on K3796 and situated at 47 Taylor Street, Kilcoy subject to the requirements and conditions contained in the Schedules and Attachments.</p> <p>2. THAT Council report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the <i>Planning Act 2016</i>.</p>	

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Proposed Subdivision, Drawing No: 6088P/1, Sheet 1, Revision B, Date unknown.	
	Stormwater drainage communication, prepared by CF at	

	Contour Consulting Engineers Pty Ltd, Reference as CIV02387, Dated 4 February 2020.	
	Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No: 2387-C01, Sheet 1, Dated 31 January 2020.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to Plan of Subdivision Endorsement Request
1.4	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing.	Prior to Plan of Subdivision Endorsement Request
1.5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Natural Resources, Mines and Energy. Currently, the amount is set at \$37 per allotment.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Plan of Subdivision Endorsement Request
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Plan of Subdivision Endorsement Request
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to Plan of Subdivision Endorsement Request
2.4	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
General Services		
2.5	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. Where proposed allotments front existing overhead electricity	Prior to Plan of Subdivision Endorsement Request

	or telecommunication service, these lots may connect directly to such service to the approval and requirements of the service provider.	
2.6	The applicant must provide written evidence (eg. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Plan of Subdivision Endorsement Request
2.7	Any existing roof water conduits, electrical conduits, irrigation pipes, Telstra conduits, reticulated water conduits and any other utility conduits common to both proposed lots shall be terminated within each proposed lot.	Prior to Plan of Subdivision Endorsement Request
	Vehicle access	
2.8	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to Plan of Subdivision Endorsement Request
2.9	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards	At all times
2.10	The Applicant is to construct a vehicle access for proposed Lot 11 in accordance with Council's standard drawing SRC-ROAD-012.	Prior to Plan of Subdivision Endorsement Request
2.11	Construct a minimum 3 meter sealed driveway for the full length of the access handle of proposed Lot 11 in accordance with Council standard. The access is to be sealed with a minimum of a two-coat bitumen seal.	Prior to Plan of Subdivision Endorsement Request
	Stormwater	
2.12	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.13	Stormwater drainage shall be constructed in general accordance with Development Layout Plan, Designed by CDG, Drawn by WF, Prepared by Contour Consulting Engineers Pty Ltd, Plan No: 2387-C01, Sheet 1, Dated 31 January 2020.	Prior to Plan of Subdivision Endorsement Request
	Erosion and sediment control	
2.14	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures • Be responsible for the restoration work. 	At all times

	Should the development fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.	
2.15	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i. Milling; ii. Chipping and/or mulching iii. Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times
SCHEDULE 3 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the Planning Act 2016 . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being four (4) years starting the day the approval takes effect.		
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the Planning Regulation 2017 .		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
The form Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017] must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.		
The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.		

Any further developments of the site may require further approvals."

Carried

Vote - Unanimous

Subject:	Development Application No 18842 - Representations about conditions and other matters during the Applicant's Appeal Period in accordance with section 75 of the <i>Planning Act 2016</i>
File No:	DA18842
Action Officer:	SP-MJ
Assessment Nos:	00452-00000-000, 00451-00000-000 and 00453-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	101, 105 and 111 Ipswich Street, Esk
Real Property Description	Lots 1 and 2 on RP103749 and Lot 14 on SP156236
Combined areas	3230m ²

Planning Scheme

Planning Scheme	Somerset Region Planning Scheme Version Three
Zone	Centre

ShapingSEQ

Land Use Category	Urban Footprint
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Application

Original Category of Assessment	Code assessment
Original Date of Approval	11 December 2019
Development Approval	Development Permit for a Material Change of Use for a Shop (Supermarket)
Applicants contact details	Esk Central Pty Ltd C/- Adapt Planning Pty Ltd Attention: Liam Pinese PO Box 7618 SIPPY DOWNS QLD 4556
Land Owner	Esk District Co-Op Pty Ltd, Kerry J and Bronwen M Ebert and Esk Central Pty Ltd

State Agency Referrals

Concurrence	Department of State Development, Manufacturing, Infrastructure and Planning – State Assessment and Referral Agency
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RECOMMENDED DECISION

A Negotiated Decision Notice for Development Application No 18842 be issued, subject to the amended conditions and requirements contained in the Schedules and Attachments.

2.0 BACKGROUND TO APPROVAL

Somerset Regional Council at its Ordinary meeting of 11 December 2019 considered and

approved the development application DA18842 for a Shop (Supermarket). The applicant has now made representation to Council to change and amend conditions of the development approval.

3.0 REQUESTED CHANGE

The applicant on behalf of their client has made the following representations:

3.1 Condition 1.5

Condition 1.5 currently states:

“Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.”

The applicant has requested the condition to be amended to the following:

“Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.”

3.2 Condition 2.6

Condition 2.6 currently states:

“Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.”

The applicant has requested the condition to be amended to the following:

“Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.”

3.3 Approved Plans and/or Documents – Condition 1.1 (specifically attachment 8)

Regarding Attachment 8, condition 1.1 currently states:

“Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.

8. *Site layout and engineering details - Reference 190304 Drawing Number 2 and amended by Somerset Regional Council - prepared by DME Projects – dated November 2019”*

The applicant has requested the condition to be amended to the following:

“Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.

8. *Site layout and engineering details - Reference 190304 Drawing Number 2 - prepared by DME Projects – dated November 2019”*

4.0 APPLICANT'S REPRESENTATIONS

The applicant has provided the following representations for the two conditions.

Regarding condition 1.5, the condition requires the applicant to obtain Council approval for demolition or removal of existing buildings prior to the commencement of use. The applicant requests that this condition be amended such that approval for demolition or removal of existing buildings be obtained through a private certifier.

Regarding condition 2.6, the condition requires the applicant to obtain Council approval for demolition or removal of existing buildings prior to the commencement of use. The applicant requests that this condition be amended such that approval for demolition or removal of existing buildings be obtained through a private certifier.

Regarding the approved plans and/or documents, specifically attachment 8, the applicant request the approved plans be re-issued **without** annotation from Council. Charges to the condition were made during the Council meeting but it appears that the annotated plans were not updated.

5.0 OFFICER'S COMMENTS

Reviewing the applicant's representation for Condition 1.5 and Condition 2.6, it is considered that the proposed amendment to the condition will allow the development to proceed and operate as intended by the approval. Therefore, it is appropriate for Condition 1.5 and Condition 2.6 to be amended as proposed by the applicant.

After reviewing the applicant's representation for the approved plans and/or documents it appears the incorrect plan was included as part of the decision notice. The applicant has requested a plan without any mark-up, however a revised marked-up plan has been prepared which took into account the amendments to conditions that occurred at the Council meeting. It is recommended that the amended mark up plans be included as part of Condition 1.1.

RECOMMENDED DECISION

THAT the Council approves and issues a Negotiated Decision Notice for Development Application No 18842 for a Development Permit for a Shop (Supermarket) on Lots 1 and 2 on RP103749 and Lot 14 on SP156236 and situated at 101, 105 and 111 Ipswich Street, Esk subject to the amended requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <p>1. Proposed Site Plan – Drawing Number 1028-SD102 – Revision E – prepared by BRD Group – dated April 2019</p> <p>2. Proposed Floor Plan – Drawing Number 1028-SD103 – Revision E and amended by Somerset Regional Council – prepared by BRD Group – dated April 2019</p>	At all times

	<ol style="list-style-type: none"> 3. Proposed Roof Plan – Drawing Number 1028-SD104 – Revision E – prepared by BRD Group – dated April 2019 4. Proposed Elevations – Drawing Number 1028-SD201 – Revision E – prepared by BRD Group – dated April 2019 5. Proposed Section – Drawing Number 1028-SD202 – Revision E – prepared by BRD Group – dated April 2019 6. Proposed Perspectives – Drawing Number 1028-SD1301 – Revision E – prepared by BRD Group – dated April 2019 7. Landscape Sketch Design Package – Drawing Numbers LCP2, LCP3, LCP4, LCP5, LCP6 – prepared by James Birrell Design – dated 5 November 2019 8. Site layout and engineering details – Reference 190304 Drawing Number 2 and amended by Somerset Regional Council – prepared by DME Projects – dated November 2019 9. Engineering and Services Report – Reference 190304-R001 – Prepared by DME Projects – dated June 2019 	
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	<ol style="list-style-type: none"> 1. Proposed Site Plan – Drawing Number 1028-SD102 – Revision E and amended by Somerset Regional Council – prepared by BRD Group – dated April 2019 2. Proposed Floor Plan – Drawing Number 1028-SD103 – Revision E and amended by Somerset Regional Council – prepared by BRD Group – dated April 2019 3. Proposed Roof Plan - Drawing Number 1028-SD104 – Revision E – prepared by BRD Group – dated April 2019 4. Proposed Elevations - Drawing Number 1028-SD201 – Revision E – prepared by BRD Group – dated April 2019 5. Proposed Section - Drawing Number 1028-SD202 – Revision E – prepared by BRD Group – dated April 2019 6. Proposed Perspectives - Drawing Number 1028-SD1301 – Revision E – prepared by BRD Group – dated April 2019 7. Landscape Sketch Design Package – Drawing Numbers LCP2, LCP3, LCP4, LCP5, LCP6 – prepared by James Birrell Design – dated 5 November 2019 8. Site layout and engineering details – Reference 190304 Drawing Number 2 and amended by Somerset Regional Council – prepared by DME 	

	Projects – dated November 2019 9. Engineering and Services Report – Reference 190304-R001 - Prepared by DME Projects – dated June 2019	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to commencement of use
1.5	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Prior to commencement of use
1.5	Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.	Prior to commencement of use
1.6	Mechanical plant and equipment is to be screened from view from Ipswich Street and Hassall Street.	At all times
1.7	Refuse collection and other loading and unloading activities are to only occur during the following periods: (a) 7 am and 6 pm Monday to Friday; and (b) 8 am to 5 pm Saturday and Sunday.	At all times
1.8	Submit a Noise Impact Assessment Report prepared by a suitably qualified person to assess the likely impacts on nearest sensitive receptors of the loading and unloading area and driveway.	Prior to commencement of use Maintained at all times.
1.9	Obtain approval from Council for the acoustic impact report in accordance with 1.8 above.	Prior to commencement of use Maintained at all times.
1.10	Implement all noise attenuation measures recommended in the approved acoustic report in order to achieve the specified noise limits.	Prior to commencement of use Maintained at all

		times.
1.11	In addition to the acoustic requirements of conditions 1.8, 1.9 and 1.10, a 1.8m high screen fence is to be provided along the entire length of the boundary between the subject land and Lot 3 RP61742 to provide visual screening.	Prior to commencement of use Maintained at all times.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	Lot 14 SP156236, Lot 1 RP103749 and Lot 2 RP103749, are to be amalgamated by Plan of Survey into one parcel and existing access easements be removed from the title.	Prior to commencement of use.
2.2	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work
2.3	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Compliance Assessment
2.5	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to Compliance Assessment
2.6	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	As part of Building Works
2.6	Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.	As part of Building Works
OPEN SPACE / PARK/LANDSCAPING		
2.7	The developer is to prepare and landscape the site in general accordance with the approved Landscape Plan, or as	As part of Operational Works

	otherwise approved by Council. The works must be undertaken in accordance with an operational works approval.	
	GENERAL SERVICES	
2.8	<p>Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.</p> <p>Appropriate evidence that the connections have occurred is to be provided to Council.</p>	Prior to commencement of use.
	BUILDING ABOVE FLOOD LEVEL	
2.9	<p>The current Defined Flood Event (DFE) for the development is 111.10 m elevation level and the following must be achieved:</p> <ul style="list-style-type: none"> Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE. All hazardous, noxious material, or chemicals are located and stored above the DFE; Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock). 	Prior to commencement of use
2.10	Signage is provided on site indicating the position and path of all safe evacuation routes off the site	Prior to commencement of use and at all times.
	EARTHWORKS	
2.11	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
	ROADWORKS	
2.12	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Manual for Uniform Traffic Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works
2.13	Provide verge and access in accordance with <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works

	KERB AND CHANNEL	
2.14	Reinstate the kerb where permanent vehicular crossovers have become redundant.	Prior to commencement of use
	FOOTPATHS	
2.15	Provide a concrete full width footpath, for the full frontage of the site of the development along Ipswich Street. Concrete full width footpaths to be broom finished with approved coloured surfacing to Council Design Standards.	As part of Operational Works
2.16	Ramps, upgraded footpaths and upgraded landscaping is to be provided for the full frontage of the development along Hassall Street.	As part of Operational Works
2.16a	Any ramps and elevated footpaths located within the Hassall Street road reserve are to be maintained by the owner of the land the subject to this development approval.	At all times
2.16b	All works required for this development must take due regard of any and all existing services and, if considered necessary by the relevant authority, such works must be altered at the cost of the Applicant.	As part of Operational Works
	VEHICLE ACCESS	
2.17	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to Compliance Assessment
2.18	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
	CAR PARKING	
2.19	Provide on-site car parking for twenty eight (28) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.20	Provide secure bicycle parking and associated support facilities for a minimum of twelve (12) bicycles in accordance with AS2890.	As part of Operational Works
2.21	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	As part of Operational Works
2.22	Construct and maintain the driveway, vehicle manoeuvring	As part of

	and parking areas of hard standing material such as concrete, or asphalt in accordance with Australian Standards.	Operational Works At all times
	REFUSE STORAGE AREA	
2.23	Refuse bin storage areas must be provided on the premises within a building.	Prior to commencement of use
2.24	Refuse bins are not to be located along the common boundary with Lot 3 RP61742.	At all times
2.25	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to commencement of use
	VISUAL AND GENERAL AMENITY	
2.26	Any graffiti within the proposed development must be removed immediately.	At all times
2.27	All plant and air conditioning is to be visually screened from the street.	At all times
	OUTDOOR LIGHTING	
2.28	External lighting shall be provided to ensure safety of the users of the development by: <ul style="list-style-type: none"> Providing outdoor lighting in accordance with Australian Standard AS1158.3.1 – Road Lighting – Pedestrian Area (category P) Lighting – Performance and Installation Design Requirements. The use of vandal resistant lighting in public or publicly accessible areas. 	Prior to commencement of use
2.29	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> The entries and exits of the approved building. The pathways between the parking areas and the entrances/exits of the building/s. Throughout car parking areas. 	
2.30	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>. Not causing nuisance by way of light spill or glare at adjacent properties and roadways. Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. 	Prior to commencement of use

	<ul style="list-style-type: none"> Directing lighting onto the subject land and away from neighbouring properties. Using shrouding devices to preclude light overspill onto surrounding properties where necessary. Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
2.31	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.32	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.33	Stormwater Drainage shall be constructed in general accordance with DME Projects Engineering-Design-Civil Project Services, Esk Central – Retail Extension CNR Ipswich and Hassall Streets Esk, Site Layout and Details, and dated November 19.	As part of Operational Works
2.34	Provide a Gross Pollutant Trap for the carpark for the proposed supermarket to adequately achieve water quality improvements through removing of gross pollutants generated from the proposed development.	As part of Operational Works
2.35	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.36	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	Prior to Compliance Assessment
	EROSION AND SEDIMENT CONTROL	
2.37	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. Be responsible for the restoration work. 	At all times
2.38	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times
2.39	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control	As part of the lodgement of the Operational Works

	measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	application
2.40	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.41	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times
	LANDSCAPING	
2.42	The development is to prepare and landscape the site. The works must be undertaken in accordance with an operational works approval.	As part of Operational Works
2.43	The developer must submit to Council for endorsement, a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. The Landscape Plan must address the performance criteria listed below: <ul style="list-style-type: none"> • Comply with the <i>Somerset Design Standards</i>. • To enhance the appearance of the development internally and externally. • To make a positive contribution to the streetscape; • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road 	Prior to and following commencement of use

	<p>safety.</p> <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • The number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity); ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; ○ Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
2.44	Landscape areas must be maintained, and the site must remain in a clean and tidy state.	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase

3.3	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
3.5	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
SCHEDULE 4 – REFERRAL AGENCY Department of State Development Manufacturing Infrastructure and Planning <i>Concurrence Agency Response</i>		
4.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.	
4.2	Concurrence Agency response dated 16 October 2019 and referenced 1909-13131 SRA.	
4.3	Concurrence Agency response will be attached to Council's Decision Notice for DA18842.	
SCHEDULE 5 – ADVICE <i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		

The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the *Planning Act 2016*.

The *Planning Act 2016* provides for a person to make a change to this development application outside the applicants appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.

Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.

Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.

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

Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.

Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

"THAT the Council approves and issues a Negotiated Decision Notice for Development Application No 18842 for a Development Permit for a Shop (Supermarket) on Lots 1 and 2 on RP103749 and Lot 14 on SP156236 and situated at 101, 105 and 111 Ipswich Street, Esk subject to the amended requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	1. Proposed Site Plan – Drawing Number 1028-SD102 – Revision E and amended by Somerset Regional Council – prepared by BRD Group – dated April 2019	
	2. Proposed Floor Plan – Drawing Number 1028-SD103 – Revision E and amended by Somerset Regional Council – prepared by BRD Group – dated April 2019	
	3. Proposed Roof Plan - Drawing Number 1028-SD104 – Revision E – prepared by BRD Group – dated April 2019	
	4. Proposed Elevations - Drawing Number 1028-SD201 – Revision E – prepared by BRD Group – dated April 2019	

	<p>5. Proposed Section - Drawing Number 1028-SD202 – Revision E – prepared by BRD Group – dated April 2019</p> <p>6. Proposed Perspectives - Drawing Number 1028-SD1301 – Revision E – prepared by BRD Group – dated April 2019</p> <p>7. Landscape Sketch Design Package – Drawing Numbers LCP2, LCP3, LCP4, LCP5, LCP6 – prepared by James Birrell Design – dated 5 November 2019</p> <p>8. Site layout and engineering details – Reference 190304 Drawing Number 2 and amended by Somerset Regional Council – prepared by DME Projects – dated November 2019</p> <p>9. Engineering and Services Report – Reference 190304-R001 - Prepared by DME Projects – dated June 2019</p>	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to commencement of use
1.5	Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.	Prior to commencement of use
1.6	Mechanical plant and equipment is to be screened from view from Ipswich Street and Hassall Street.	At all times
1.7	<p>Refuse collection and other loading and unloading activities are to only occur during the following periods:</p> <p>(a) 7 am and 6 pm Monday to Friday; and</p> <p>(b) 8 am to 5 pm Saturday and Sunday.</p>	At all times
1.8	Submit a Noise Impact Assessment Report prepared by a suitably qualified person to assess the likely impacts on nearest sensitive receptors of the loading and unloading area and driveway.	<p>Prior to commencement of use</p> <p>Maintained at all times.</p>
1.9	Obtain approval from Council for the acoustic impact report in accordance with 1.8 above.	Prior to commencement of

		use Maintained at all times.
1.10	Implement all noise attenuation measures recommended in the approved acoustic report in order to achieve the specified noise limits.	Prior to commencement of use Maintained at all times.
1.11	In addition to the acoustic requirements of conditions 1.8, 1.9 and 1.10, a 1.8m high screen fence is to be provided along the entire length of the boundary between the subject land and Lot 3 RP61742 to provide visual screening.	Prior to commencement of use Maintained at all times.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	Lot 14 SP156236, Lot 1 RP103749 and Lot 2 RP103749, are to be amalgamated by Plan of Survey into one parcel and existing access easements be removed from the title.	Prior to commencement of use.
2.2	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work
2.3	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Compliance Assessment
2.5	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to Compliance Assessment
2.6	Obtain Building Approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. The demolition application must be submitted to a Building Certifier or Council with the appropriate forms and fees associated with this application.	As part of Building Works

	OPEN SPACE / PARK/LANDSCAPING	
2.7	The developer is to prepare and landscape the site in general accordance with the approved Landscape Plan, or as otherwise approved by Council. The works must be undertaken in accordance with an operational works approval.	As part of Operational Works
	GENERAL SERVICES	
2.8	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority. Appropriate evidence that the connections have occurred is to be provided to Council.	Prior to commencement of use.
	BUILDING ABOVE FLOOD LEVEL	
2.9	The current Defined Flood Event (DFE) for the development is 111.10 m elevation level and the following must be achieved: <ul style="list-style-type: none"> Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE. All hazardous, noxious material, or chemicals are located and stored above the DFE; Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock). 	Prior to commencement of use
2.10	Signage is provided on site indicating the position and path of all safe evacuation routes off the site	Prior to commencement of use and at all times.
	EARTHWORKS	
2.11	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
	ROADWORKS	
2.12	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Manual for Uniform Traffic Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works

2.13	Provide verge and access in accordance with <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
	KERB AND CHANNEL	
2.14	Reinstate the kerb where permanent vehicular crossovers have become redundant.	Prior to commencement of use
	FOOTPATHS	
2.15	Provide a concrete full width footpath, for the full frontage of the site of the development along Ipswich Street. Concrete full width footpaths to be broom finished with approved coloured surfacing to Council Design Standards.	As part of Operational Works
2.16	Ramps, upgraded footpaths and upgraded landscaping is to be provided for the full frontage of the development along Hassall Street.	As part of Operational Works
2.16a	Any ramps and elevated footpaths located within the Hassall Street road reserve are to be maintained by the owner of the land the subject to this development approval.	At all times
2.16b	All works required for this development must take due regard of any and all existing services and, if considered necessary by the relevant authority, such works must be altered at the cost of the Applicant.	As part of Operational Works
	VEHICLE ACCESS	
2.17	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to Compliance Assessment
2.18	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
	CAR PARKING	
2.19	Provide on-site car parking for twenty eight (28) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.20	Provide secure bicycle parking and associated support facilities for a minimum of twelve (12) bicycles in accordance with AS2890.	As part of Operational Works

2.21	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	As part of Operational Works
2.22	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, or asphalt in accordance with Australian Standards.	As part of Operational Works At all times
REFUSE STORAGE AREA		
2.23	Refuse bin storage areas must be provided on the premises within a building.	Prior to commencement of use
2.24	Refuse bins are not to be located along the common boundary with Lot 3 RP61742.	At all times
2.25	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to commencement of use
VISUAL AND GENERAL AMENITY		
2.26	Any graffiti within the proposed development must be removed immediately.	At all times
2.27	All plant and air conditioning is to be visually screened from the street.	At all times
OUTDOOR LIGHTING		
2.28	External lighting shall be provided to ensure safety of the users of the development by: <ul style="list-style-type: none"> Providing outdoor lighting in accordance with Australian Standard AS1158.3.1 – Road Lighting – Pedestrian Area (category P) Lighting – Performance and Installation Design Requirements. The use of vandal resistant lighting in public or publicly accessible areas. 	Prior to commencement of use
2.29	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> The entries and exits of the approved building. The pathways between the parking areas and the entrances/exits of the building/s. Throughout car parking areas. 	
2.30	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>. Not causing nuisance by way of light spill or glare at 	Prior to commencement of use

	<p>adjacent properties and roadways.</p> <ul style="list-style-type: none"> • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
2.31	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.32	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.33	Stormwater Drainage shall be constructed in general accordance with DME Projects Engineering-Design-Civil Project Services, Esk Central – Retail Extension CNR Ipswich and Hassall Streets Esk, Site Layout and Details, and dated November 19.	As part of Operational Works
2.34	Provide a Gross Pollutant Trap for the carpark for the proposed supermarket to adequately achieve water quality improvements through removing of gross pollutants generated from the proposed development.	As part of Operational Works
2.35	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.36	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	Prior to Compliance Assessment
	EROSION AND SEDIMENT CONTROL	
2.37	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times
2.38	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times

2.39	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application
2.40	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.41	Where vegetation is removed, the vegetation waste shall be disposed of by: i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times
	LANDSCAPING	
2.42	The development is to prepare and landscape the site. The works must be undertaken in accordance with an operational works approval.	As part of Operational Works
2.43	The developer must submit to Council for endorsement, a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. The Landscape Plan must address the performance criteria listed below: <ul style="list-style-type: none"> • Comply with the <i>Somerset Design Standards</i>. • To enhance the appearance of the development internally and externally. • To make a positive contribution to the streetscape; • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; 	Prior to and following commencement of use

	<ul style="list-style-type: none"> • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • The number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity); ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; ○ Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
2.44	Landscape areas must be maintained, and the site must remain in a clean and tidy state.	At all times
<p>SCHEDULE 3 – ENVIRONMENTAL <i>Assessment Manager</i></p>		
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council’s contractor or other Council approved waste collector unless otherwise approved by Council.	At all times

3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/ swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
3.5	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
SCHEDULE 4 – REFERRAL AGENCY Department of State Development Manufacturing Infrastructure and Planning <i>Concurrence Agency Response</i>		
4.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.	
4.2	Concurrence Agency response dated 16 October 2019 and referenced 1909-13131 SRA.	
4.3	Concurrence Agency response will be attached to Council's Decision Notice for DA18842.	
SCHEDULE 5 – ADVICE <i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.		

Currency Period - Pursuant to section 85 of the *Planning Act 2016* the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.

The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the *Planning Act 2016*.

The *Planning Act 2016* provides for a person to make a change to this development application outside the applicants appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.

Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.

Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.

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

Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards."

Carried

Vote - Unanimous

Subject:	Development Application No 16415 Representations about conditions and other matters during the Applicant's Appeal Period in accordance with Section 361 of the SPA
File No:	DA16415
Assessment No:	04210-00000-000
Action Officer:	SP

Subject Land

Location	2592 Gatton Esk Road, Mount Hallen
Real Property Description	Lot 121 SP190742
Area	260ha
Current land use	Intensive animal industry (poultry farm)

Somerset Region Planning Scheme 2016

Zone	Rural zone
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SEQ Regional Plan 2009-2031

Designation	Regional Landscape and Rural Production Area
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Application

Level of Initial Assessment	Impact assessable
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Applicant	Ebborn Pty Ltd C/- TJ Kelly Surveys Pty Ltd PO Box 221 BEAUDESERT QLD 4285
Land Owner	Ebborn Pty Ltd

Referrals

Concurrence	Department of Infrastructure, Local Government and Planning – State Assessment and Referral Agency
Advice	Nil
Third Party Advice	Seqwater

Attachments

1. Proposal Plan – Reference Number 3648-01 E Sheets 1 and 2 – Prepared by TJ Kelly Surveys – dated 16 November 2016
2. Proposed Poultry Shed Design – Reference Number 3141 A - Prepared by TJ Kelly Surveys – dated 7 October 2011
3. Odour Assessment – Supplementary Report Update – Reference 21356 – Prepared by ERM – dated 23 October 2018
4. Water Licence
5. Department of Infrastructure, Local Government and Planning – Concurrence Agency Response – Reference SDA-1216-035798 – dated 25 August 2017

RECOMMENDATION

Agree with the representations made and issue a “Negotiated Decision Notice” for Development Application 16415 subject to the amended conditions and requirements contained in the Schedules.

1. BACKGROUND

At the Ordinary Council meeting of 14 August 2019 an approval was granted for a Material Change of Use for an expansion to an Intensive animal industry (poultry farm). The expansion involves an additional 194,000 birds over six additional sheds. Since the approval was granted by Council, the applicant has made representations to change a number of conditions.

2. APPLICANTS REPRESENTATIONS AND OFFICER COMMENTS

The applicant has made the following representations:

Conditions 1.6 to 1.8

The conditions in question currently state as follows:

Condition 1.6

A 20m wide buffer of locally endemic Koala food tree species is to be installed and maintained along the Eastern boundary of Lot 121 SP190742 adjacent to the proposed development.

Timing - Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.

Condition 1.7

The vegetation buffer required by condition 1.6 is to be installed at no less than 8m centres.

Timing - Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.

Condition 1.8

The vegetation buffer required by condition 1.6 is to be installed for a length of about 500m.

Timing - Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.

Applicant comment

The applicant is of the view that the 20 metre wide buffer (500 metres in length) is unnecessary given that there is no clearing of significant trees or vegetation required for the new sheds. Council will further note that there is no sensitive receptor in proximity of the eastern boundary of the subject land. It is also unlikely that a sensitive use would establish near this boundary as the neighbouring land contains a significant amount of remnant vegetation which is protected and unlikely to be cleared in the future. At a meeting between Council officers and the applicant it was suggested that a 15 metre buffer may be acceptable. It is requested that the conditions be amended to reflect a reduced width of 15 metres.

Officer comment

The conditions, as imposed, require the installation of a 20 metre wide vegetation buffer along the eastern boundary of the site. The intent of the buffer is to provide a connection between the existing vegetation along the creek and a stand of vegetation to the north. The vegetation is required to be installed at 8 metre centres. Given this is the case, it is considered reasonable to require a 16 metre wide vegetation buffer which would allow for two rows of trees positioned at 8 metre centres.

As such, it is recommended that condition 1.6 be amended to reduce the vegetation buffer to 16 metres. Condition 1.7 and 1.8 are to remain unaltered.

Condition 2.4

Condition 2.4 currently states:

Site Based Environmental Management Plan

A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.

The SBEMP must address the following matters:

- Environmental commitments – a commitment by senior management to achieve environmental goals.
- Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management.
- The development and implementation of a roof water testing regime to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development.
- Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm.
- Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017

Note - These should include:

- References to the location and extent of the area affected by site activities as shown on the plan of development;
- Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on;
- Facilities for the storage of fuels, chemicals, and other potential contaminants
- Contingency plans and emergency procedures for non-routine situations.
- Organisational structure and responsibility.
- Effective communication.
- The monitoring of releases of contaminants into the environment.
- Conducting environmental impact assessment of any releases.
- Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development.
- Record keeping.
- The periodic review of environmental performance and continual improvement

A copy of the Site Based Environmental Management Plan approved pursuant to this condition must be kept at the approved place and be made available to all employees and an authorised officer of Council, upon request by an employee or that officer.

Timing - Prior to the commencement of the intensification of the use.

Applicant comment

This condition requires the preparation of a Site Based Management Plan. The applicant has no issue with providing the plan, however, it is submitted that the third dot point is problematic. It is requested that the provision pertaining to the testing of neighbouring rainwater tanks be deleted. It may prove extremely difficult to determine the source of contaminants should water quality testing of neighbouring rainwater tanks identify a potential issue.

There can be many factors contributing to roof water quality issues and there will be no benchmark for the current standards. Definitively confirming the source of a problem may be extremely difficult and the condition as drafted implies that any water quality issues can be attributed to the poultry farm. In the event Council considers it necessary to retain the condition, it is proposed that the roof water testing regime only be initiated upon validation of a written complaint.

Officer comment

The requirement for water testing to occur was originally imposed on the development as part of the original poultry farm approved by the Planning and Environment Court (the Court) in 2007. The condition was maintained in the previous approval issued by the Court in 2015. The current operator of the poultry farm has in place a complaint register which identifies any complaints received. The operator has not identified any complaints that have been received regarding roof water quality and Council officers are unaware of any complaints received by Council.

As such, it is considered reasonable that the wording of the condition be amended to require the roof water testing to occur if complaints are received.

Condition 2.10

Condition 2.10 currently states:

The approval holder shall offer to install at their expense noise attenuation measures (which may include air conditioning) in the residences at Lot 3 on RP144464 and Lot 4 on SP190742 to ensure that the indoor sound pressure levels inside the bedrooms of the residences due to a truck passing on the access road do not exceed the WHO Guidelines of 45dB(A) L_{Amax} more than 10-15 times per night between the hours of 10 pm and 7 am.

Evidence of the offer and the subsequent response from the relevant land owners is to be provided to Council.

Applicant comment

This condition requires the applicant to make an offer to two neighbouring residences for the installation of noise attenuation measures. The applicant seeks the deletion of this condition on the grounds that he has already approached the neighbours in question on this issue as part of the existing development. One neighbour accepted the offer however one chose not to. It is requested that this condition be deleted on the grounds that this has already been done as part of the current approval.

Officer comment

It is acknowledged that this condition has been included on the previous poultry farm approvals issued for the subject land and that the landowner has previously provided evidence of offers made to the two impacted properties.

The current operator of the poultry farm has in place a complaint register which identifies any complaints received. The operator has not identified any complaints that have been received regarding noise from the poultry farm operation and Council officers are unaware of any complaints received by Council.

Notwithstanding this, the approved development is an intensification of the use on the property and could result on a worsening impact on the two adjoining properties. As such, it is not considered reasonable to remove the condition, however the condition is to be reworded to require attenuation measures to be installed if a substantiated complaint is received by Council or the landowner.

Condition 3.1

Condition 3.1 currently states:

The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.

Timing – At all times

Applicant comment

The applicant has expressed concerns with Condition 3.1 during our recent meeting. Whilst the bitumen sealed crossover is well maintained, our Client is not prepared to accept responsibility for the maintenance of infrastructure under the responsibility of the Department of Transport and Main Roads. There is significant drainage infrastructure in the verge that should not be the responsibility of our Client to maintain. It is therefore requested that this condition be deleted on the grounds that Gatton Esk Road is a State controlled road and therefore maintenance issues should be a matter between the landowner and the State.

Officer comment

The condition as imposed is a standard condition imposed by Council on a large number of developments across the region. In this circumstance, the crossover is part of the State controlled road network and was constructed as per the requirements of the Department of

Transport and Main Roads conditions imposed as part of the original poultry farm development approval (DA3926).

In this instance, it is considered reasonable to remove the condition and any future requirements for maintaining the crossover be dealt with between the landowner and the Department of Transport and Main Roads.

Relevant Period

As a final request, we ask that the relevant period for the development approval be extended to six (6) years in line with the currency period for a Material Change of Use under the *Planning Act 2016*. Section 341 (2) of the *Sustainable Planning Act 2009* allows for the assessment manager to state an approval period different to the standard four years.

Officer comment

As identified by the applicant, the currency period for a Material Change of Use approval issued under the *Planning Act 2016* is 6 years. Given the approval was issued since the *Planning Act 2016* came into effect, in this instance, it is reasonable for an extended currency period of 6 years be granted.

3. RECOMMENDATION

THAT Council issue a “**Negotiated Decision Notice**” for Development Application No 16415 for a Development Permit for a Material Change of Use for:

- Impact assessable for an Intensive Animal Industry (expansion of a poultry farm by 194,000 birds and six sheds, totalling 554,000 birds and 14 sheds onsite)
- Code assessable - Environmentally Relevant Activity - ERA4(2) - Poultry farming >200,000 birds

on land described as Lot 121 SP190742 and situated at 2592 Gatton Esk Road, Mount Hallen subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	<ul style="list-style-type: none"> • Proposal Plan – RefeTrence Number 3648-01 E Sheets 1 and 2 – Prepared by TJ Kelly Surveys – dated 16 November 2016 	
	<ul style="list-style-type: none"> • Proposed Poultry Shed Design – Reference Number 3141 A - Prepared by TJ Kelly Surveys – dated 7 October 2011 	
	<ul style="list-style-type: none"> • Stormwater Management Plan – Report Number 16TOO-0155 – Document Number 1802171 Revision 2 Prepared by Premise Water – dated 29 June 2018 	

	<ul style="list-style-type: none"> Odour Assessment – Supplementary Report Update – Reference 21356 – Prepared by ERM – dated 23 October 2018 	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Before the change happens
1.5	The maximum number of broiler chickens to be housed at any one time is 554,000 birds, with a maximum of 40,000 birds permitted in existing sheds and 39,000 birds permitted in the sheds covered by DA16415.	At all times
1.6	A 20m wide buffer of locally endemic Koala food tree species is to be installed and maintained along the Eastern boundary of Lot 121 SP190742 adjacent to the proposed development.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.
1.6	A 16m wide buffer of locally endemic Koala food tree species is to be installed and maintained along the Eastern boundary of Lot 121 SP190742 adjacent to the proposed development.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.
1.7	The vegetation buffer required by condition 1.6 is to be installed at no less than 8m centres.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.
1.8	The vegetation buffer required by condition 1.6 is to be installed for a length of about 500m.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.

1.9	Any vegetation that is lost must be replaced in a timely fashion.	At all times
1.10	<p>Should the existing on-site wastewater treatment and disposal facilities be utilised to service the development, engage a suitably qualified wastewater consultant to prepare certification of the current system, confirming that it is working efficiently and is of sufficient capacity to support the additional loading. This must be supplied to Seqwater for review prior to commencement of the use.</p> <p><i>Alternatively</i>, should a new wastewater treatment system and land application area be proposed to support the development, a Site and Soil Evaluation and Wastewater Design must be prepared by a suitably qualified wastewater consultant, demonstrating compliance with the Seqwater Guidelines 2017. Again, this report must be submitted to Seqwater for review and endorsement, prior to commencement of the use.</p>	At all times
1.11	All buildings, structures and sheds must maintain a minimum of 75m setback to Running Creek.	At all times
1.12	All earthworks, vegetation clearing and stormwater management must maintain a minimum 75m setback to the watercourses on-site.	At all times
1.13	Fencing that excludes livestock from the stormwater detention basins is to be installed and maintained.	Installed prior to commencement of use and maintained at all times.
	<i>Meteorological Monitoring</i>	
1.14	From the commencement of use and the duration of operating of this chicken farm, the holder of this environmental authority shall maintain an automatic weather station on the site. The facility shall be sited and operated to the extent possible in accordance with the requirements of Australian Standards AS2922-1987 "Guide for Siting of Sampling Units" and AS2923 "Guide for Measurement of Horizontal Winds for Air Quality Applications". The siting shall be to the satisfaction of the Somerset Regional Council. The weather station must measure at least air temperature, wind speed at ten (10) metres (above ground level) and wind direction at ten (10) metres (above ground level). Maintenance of the weather station must be sufficient to achieve a long-term return date for valid data of at least ninety (90) percent. Measurements of wind speed, wind direction and temperature shall be recorded as 10 minute averages. Measurements of rainfall shall be recorded as daily totals. All measurements shall be kept in electronic format for a minimum of five (5) years and shall be made available to Council officers on request.	At all times
1.15	Vegetation immediately to the north of the additional poultry sheds must be maintained to assist in screening of the	At all times

	development.	
SCHEDULE 2 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
2.2	The site is to be kept in a clean, tidy and sanitary condition to the satisfaction of Council.	At all times.
2.3	The approval holder must not implement any Management Plan prepared as a condition of this development permit, or amend any Management Plan, where such implementation or amendment would result in a contravention of any condition of this development approval.	At all times.
2.4	<p><i>Site Based Environmental Management Plan</i> A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.</p> <p>The SBEMP must address the following matters:</p> <ul style="list-style-type: none"> • Environmental commitments – a commitment by senior management to achieve environmental goals. • Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management. • The development and implementation of a roof water testing regime to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development. • Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm. • Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017 <p>Note - These should include:</p> <ul style="list-style-type: none"> • References to the location and extent of the area affected by site activities as shown on the plan of development; • Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on; • Facilities for the storage of fuels, chemicals, and other potential contaminants • Contingency plans and emergency procedures for non-routine situations. • Organisational structure and responsibility. 	Prior to the commencement of the intensification of the use.

	<ul style="list-style-type: none"> ▪ Effective communication. ▪ The monitoring of releases of contaminants into the environment. ▪ Conducting environmental impact assessment of any releases. ▪ Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development. ▪ Record keeping. ▪ The periodic review of environmental performance and continual improvement <p>A copy of the Site Based Environmental Management Plan approved pursuant to this condition must be kept at the approved place and be made available to all employees and an authorised officer of Council, upon request by an employee or that officer.</p>	
<p>2.4</p>	<p><i>Site Based Environmental Management Plan</i></p> <p>A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.</p> <p>The SBEMP must address the following matters:</p> <ul style="list-style-type: none"> ▪ Environmental commitments – a commitment by senior management to achieve environmental goals. ▪ Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management. ▪ If complaints are received regarding roof water quality, a roof water testing regime must be developed and implemented to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development. ▪ Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm. ▪ Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017 <p>Note - These should include:</p> <ul style="list-style-type: none"> ▪ References to the location and extent of the area affected by site activities as shown on the plan of development; ▪ Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on; ▪ Facilities for the storage of fuels, chemicals, and other potential contaminants 	<p>Prior to the commencement of the intensification of the use.</p>

	<ul style="list-style-type: none"> ▪ Contingency plans and emergency procedures for non-routine situations. ▪ Organisational structure and responsibility. ▪ Effective communication. ▪ The monitoring of releases of contaminants into the environment. ▪ Conducting environmental impact assessment of any releases. ▪ Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development. ▪ Record keeping. ▪ The periodic review of environmental performance and continual improvement <p>A copy of the Site Based Environmental Management Plan approved pursuant to this condition must be kept at the approved place and be made available to all employees and an authorised officer of Council, upon request by an employee or that officer.</p>	
2.5	The development is to comply with Site Based Environmental Management Plan.	At all times.
2.6	<p><i>Review of Site Based Environmental Management Plan</i></p> <p>The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least:</p> <ol style="list-style-type: none"> a) immediately a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise b) Every two years after the commencement of the use. <p>Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.</p>	At all times.
2.7	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times.
2.8	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times
2.9	No deliveries other than catch out of birds, loading and unloading of poultry, are permitted during the hours of 10 pm and 7 am, except in the case of an emergency. A speed limit of 30km/hr applies to vehicles along the internal access roads	At all times

	between the hours of 10 pm and 7 am. No exhaust or jack (compression) brakes to be used along the access road between the hours of 10 pm and 7 am.	
2.10	<p>The approval holder shall offer to install at their expense noise attenuation measures (which may include air conditioning) in the residences at Lot 3 on RP144464 and Lot 4 on SP190742 to ensure that the indoor sound pressure levels inside the bedrooms of the residences due to a truck passing on the access road do not exceed the WHO Guidelines of 45dB(A)_{L_{Amax}} more than 10-15 times per night between the hours of 10pm and 7am.</p> <p>Evidence of the offer and the subsequent response from the relevant land owners is to be provided to Council.</p>	Prior to the commencement of the use
2.10	<p>If a substantiated complaint is received by Council or the landowner, attenuation measures are to be installed by the landowner, at the cost of the landowner, benefitting Lot 3 on RP144464 and Lot 4 on SP190742 to ensure that the indoor sound pressure levels inside the bedrooms of the residences due to a truck passing on the access road do not exceed the WHO Guidelines of 45dB(A)_{L_{Amax}} more than 10-15 times per night between the hours of 10pm and 7am.</p> <p>Evidence of the offer and the subsequent response from the relevant land owners is to be provided to Council.</p>	Once the use has commenced
2.11	<p>The approval holder must ensure:</p> <ol style="list-style-type: none"> Feed delivery is to be limited to daytime hours of 7 am to 6 pm; Vehicle and forklift manoeuvring areas and access roads are to be well maintained with minimal obstacles which may cause loads to react (i.e. speed bumps, pot holes and grates); Care is taken during loading and unloading of trucks during catch out to reduce the impacts on surrounding properties; Regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained. 	At all times.
2.12	<p>Provide the following acoustic attenuation measures as specified in the report titled "Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld" version 1.02 dated 31 August 2011 and prepared by PAE Holmes Pty Ltd.</p> <ol style="list-style-type: none"> Based on the EM50 fan type; ventilation fans require up to 2dB(A) of acoustic attenuation; Attenuation may be achieved by appropriate selection of fans or by the implementation of an acoustic 	Prior to the commencement of the intensification of the use.

	attenuation device (eg inline baffled acoustic attenuators, earth bunding or acoustic barriers).	
2.13	<p>Provide certification from a suitably qualified person that:</p> <ol style="list-style-type: none"> The attenuation measures contained in condition 2.12 have been installed/implemented in accordance with the specifications of the report titled "Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld" version 1.02 dated 31 August 2011 and prepared by PAE Holmes Pty Ltd. The development achieves the noise criteria specified in the report titled "Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld" version 1.02, dated 31 August 2011 and prepared by PAE Holmes Pty Ltd. 	Prior to the commencement of the intensification of the use.
2.14	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by release or the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
SCHEDULE 3 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
VEHICLE ACCESS		
3.1	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
3.2	The applicant is responsible for construction and maintenance of all internal road networks to an all-weather standard	At all times
STORMWATER		
3.3	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.4	Stormwater Drainage shall be constructed in general accordance with Stormwater Management Plan for Proposed Development at 2592 Gatton Esk Road, prepared by Premise Water, report 16TOO-0155 revision 2 and dated 29/06/18	Prior to commencement of use and at all times
EROSION AND SEDIMENT CONTROL		
3.5	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. 	At all times

	<ul style="list-style-type: none"> Be responsible for the restoration work. 	
<p>SCHEDULE 4 – REFERRAL AGENCY Department of Infrastructure, Local Government and Planning <i>Concurrence Agency Response</i></p>		
4.1	<p>Pursuant to section 272 of the <i>Sustainable Planning Act</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.</p> <p>The Department of Infrastructure, Local Government and Planning, as a Concurrence Agency, has assessed the impact of the proposed development.</p>	
4.2	Concurrence Agency response dated 25 August 2017 and referenced SDA-1216-035798.	
4.3	Concurrence Agency response will be attached to Council's Decision Notice for DA16415.	
<p>SCHEDULE 5 – ADVICE <i>Assessment Manager</i></p>		
<p>This approval has effect in accordance with the provisions of <i>Division 5 Section 339</i> of the <i>Sustainable Planning Act 2009</i>. [A copy of Section 339 will be enclosed with the Decision Notice].</p>		
<p>Relevant Period - Pursuant to <i>Section 341</i> of the 'Act' the approval will lapse if the first change of the use under the approval does not start within the 'relevant period' – four (4) years starting the day the approval takes effect.</p>		
<p>The <i>Sustainable Planning Act 2009 (SPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval.</p>		
<p>Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.</p>		
<p>Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.</p>		
<p>Pursuant to Division 8 Section 461 of the <i>Sustainable Planning Act 2009</i>, the Applicant has the Right of Appeal to the <i>Planning and Environment Court</i> regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under <i>section 242</i> of the 'Act'. [A copy of the Right of Appeal will be enclosed with the Decision Notice].</p>		

Resolution

Moved – Cr Hall

Seconded – Cr Whalley

"THAT Council issue a **"Negotiated Decision Notice"** for Development Application No 16415 for a Development Permit for a Material Change of Use for:

- Impact assessable for an Intensive Animal Industry (expansion

of a poultry farm by 194,000 birds and six sheds, totalling 554,000 birds and 14 sheds onsite);

- Code assessable - Environmentally Relevant Activity - ERA4(2)
- Poultry farming >200,000 birds;

on land described as Lot 121 SP190742 and situated at 2592 Gatton Esk Road, Mount Hallen subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	<ul style="list-style-type: none"> • Proposal Plan – RefeTrence Number 3648-01 E Sheets 1 and 2 – Prepared by TJ Kelly Surveys – dated 16 November 2016 	
	<ul style="list-style-type: none"> • Proposed Poultry Shed Design – Reference Number 3141 A - Prepared by TJ Kelly Surveys – dated 7 October 2011 	
	<ul style="list-style-type: none"> • Stormwater Management Plan – Report Number 16TOO-0155 – Document Number 1802171 Revision 2 Prepared by Premise Water – dated 29 June 2018 	
	<ul style="list-style-type: none"> • Odour Assessment – Supplementary Report Update – Reference 21356 – Prepared by ERM – dated 23 October 2018 	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land.	Before the change happens
1.5	The maximum number of broiler chickens to be housed at any one time is 554,000 birds, with a maximum of 40,000 birds permitted in existing sheds and 39,000 birds permitted in the sheds covered by DA16415.	At all times
1.6	A 16m wide buffer of locally endemic Koala food tree species is to be installed and maintained along the Eastern boundary of Lot 121 SP190742 adjacent to the proposed development.	Prior to commencement of construction of the first shed.

		Vegetation is to be maintained at all times.
1.7	The vegetation buffer required by condition 1.6 is to be installed at no less than 8m centres.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.
1.8	The vegetation buffer required by condition 1.6 is to be installed for a length of about 500m.	Prior to commencement of construction of the first shed. Vegetation is to be maintained at all times.
1.9	Any vegetation that is lost must be replaced in a timely fashion.	At all times
1.10	Should the existing on-site wastewater treatment and disposal facilities be utilised to service the development, engage a suitably qualified wastewater consultant to prepare certification of the current system, confirming that it is working efficiently and is of sufficient capacity to support the additional loading. This must be supplied to Seqwater for review prior to commencement of the use. <i>Alternatively</i> , should a new wastewater treatment system and land application area be proposed to support the development, a Site and Soil Evaluation and Wastewater Design must be prepared by a suitably qualified wastewater consultant, demonstrating compliance with the Seqwater Guidelines 2017. Again, this report must be submitted to Seqwater for review and endorsement, prior to commencement of the use.	At all times
1.11	All buildings, structures and sheds must maintain a minimum of 75m setback to Running Creek.	At all times
1.12	All earthworks, vegetation clearing and stormwater management must maintain a minimum 75m setback to the watercourses on-site.	At all times
1.13	Fencing that excludes livestock from the stormwater detention basins is to be installed and maintained.	Installed prior to commencement of use and maintained at all times.
	<i>Meteorological Monitoring</i>	

1.14	From the commencement of use and the duration of operating of this chicken farm, the holder of this environmental authority shall maintain an automatic weather station on the site. The facility shall be sited and operated to the extent possible in accordance with the requirements of Australian Standards AS2922-1987 "Guide for Siting of Sampling Units" and AS2923 "Guide for Measurement of Horizontal Winds for Air Quality Applications". The siting shall be to the satisfaction of the Somerset Regional Council. The weather station must measure at least air temperature, wind speed at ten (10) metres (above ground level) and wind direction at ten (10) metres (above ground level). Maintenance of the weather station must be sufficient to achieve a long-term return date for valid data of at least ninety (90) percent. Measurements of wind speed, wind direction and temperature shall be recorded as 10 minute averages. Measurements of rainfall shall be recorded as daily totals. All measurements shall be kept in electronic format for a minimum of five (5) years and shall be made available to Council officers on request.	At all times
1.15	Vegetation immediately to the north of the additional poultry sheds must be maintained to assist in screening of the development.	At all times
SCHEDULE 2 – ENVIRONMENTAL <i>Assessment Manager</i>		
No	Condition	Timing
2.1	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
2.2	The site is to be kept in a clean, tidy and sanitary condition to the satisfaction of Council.	At all times.
2.3	The approval holder must not implement any Management Plan prepared as a condition of this development permit, or amend any Management Plan, where such implementation or amendment would result in a contravention of any condition of this development approval.	At all times.
2.4	<p><i>Site Based Environmental Management Plan</i></p> <p>A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.</p> <p>The SBEMP must address the following matters:</p> <ul style="list-style-type: none"> ▪ Environmental commitments – a commitment by senior management to achieve environmental goals. ▪ Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management. 	Prior to the commencement of the intensification of the use.

	<ul style="list-style-type: none"> ▪ The development and implementation of a roof water testing regime to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development. ▪ Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm. ▪ Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017 <p>Note - These should include:</p> <ul style="list-style-type: none"> ▪ References to the location and extent of the area affected by site activities as shown on the plan of development; ▪ Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on; ▪ Facilities for the storage of fuels, chemicals, and other potential contaminants ▪ Contingency plans and emergency procedures for non-routine situations. ▪ Organisational structure and responsibility. ▪ Effective communication. ▪ The monitoring of releases of contaminants into the environment. ▪ Conducting environmental impact assessment of any releases. ▪ Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development. ▪ Record keeping. ▪ The periodic review of environmental performance and continual improvement <p>A copy of the Site Based Environmental Management Plan approved pursuant to this condition must be kept at the approved place and be made available to all employees and an authorised officer of Council, upon request by an employee or that officer.</p>	
2.5	The development is to comply with Site Based Environmental Management Plan.	At all times.
2.6	<p><i>Review of Site Based Environmental Management Plan</i></p> <p>The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least:</p> <p>a) immediately a potential or actual source of environmental contamination, that is not already</p>	At all times.

	<p>identified in the Plan, is realised; or otherwise</p> <p>b) Every two years after the commencement of the use.</p> <p>Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.</p>	
2.7	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times.
2.8	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times
2.9	No deliveries other than catch out of birds, loading and unloading of poultry, are permitted during the hours of 10 pm and 7 am, except in the case of an emergency. A speed limit of 30km/hr applies to vehicles along the internal access roads between the hours of 10 pm and 7 am. No exhaust or jack (compression) brakes to be used along the access road between the hours of 10 pm and 7 am.	At all times
2.10	<p>If a substantiated complaint is received by Council or the landowner, attenuation measures are to be installed by the landowner, at the cost of the landowner, benefitting Lot 3 on RP144464 and Lot 4 on SP190742 to ensure that the indoor sound pressure levels inside the bedrooms of the residences due to a truck passing on the access road do not exceed the WHO Guidelines of 45dB(A)L_{Amax} more than 10-15 times per night between the hours of 10pm and 7am.</p> <p>Evidence of the offer and the subsequent response from the relevant land owners is to be provided to Council.</p>	Once the use has commenced
2.11	<p>The approval holder must ensure:</p> <p>a) Feed delivery is to be limited to daytime hours of 7 am to 6 pm;</p> <p>b) Vehicle and forklift manoeuvring areas and access roads are to be well maintained with minimal obstacles which may cause loads to react (i.e. speed bumps, pot holes and grates);</p> <p>c) Care is taken during loading and unloading of trucks during catch out to reduce the impacts on surrounding properties;</p> <p>d) Regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained.</p>	At all times.
2.12	Provide the following acoustic attenuation measures as	Prior to the

	<p>specified in the report titled “Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld” version 1.02 dated 31 August 2011 and prepared by PAE Holmes Pty Ltd.</p> <ol style="list-style-type: none"> 1. Based on the EM50 fan type; ventilation fans require up to 2dB(A) of acoustic attenuation; 2. Attenuation may be achieved by appropriate selection of fans or by the implementation of an acoustic attenuation device (eg inline baffled acoustic attenuators, earth bunding or acoustic barriers). 	commencement of the intensification of the use.
2.13	<p>Provide certification from a suitably qualified person that:</p> <ol style="list-style-type: none"> 1. The attenuation measures contained in condition 2.12 have been installed/implemented in accordance with the specifications of the report titled “Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld” version 1.02 dated 31 August 2011 and prepared by PAE Holmes Pty Ltd. 2. The development achieves the noise criteria specified in the report titled “Acoustic Assessment for Proposed Meat Chicken Farm at Mount Hallen, Qld” version 1.02, dated 31 August 2011 and prepared by PAE Holmes Pty Ltd. 	Prior to the commencement of the intensification of the use.
2.14	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by release or the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
SCHEDULE 3 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
VEHICLE ACCESS		
3.2	The applicant is responsible for construction and maintenance of all internal road networks to an all-weather standard	At all times
STORMWATER		
3.3	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.4	Stormwater Drainage shall be constructed in general accordance with Stormwater Management Plan for Proposed Development at 2592 Gatton Esk Road, prepared by Premise Water, report 16TOO-0155 revision 2 and dated 29/06/18	Prior to commencement of use and at all times
EROSION AND SEDIMENT CONTROL		
3.5	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council’s satisfaction at all times during the course of the project. Should Council	At all times

	determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:	
	<ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	
SCHEDULE 4 – REFERRAL AGENCY		
Department of Infrastructure, Local Government and Planning		
<i>Concurrence Agency Response</i>		
4.1	Pursuant to section 272 of the <i>Sustainable Planning Act</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response. The Department of Infrastructure, Local Government and Planning, as a Concurrence Agency, has assessed the impact of the proposed development.	
4.2	Concurrence Agency response dated 25 August 2017 and referenced SDA-1216-035798.	
4.3	Concurrence Agency response will be attached to Council's Decision Notice for DA16415.	
SCHEDULE 5 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of <i>Division 5 Section 339</i> of the <i>Sustainable Planning Act 2009</i> . [A copy of Section 339 will be enclosed with the Decision Notice].		
Relevant Period - Pursuant to <i>Section 341</i> of the 'Act' the approval will lapse if the first change of the use under the approval does not start within the 'relevant period' – four (4) years starting the day the approval takes effect.		
The <i>Sustainable Planning Act 2009 (SPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.		
Pursuant to Division 8 Section 461 of the <i>Sustainable Planning Act 2009</i> , the Applicant has the Right of Appeal to the <i>Planning and Environment Court</i> regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under <i>section 242</i> of the 'Act'. [A copy of the <i>Right of Appeal</i> will be enclosed with the Decision Notice]."		
<u>Carried</u>		
Vote - Unanimous		

As required under Local Government Regulation 273 -*Reason for retaining clause 2.4 against Officer's recommendation -*

Councillors agreed to retain original condition 2.4 due to the condition being historically contained within the previous intensive animal industry (poultry farm) court order issued by the Planning and Environment Court over the subject land and Council unanimously agreed to continue with the condition unaltered.

Subject:	Business Continuity Plan Policy
File Ref:	Financial management – internal audit
Action Officer:	DFIN

Background/Summary

Internal audit (Crowe Australasia) reviewed Council's business continuity planning in December 2019.

Internal Audit defines business continuity planning as "a proactive planning process that ensures critical services or products are delivered during a disruption. It is not meant to cover all of an organisation's services or activities, but only those deemed "critical" to the continuing operation of Council. Business continuity planning focuses on the development and timely execution of plans, measures, procedures and arrangements to ensure minimal or no interruption to the availability of critical services and assets."

In 2011, Both Council's primary and secondary computer servers were threatened by flooding. Loss of the servers would have impacted Council's ability to continue operating effectively.

Council's Business Continuity Plan (BCP) outlines Council's approach to handling future events that might affect critical services and assets.

Internal Audit recommend that Council adopt a BCP policy to ensure that Council's response to a future event that might threaten Council's ability to operate is effective.

Attachments

Extract from internal audit of business continuity report of December 2019

Recommendation

THAT the following Business Continuity Plan Policy be adopted:



Policy Subject/Title: **Business Continuity Plan Policy**

Policy Number: **F/012**

Responsible Officer: Director Finance

Related Policies / Procedures:	Nil
Authorised by:	Somerset Regional Council
Authorised on:	26 February 2020 / [Doc ID of Decision]
Amendments:	Nil

1. OBJECTIVE

The Business Continuity Plan (BCP) Policy establishes Council's business continuity intent to ensure the effectiveness of Council's BCP when it is called into action.

2. BACKGROUND

Internal audit conducted a review of Council's business continuity planning in December 2019 and made various recommendations. This policy provides backing for Council's BCP approach.

In 2011, Somerset Regional Council's primary and secondary computer servers were threatened by flooding. Loss of the servers would have severely affected Council's ability to continue operating effectively. Council's Business Continuity Plan (BCP) outlines Council's approach to handling future events.

Council acknowledges a January 2020 example regarding reports of one of the world's largest web service suppliers and an alleged service outage which potentially affected agency responses to major bushfires in the Australian Capital Territory. It is considered likely that the relevant agencies, who would be well-resourced, might have had appropriate vendor service level agreements in place. This policy outlines Council's approach to hosting critical systems on site.

3. PURPOSE

Internal audit recommends the establishment of a Business Continuity Policy, which is aligned to the organisation's purpose to provides a framework, including a commitment to attend applicable requirements and continual improvement.

The Business Continuity Policy should be documented, be communicated within the organisation, be available to all interested parties, and be periodically reviewed, or when significant changes occur in the organisational context.

A lack of policy may not establish Council's business continuity intent this may reduce the effectiveness of Council's response when it's called into action.

4. SCOPE

This policy applies to Somerset Regional Council.

5. POLICY

- Council's Business Continuity Plan (BCP) and the reasons for having a BCP are supported and understood by Council
- Because of the nature of the potential threats, the BCP will not be released publicly (s10 of the *Right to Information Act 2009*)
- At least once per quarter and prior to the holding of quarterly Team Somerset

Management Committee (TSMC) meetings, desk exercises will be designed and held to test and evaluate Council’s business continuity plan. The outcomes of these desk exercises will be reported through the TSMC process.

- “Review of Business Continuity Planning” will appear as a standing agenda item for the Team Somerset Management Committee meetings to provide for input to the ongoing development of the BCP from management from across the organisation led by the ICT Systems Administrator. These meetings will be held at least once each quarter with a list of outcomes and responsibilities documented.
- Council confirms its preference for retaining its finance systems (including payroll and accounts payable) and electronic document management systems to remain on local servers that are controlled and owned by Council and on Council premises to manage risks associated with dependence on others for critical systems.
- BCP Training will be designed and prepared as a module to Council’s Electronic Learning Management System (eLMS) to promote awareness and required to be undertaken at least annually for all staff with a corporate email address.
- Council identifies the most critical systems are those necessary for immediate public safety and for the payment of employees and suppliers.

6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 26 February 2020.

Signed: Date:

Resolution	Moved – Cr Gaedtke	Seconded – Cr Hall
"THAT the following Business Continuity Plan Policy be adopted:		
		
Policy Subject/Title:	Business Continuity Plan Policy	
Policy Number:	F/012	
Responsible Officer:	Director Finance	
Related Policies / Procedures:	Nil	
Authorised by:	Somerset Regional Council	
Authorised on:	26 February 2020 / [Doc ID of Decision]	
Amendments:	Nil	

1. OBJECTIVE

The Business Continuity Plan (BCP) Policy establishes Council's business continuity intent to ensure the effectiveness of Council's BCP when it is called into action.

2. BACKGROUND

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In 2011, Somerset Regional Council's primary and secondary computer servers were threatened by flooding. Loss of the servers would have severely affected Council's ability to continue operating effectively. Council's Business Continuity Plan (BCP) outlines Council's approach to handling future events.

Council acknowledges a January 2020 example regarding reports of one of the world's largest web service suppliers and an alleged service outage which potentially affected agency responses to major bushfires in the Australian Capital Territory. It is considered likely that the relevant agencies, who would be well-resourced, might have had appropriate vendor service level agreements in place. This policy outlines Council's approach to hosting critical systems on site.

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Internal audit recommends the establishment of a Business Continuity Policy, which is aligned to the organisation's purpose to provides a framework, including a commitment to attend applicable requirements and continual improvement.

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- Because of the nature of the potential threats, the BCP will not be released publicly (s10 of the *Right to Information Act 2009*)

- At least once per quarter and prior to the holding of quarterly Team Somerset Management Committee (TSMC) meetings, desk exercises will be designed and held to test and evaluate Council's business continuity plan. The outcomes of these desk exercises will be reported through the TSMC process.
- "Review of Business Continuity Planning" will appear as a standing agenda item for the Team Somerset Management Committee meetings to provide for input to the ongoing development of the BCP from management from across the organisation led by the ICT Systems Administrator. These meetings will be held at least once each quarter with a list of outcomes and responsibilities documented.
- Council confirms its preference for retaining its finance systems (including payroll and accounts payable) and electronic document management systems to remain on local servers that are controlled and owned by Council and on Council premises to manage risks associated with dependence on others for critical systems.
- BCP Training will be designed and prepared as a module to Council's Electronic Learning Management System (eLMS) to promote awareness and required to be undertaken at least annually for all staff with a corporate email address.
- Council identifies the most critical systems are those necessary for immediate public safety and for the payment of employees and suppliers.

6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 26 February 2020.

Signed: Date:"

Carried

Vote - Unanimous

Subject:	Action under section 130 of the Local Government Regulation 2012
File Ref:	Rates and government valuations - rate payments – FY2020
Action Officer:	DFIN

Background/Summary

It is recommended that Council use section 130 of the Local Government Regulation 2012 to potentially save administrative costs in respect of rate payments received on 8 and 9 April 2020. The due date to show on rate notices that issue on 25 February 2020 is 7 April 2020.

The regulation says:

130(7) The local government may, by resolution, change the discount period to end on a later day (the new discount day).

130(8) However, if the discount period is changed under subsection (7), the local government must also, by resolution, change the due date for payment to a later day that is no earlier than the new discount day.

Attachments

Nil

Recommendation

THAT Council, under subsections 130 (7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 9 April 2020.

Resolution

Moved – Cr Ogg

Seconded – Cr Brieschke

“THAT Council, under subsections 130(7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 9 April 2020.”

Carried

Vote - Unanimous

Subject:	Bushfire fee relief
File Ref:	Land use and planning - planning - charges resolutions
Action Officer:	DFIN

Background/Summary

Six Somerset dwellings were lost to bushfires during 2019. Other buildings and assets including farm assets were also lost to bushfire.

Council building permit fees including for demolition, plumbing, construction and certain land use planning inspection and approval services may apply to reconstruction of these assets.

In the circumstances, Council may wish to add a general statement in the schedule of cost recovery fees that the Chief Executive Officer is empowered to waive relevant fees relating to structures damaged in the 2019 bushfires after giving due consideration to matters such as insurance coverage as opposed to identifying each type of fee that might otherwise apply.

Attachments

Nil

Recommendation

THAT the following statement be added to the schedule of cost recovery fees:

“Bushfires 2019

The Chief Executive Officer is empowered to waive relevant fees relating to the demolition, removal, repair or reconstruction of structures damaged in 2019 bushfires after giving due consideration to matters such as insurance coverage.”

Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT the following statement be added to the schedule of cost recovery fees:

“Bushfires 2019

The Chief Executive Officer is empowered to waive relevant fees relating to the demolition, removal, repair or reconstruction of structures damaged in 2019 bushfires after giving due consideration to matters such as insurance coverage.”

Carried

Vote - Unanimous

Subject:	Electrical and Power Consumption Issues - Yowie Rugby League Club
File Ref:	Energy Supply and telecommunications - Fees and Charges
Action Officer:	DCORP

Background/Summary

In mid-2017 the power connection to Hopetoun Field and the Kilcoy Indoor Sports Centre was upgraded with a new Switch Board and cabinet. Initially, the system seemed to be installed correctly and operating as it should. However, it was noticed that the power consumption for the Sports Field and Yowie’s clubhouse was low and the Indoor Sports Centre was high. Investigation of the power installation revealed that the power connection had been installed incorrectly and all power consumption was going through one meter and that was the meter for the Indoor Sports Centre. This problem was rectified in late 2017.

In August 2018, the Kilcoy Yowies were sent an electricity consumption account for the three months ending 31 July 2018 for \$1812.19. The previous Quarterly account was \$221.54. The increase in costs represents more than an eightfold increase in consumption, yet the infrastructure on site has not changed and the usage pattern has not changed.

In June 2018, the field lights were repaired with 10 of the 32 lights requiring replacement. Australian Sports Lighting Specialists also serviced the wiring to each of the poles and assisted with the replacement of the wiring to one of the poles. In mid-June the Yowies did have a Saturday evening game for the first time in many years. It is hard to comprehend that the normal training that had occurred in prior years plus fixing wiring and lights plus one Saturday night game would increase costs so much.

In November 2018 AGL have issued another account to the Yowies for \$1,198.89. In February 2019 the club were issued another AGL account this time for \$943.98. This account is for consumption during a period when the season is over and the clubhouse and field are in shut down mode. The consumption should be very low. The club has been issued with an account for January to March where the consumption is even higher. The total unpaid accounts to date are \$3,955.06.

In June 2019, after a number of complaints during 2018 from the Secretary Pat Bleakley AGL requested Energex change the meter. This meter change has resulted in consumption halving and an account being issued for \$590.03. This account along with some of the accounts issued during 2018 by AGL have been paid. Pat has indicated to AGL that the accounts cannot be

paid and she has complained about the amounts of the consumption billed again.

A telephone call attended by Pat and the Director Corporate and Community with AGL's "Resolutions" team was arranged for Tuesday 30 July 2019. The details of the problem accounts were discussed and AGL gave undertaking to investigate the matter. The follow up telephone call occurred Monday 12 August. AGL gave very little additional detail and could not understand why on a number of occasions the charges were based on estimated readings not actual readings.

After a discussion with Pat it was decided that Pat would report the problem to the Energy and Water Ombudsman. This happened in the week ending 16 August. The Energy Ombudsman undertook an investigation and after three or four weeks advised Pat that the accounts should be paid.

The fact that the change to the meter has led to a "reduction" in metered consumption has led Pat to question the installation, switchboard and metering. She has requested that Council investigate the electrical installation and advise the club of the outcome.

The Ombudsman concluded that the accounts are fair and reasonable and the club should pay the outstanding amount. According to Pat if the club is forced to pay the accounts, the club will in all likelihood have to fold. Council needs to consider what to do about the existing accumulated charges and the predicament faced by the Yowies. The Energy Ombudsman carried out and completed an investigation and indicated that they could find nothing wrong with the accounts issued by AGL but that investigation relied on the information provided by AGL.

In Late September 2019 Council engaged LV Electrical to investigate the meters and the electrical board installation again, to determine whether there were any ongoing issues with the Board or meters. There was no problem located.

In November 2019 contact was made with Peak Services – Mike Fideli to determine whether Peak were able to investigate the issue with the bills and metering. An estimated price was provided by Mike to undertake the work. The cost of the investigation will be approximately \$4,625 plus \$400 for meter probing. Total estimate \$5,025.

The costs that Council could incur being the \$5,025 may be incurred and the findings could be that the electricity charges are valid and need to be paid. If this is the case then Council will still need to consider the payment of the \$3,955.06 to AGL.

Hopetoun Field has been used for many years as the emergency services evacuation point. Helicopters land on the field while the lights are on. The usage is infrequent and generally not more than an hour at a time. The Yowies have borne the cost of this since the lights were installed in 2006.

Attachments

Attachment 1 – AGL accounts for the Kilcoy District Football Club
Attachment 2 – Peak Services Quotation

Recommendation

THAT Council support the Kilcoy District Football Club (the Yowies) by paying the accumulated electricity charges of \$3,955.06 in recognition of the use of the lights at Hopetoun Field for emergency services purposes.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council support the Kilcoy District Football Club (the Yowies) by paying the accumulated electricity charges of \$3,955.06 in recognition of the use of the lights at Hopetoun Field for emergency services purposes.”

Carried

Vote - Unanimous

Subject:	Youth Engagement Officer January 2020 Monthly Report
File Ref:	Community Services - Youth Development - Youth Services
Action Officer:	YEO

Background/Summary

The following report contains an overview of the key projects and activities of the youth engagement officer for the month of January 2020 -

Networks, partnerships and local connections

The youth engagement officer (YEO) liaised with the wider community to discuss and advocate the needs of local young people in the region, and the key issues and projects relevant to the YEO role.

Networks and committees attended, and key engagements:

- Kilcoy State High School
- Lowood State High School
- Toogoolawah State High School
- Anglicare Southern Queensland
- BUSY at Work
- CYMHS
- PCYC
- Ipswich Community Youth Service (ICYS)
- Lockyer Valley Regional Council
- Mercy Community/FaCC
- Somerset Health and Fitness
- WMPHN
- West Moreton HHS

General activities and key projects undertaken

A listing of key events and projects with a summary is outlined below. Please note that there may be other events or activities not included.

The **Summer edition of the Somerset Regional Council School Holiday Program** was further promoted and the last activities of the program took place during January. The YEO coordinated two of these events – the trampoline park excursions at Bounce and Flip Out.

The Southern region trampoline park excursion took place on 7 January at Bounce, Tingalpa; 22 children and youth attended the excursion. The Northern region trampoline park excursion took place on 14 January at Flip Out, Strathpine; 14 children and youth attended the excursion.

Council officers will meet following the Summer School Holiday Program to discuss the outcome of the program and future direction for this program.

Youth

The YEO finalised preparations for the **2020 Somerset Youth Leadership Camp** and attended the camp, along with the SRO and Events Officer, from 20-22 January. Twenty-five students from Kilcoy, Lowood and Toogoolawah secondary schools attended the camp, along with 19 students from Lockyer Valley, Faith Lutheran and Laidley secondary schools. The camp was successful and students undertook activities including caving, high ropes, Alpine Team Rescue, body boarding, giant swing, archery tag and dodgeball, as well as Council-led activities relating to their region. Councillors from both Somerset and Lockyer Valley Regional Councils and teachers from two Somerset high schools also attended the camp and assisted with various activities on Tuesday, 21 January. A full post-camp report will be finalised and submitted to Council in the near future; this will also include responses to post-camp surveys currently being completed by camp attendees.

Grant submissions

The YEO is awaiting an outcome on the following grants:

- 2019-21 Thriving Cohesive Communities Grants - a Youth Booklet/Zine for Lowood youth
- 2019-20 Celebrating Multicultural Queensland Program - a Multicultural Basketball Program in Kilcoy
- Queensland Youth Week 2020 Grant - funding for Somerset Youth Week

Attachments

N/A

Recommendation

THAT Council receive the *Youth Engagement Officer Monthly Report for January 2020*, and that the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council receive the *Youth Engagement Officer Monthly Report for January 2020*, and that the contents be noted.”

Carried

Vote - Unanimous

Subject:	Somerset Region Support Service Report for the period - 1 January - 31 January 2020
File Ref:	Community Services - Service Provision - Community Development
Action Officer:	CDC (Lyn Buchanan)

Background/Summary

Activities throughout the month included:

- Toogoolawah Community Connection Point continues to host The Thursday Club, Toogoolawah Playgroup, Toogoolawah Women’s Group and Toogoolawah Rag Ruggers.

- Seniors Dance Classes and Social Dancing at the Civic Centre every Friday

Meetings/attendances throughout the month:

- Corporate and Community Services meeting
- Moreton Bay Local Level Alliance meeting
- Disaster Recovery Workshop
- Drought Recovery Workshop
- Kilcoy Interagency meeting
- Kilcoy Children and Youth Mental Health and Wellbeing Reference Group meeting

Future Planned/Proposed Events and activities:

- Seniors Information and Social Morning “Retiring Rurally” in partnership with Able Australia in Esk - March
- Mad Hatters Picnic - Family Friendly Event in Lowood - April
- Farmer focused events such as Regional Farmers Outback Dinner Dance, Farmers bus trip and luncheon, two information sessions to be held between April 2020 – February 2021 subject to successful grant application

Somerset Region Support Service usage

Events/Activities

Group/event name	Date	Location	Topic	Number attendees	Number new attendees
Thursday Club	2 Jan	Toogoolawah	General craft and games	9	0
	9 Jan			9	0
	16 Jan			12	0
	23 Jan			7	0
	30 Jan			10	0
Seniors Dancing	17 Jan	Esk	Progressive	11	5
	24 Jan			9	1
	31 Jan			10	2

Information and referrals

Referring centre/role	Total number of people assisted	Any trends (including topic and location)	How enquirers heard about the service
Esk Community Connection Point	0		
CDC	14	Housing (1) Toogoolawah Child Protection (1) Esk Service availability (2) Esk Centrelink assistance (1) Toogoolawah Financial assistance (1) Lowood Maintenance (senior) (1) Kilcoy Medical (2) Esk Fire victim assistance (1) Esk	Via Council (10) Direct (2) Via local MP (2)

		Aged Accommodation (2) Somerset and Esk Homelessness (1) Lowood Indigenous(1) Somerset Dam	
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Attachments

Nil

Recommendation

THAT Council receive the Somerset Region Support Service Report for the month of January 2020 and that the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Ogg

“THAT Council receive the Somerset Region Support Service Report for the month of January 2020 and that the contents be noted.”

Carried

Vote - Unanimous

Subject:	Request for Lease - Lot 43 CG2113 - Sheep Station Creek
File Ref:	Council properties - leasing out - Council Land and Buildings - Doc Id. 1085666, 1088867, 1090616, 1107070, 1107232, 1116802, 1117485, 1111756, 1118529, 1118531, 1111809, 1111866, 1111935, 1133596, 1133763, 1162921, 1163567, 1163576, 1163660, 1163630, 1163567, 1172017, 1172153, 1129577
Action Officer:	CCSO

Background/Summary

The Sheep Station Creek Hall suffered damage during a storm in November 2018. An external contractor was tasked with undertaking an inspection, and the following recommendation was made:

In this case it is my professional opinion that the building can no longer be considered an asset to SRC. Nor could it be restored to asset status economically. Rather, the liabilities for SRC highlighted in my notes lead me to recommend that the building and all out-buildings be demolished, and further that demolition should take place without delay.

Subsequently, Council considered a report at the Ordinary Council meeting of 23 January 2019, at which it resolved:

THAT based upon the external professional advice provided Council appoint a suitably qualified person to demolish Sheep Station Creek Hall and all outbuildings on site.

At the Ordinary Council meeting of 10 April 2019, it was resolved:

THAT Council construct interpretative signage to recognise the site of Sheep Station Creek Hall.

And THAT Council engage with local community members and the Kilcoy Historical

Society to ensure appropriate wording for signage on the site.

Further THAT Council secure materials from the contractor for future possible use on Sheep Station Creek Hall site, should Council decide on further construction.

In accordance with this resolution, the Director Operations secured some materials from the old hall for possible reuse, and Council officers consulted with the Kilcoy Historical Society to formulate wording and potential images for the interpretative sign. However, further consultation with the broader community regarding the content of the signage, and its physical construction, were deferred following alternative proposals for the site raised by interested community members. Specifically, at Council's Ordinary Meeting of 24 July 2019, it was resolved:

THAT Council, for now, defers the matter of interpretative signage associated with Sheep Station Creek Hall until the proposal of the alternative option of the old school building and the formation of an entity to manage this proposal is better understood.

Councillors were invited to attend a 100th anniversary celebration for the Sheep Station Creek School, which included a call to "help us celebrate the old school's birthday and plan its rebuilding" and indicated that the topic of trusteeship and rebuilding the school on its original location would be raised for discussion.

In a response from Council dated 9 May 2019, it was stated that:

Council is interested in gaining a better understanding of the historical value of the school and the significance of the building to the broader community. Council would like to know what ideas on the future use of the school building have been considered, and if this has been further developed into a business case or feasibility study on what will happen with the building during and after any reconstruction.

There is more information needed from council before it can further discuss any aspects of ownership and operation, such as you have suggested through the trusteeship approach.

Council would be willing to enter into a further discussion on the proposal when more information and detailed planning has been undertaken. The community support could be shown to council by way of a petition or another document that shows the community sentiment for the building.

There are many old school buildings across the region with historical and sentimental value, and the circumstances of this school building need to be considered against the whole of the Somerset region. The tenure of the current land and its future use are only a part of what requires further consideration in the request you have made.

Current request

Correspondence has been received requesting that Council consider offering a trustee lease over Lot 43 CG2113 to the Sheep Station Creek Progress Association Inc (the Association). This property is a 2.021 ha Reserve for Recreation, of which Council is the Trustee.

The Association has indicated that they wish to obtain trusteeship of Lot 43 CG2113, but that in the meantime, leasing Lot 43 CG2113 would enable them to start the planning and process of rebuilding Sheep Station Creek School.

Council has previously considered requests from community groups that involve the

construction of a building on State land under Council's trusteeship, or Council's freehold property (Doc Id. 641776, 904164, 1000973). On these occasions, Council have required the community groups to provide:

- a concept plan for the development of the site,
- details relating to the design and siting of any proposed structures,
- a business case to Council, explaining how the project would be funded and maintained, including a full analysis of ongoing funding sources for maintenance and management of the facility;
- demonstrated financial capacity to complete any proposed projects.

It was made clear to these community groups, that this must be provided prior to Council committing to allow the establishment of such a facility. It was also made clear that there was no commitment on Council's part to fund the proposed works but that Council will work with various stakeholders to seek funding where possible to develop the park, consistent with an approved concept plan.

At this point, it would be premature to enter negotiations for a trustee lease agreement over the Reserve. In the first instance, a concept plan for development of the site should be created. Council should consider whether it has any plans for the site, and whether the proposed concept plan is consistent with these plans.

It should be noted that works proposed to be undertaken on this site may require approval from the State, due to it being a Reserve of which Council is the trustee.

As far as the Association being granted trusteeship in their own right is concerned, s44 of the *Land Act 1994* specifies that a trustee may be: the State, a statutory body (such as Council), an incorporated body, or a named individual. Advice provided by the Department of Natural Resources, Mines and Energy indicates that the Department's preferred option is to have Council as trustee of reserves (Doc Id. 1172017).

Attachments

Aerial map of Lot 43 CG2113

Recommended Action

1. THAT Council advise the Sheep Station Creek Progress Association Inc that a trustee lease will not be considered at the present time;
2. THAT Council request that the Sheep Station Creek Progress Association Inc provide:
 - evidence of community support by way of a petition or another document that shows the community sentiment for the school building;
 - what ideas on the future use of the school building have been considered;
 - a concept plan for the development of the site;
 - details relating to the design and siting of any proposed structures;
 - a business case or feasibility study, explaining how the project would be funded and maintained, including a full analysis of ongoing funding sources for maintenance and management of the facility;
 - demonstrated financial capacity to complete any proposed projects.

Resolution	Moved – Cr Whalley	Seconded – Cr Gaedtke
	<p>“1. THAT Council advise the Sheep Station Creek Progress Association Inc that a trustee lease will not be considered at the present time.</p> <p>2. THAT Council request that the Sheep Station Creek Progress Association Inc provide:</p> <ul style="list-style-type: none"> ○ evidence of community support by way of a petition or another document that shows the community sentiment for the school building; ○ what ideas on the future use of the school building have been considered; ○ a concept plan for the development of the site; ○ details relating to the design and siting of any proposed structures; ○ a business case or feasibility study, explaining how the project would be funded and maintained, including a full analysis of ongoing funding sources for maintenance and management of the facility; ○ demonstrated financial capacity to complete any proposed projects.” 	
	<i>Vote - Unanimous</i>	<u>Carried</u>

Subject:	Operational Plan 2nd Quarter Review
File Ref:	Corporate Management - Planning - Operational Plan
Action Officer:	DCORP

Background/Summary

The Operational Plan for Somerset Regional requires reviewing at each quarter to determine progress of the items within the Plan. The 2019/20 plan was developed at a similar time to the Budget and has a reasonably close alignment with the Budget. The 1st Quarter review was reported to Council in late November and contained feedback from all officers who were responsible for items within the plan.

The 2nd Quarter review contains similar updated feedback to the first review and additionally has some comment added concerning the measure used for each item. Columns have been added in order that the responsible officer can indicate what is **required** to carry out or meet the measure and also to indicate what has been **achieved**. Some of this feedback has proven difficult to provide comment on and indicates that the measures used may require refinement in future Plans.

Attachments

Attachment 1 – Operational Plan 2019-20 Quarter 2 Review

Recommendation

THAT the Operational Plan 2019-20 Quarter 2 review be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT the Operational Plan 2019-20 Quarter 2 review be noted.”

Carried

Vote - Unanimous

Subject:	Fernvale Community Hall and Col Powell Park Committee Meeting
File Ref:	Community Relations - Community Consultation - Committees
Action Officer:	DCORP

Background/Summary

The Fernvale Community Hall and Col Powell Park Committee meets each quarter to review the operations of the Hall and the Park. The minutes from the latest meeting are attached.

Items of note that were discussed at the meeting were:

- Further extension of the fencing at the grounds to complete the Polvin fencing;
- Further extension of the water supply and power within the grounds for camping at events. This would require consideration of the fees and charges that the various groups charge the attendees;
- A master Plan would be needed for further funding applications that the Fernvale Campdraft Association intended to submit. Such a document was seen by the group as critical to the success of the funding application.

Attachments

Attachment 1 – Minutes Fernvale Community Hall and Col Powell Park Committee Meeting

Recommendation

THAT the Minutes of the of the Fernvale Community Hall and Col Powell Park Committee be noted and that Council support the inclusion in Budget deliberations funding for further Fencing, Extension of the Water Supply and Electricity and a Master Plan in the 2020/21 Budget.

Resolution

Moved – Cr Hall

Seconded – Cr Ogg

“THAT the Minutes of the of the Fernvale Community Hall and Col Powell Park Committee be noted and that Council support the inclusion in Budget deliberations funding for further Fencing, Extension of the Water Supply and Electricity and a Master Plan in the 2020/21 Budget.”

Carried

Vote - Unanimous

Subject:	Donation of Strength Equipment
File Ref:	Recreation and Cultural Services - Service Provision - Recreation Facilities
Action Officer:	SRO

Background/Summary

Council has equipped the Fernvale Indoor Sports Centre (FISC) with equipment with strength equipment since its opening in 2010. This equipment is believed to be legacy equipment from the Toowoomba Pipeline project, which was completed in early 2010.

The Police-Citizens and Youth Club (PCYC) commenced management of the FISC in September 2019. PCYC has inspected the equipment at the FISC and has, with the exception of a few pieces of equipment, chose to decline the usage of Council equipment in favour of leasing new equipment.

PCYC wish for the dumbbell sets that are on site to remain provided that the equipment is refurbished to commercial standards. Currently there is 19 sets of dumbbells ranging from 1kg to 30kg. The estimated total market value of these dumbbells is \$1,200.00 to \$1,400.00.

Refurbishment of the equipment would entail replacing damaged rubber and caps on the end of the weights, as well as recalibrating the weights of each dumbbell. The estimated cost to refurbish the dumbbells per PCYC's request is \$450.00 to \$550.00.

PCYC has confirmed that they are agreeable to take ownership of the equipment under the stipulation that they refurbish the equipment. PCYC is a registered charity and not-for-profit organisation.

Attachments

- Appendix 1 – Dumbbells (Image 1)
- Appendix 2 – Dumbbells (Image 2)

Recommendation

THAT Council approve the donation of the 19 sets of dumbbells, ranging from 1kg to 30kg, to the Police-Citizens and Youth Club (PCYC) under the stipulation that PCYC refurbishment the equipment to commercial standards.

Resolution

Moved – Cr Choat

Seconded – Cr Whalley

"THAT Council approve the donation of the 19 sets of dumbbells, ranging from 1kg to 30kg, to the Police-Citizens and Youth Club (PCYC) under the stipulation that PCYC refurbish the equipment to commercial standards."

Vote - Unanimous

Carried

Subject:	Resurfacing and Repairing Council Tennis Courts
File Ref:	Recreation and Cultural Services - Service Provision - Recreation Facilities
Action Officer:	SRO

Background/Summary

Council has recently received correspondence from representatives of the Toogoolawah, Moore and Esk Tennis Clubs regarding the current state of the playing surfaces at each facility.

In response to these concerns the SRO has inspected each site and researched the works that have occurred at each site over the past 35 years. Below is a summary of the current condition and maintenance that Council has undertaken at each site.

Toogoolawah Tennis Courts

Court No 2 and Court No 3 (western / McConnell park side) have an extensive and continuous crack in the concrete running through the centre adjacent to the court net (refer to Appendix 1). This crack partially impacts Court No 1. The crack in the concrete has resulted in a 10-30mm height difference in the concrete and caused significant damage to the baselines and general playing surface. There is wear and tear throughout the playing surface due to the age of the surface. There is also a mould build up on the eastern side of Court No 1.

According to Council meeting minutes, the playing surface was last replaced in the 1998/99 financial year and had previously been replaced in late 1987. It does not appear that any significant maintenance works have occurred since 1999.

Moore Tennis Courts

The two playing surfaces at the Moore Tennis Club have general wear and tear across them, which appear to be consistent with the age of each surface (refer to Appendix 1). The baselines and other line markings have significant damage through wear and tear and are increasingly becoming a safety hazard. There is also a mould build up on the eastern side of the court which appears to be as a result of an ongoing issue with adjacent trees.

According to Council meeting minutes, the surface was last replaced in the 2001/02 financial year and had previously had repairs in 1998.

There has been correspondence from the club regarding lopping of trees at the southern end of the court since 2012. This has resulted in the lopping trees at the site multiple times.

Esk Tennis Courts

Court No 1 of the Esk Tennis Club (western / Esk Hampton Rd side) has general wear and tear of the baselines, consistent with the age of the surface (refer to Appendix 1). The baselines of the court have significant damage and have begun to tear, causing a trip hazard. Court No. 2 (middle court) has minor damage to the southern (civic centre side) baseline.

According to Council meeting minutes and correspondence, the surface was last replaced in the 1996/97 financial year. The surface underwent maintenance following the 2011 floods and appears to have had further maintenance works completed in 2015. In 2018 the club secured a grant of \$30,000.00 to upgrade their lighting to an LED system.

With regular maintenance, a synthetic grass tennis court life expectancy is about 15-20 years.

This places the surfaces at each facility past or nearing their expected lifespan.

Current Usage

There is established and sustained demand for the usage of each facility.

The Toogoolawah, Moore and Esk Tennis Clubs currently pay an annual rental fee of \$1,100.00 to Council.

The Toogoolawah Tennis Club has 35 members, with courts being used three-four days per week for a range of activities including social tennis, practice, lady's senior tennis, children's lessons, club fixtures and seasonal use by the Toogoolawah State School. The club recently celebrated its 110th year of operation.

The Esk Tennis Club has approximately 30 members and 18 social junior members regularly participating in tennis activities two-three times per week and about 8-10 more players participating in district level events at the club fortnightly. The club's membership ranges through all ages.

The Moore Tennis Club has approximately 30 members regular participating in tennis activities one-two times per week, 10-12 social members participating in activities once per week and about 8-10 more players participating in district level events at the club fortnightly. The club's membership ranges through all ages.

Costs, Works and Funding to Repair Facilities

The SRO has sourced two quotes to repair and / or replace the surfaces at each facility (refer to appendices 3 – 9 for further information). The SRO has had correspondence with a third organisation to re-quote for the works that they had previously quoted for in July 2019, but they have been unresponsive.

Based on safety and usability facility works should be prioritised as follows:

1. Toogoolawah Tennis Courts
2. Moore Tennis Courts
3. Esk Tennis Courts

In the instance that works at each facility were to progress it is recommended that works be scheduled for one facility at a time in order of prioritisation. This ensures no more than one facility is unavailable for the duration of the resurfacing works and that residents in proximity to each facility are no more than approximately 20-30 minutes from an alternate facility.

There are grant funding schemes that Council may apply to, to fund these refurbishments. The two most appropriate schemes are the State Active Community Infrastructure program and the Federal Building Better Regions Fund. The Active Community Infrastructure program is an expression of interest application process with the next round available March 2020. The Building Better Regions Fund round 4 recently closed, with no timelines known for future rounds. It is the opinion of the SRO, that should Council wish to pursue funding through either means that Council would likely be unsuccessful in its application based on the specific use of the facilities (i.e. tennis only) and that the works do not include a new structure / facility.

Attachments

- Appendix 1 – Tennis Courts Surface Images
- Appendix 2 – Summary of Quotations (Commercial in Confidence)
- Appendix 3 – Toogoolawah Tennis Courts Quotation 1 (Commercial in Confidence)
- Appendix 4 – Toogoolawah Tennis Courts Quotation 2 (Commercial in Confidence)
- Appendix 5 – Moore Tennis Courts Quotation 1 (Commercial in Confidence)
- Appendix 6 – Moore Tennis Courts Quotation 2 (Commercial in Confidence)
- Appendix 7 – Esk Tennis Courts Quotation 1 (Commercial in Confidence)

Appendix 8 – Esk Tennis Courts Quotation 2 (Commercial in Confidence)

Recommendation

THAT Council consider the repairs and resurfacing of playing surfaces of the (in order of priority) Toogoolawah Tennis Courts, Moore Tennis Courts and Esk Tennis courts as a priority issue when the 2020/21 budget is framed.

Resolution

Moved – Cr Choat

Seconded – Cr Hall

“THAT Council consider the repairs and resurfacing of playing surfaces of the (in order of priority) Toogoolawah Tennis Courts, Moore Tennis Courts and Esk Tennis Courts as a priority issue when the 2020/21 budget is framed.”

Carried

Vote - Unanimous

Subject: Sport and Recreation report - January 2020
File Ref: Governance - Reporting - Officer Reports
Action Officer: SRO

Background/Summary

The following report contains an overview of current activities of the Sport and Recreation Officer (SRO), an update of projects and future proposals for the month of January 2020.

1. Executive Summary – Key Highlights for January 2020

The Kilcoy Indoor Sports Centre and Toogoolawah Community Gym recorded monthly patronage figures above the historical norms. The Fernvale Indoor Sports Centre re-opened on 28 January 2020. Initial feedback from centre management is that there has been significant interest in the re-opening from the public. Centre management will begin sending regular reports to Council after February.

Patronage at all aquatic facilities was below the historical average for the month of January. This follows strong attendance at each facility for the month of December. Pool movie nights and facility safety audits were held at the Toogoolawah and Lowood Swimming Pools. Australia Day pool parties were also held at each aquatic facility with attendances down on previous years.

The SRO coordinated the release of the Kilcoy Sport and Recreation Needs Analysis Public survey.

The SRO assisted with youth events, school holiday excursion and the Youth Leadership Camp, through January.

2. Indoor sport and gymnasium operations

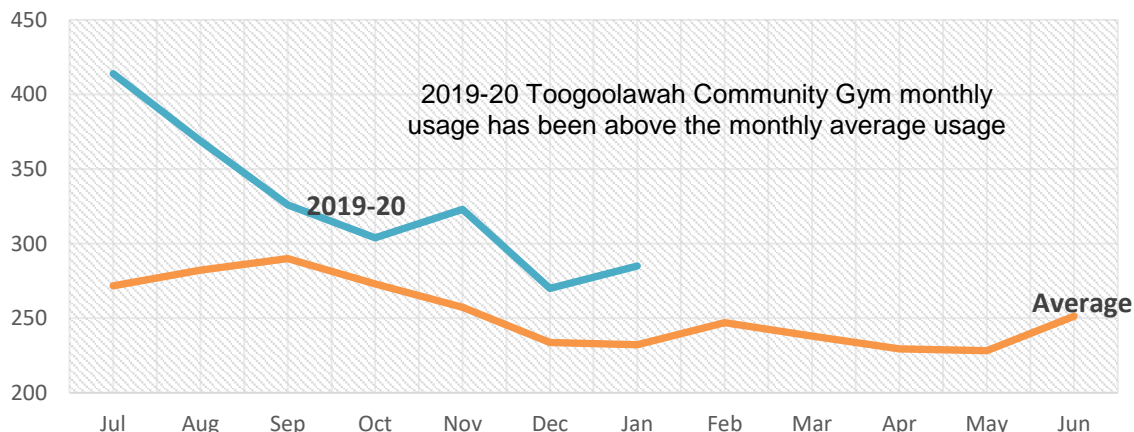
Please note that the highlights are from the January sports facility reports.

Fernvale Indoor Sports Centre

- The Fernvale Indoor Sports Centre open to the public on Tuesday 28 January 2020.

- Initial feedback from the new management, the Police-Citizens and Youth Club (PCYC), was that there was significant interest in the opening from the local community.
- PCYC will commence submitting a monthly report to Council after February

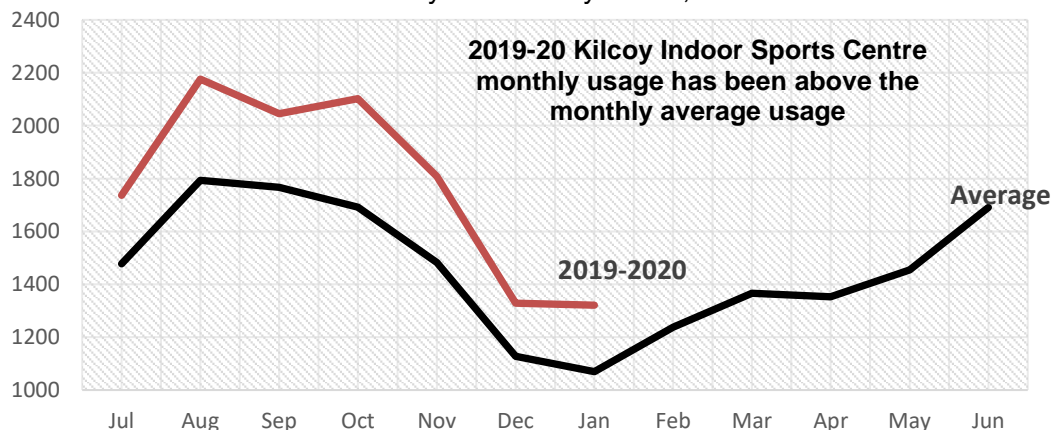
Toogoolawah Community Gym



- Total attendance in classes and general gym usage for January was 285.
- The facility is retaining members though is at capacity with some members travelling to Kilcoy to access the larger and more freely accessible facility.
- Internal marketing initiatives for January included;
 - Promoting 2020 programs and initiatives;
 - Promoting Council event;
 - Promoting the January weight loss challenge; and
 - Promoting the Somerset Health and Fitness School Holiday Program.
- External marketing initiatives for January included;
 - Jayne Mackenzie’s regular local newspaper column;
 - social media communications; and
 - disseminating local promotional content throughout the community.
- There were no incidents recorded for the month of January.

Kilcoy Indoor Sports Centre

- Total attendances at the facility for January was 1,321.

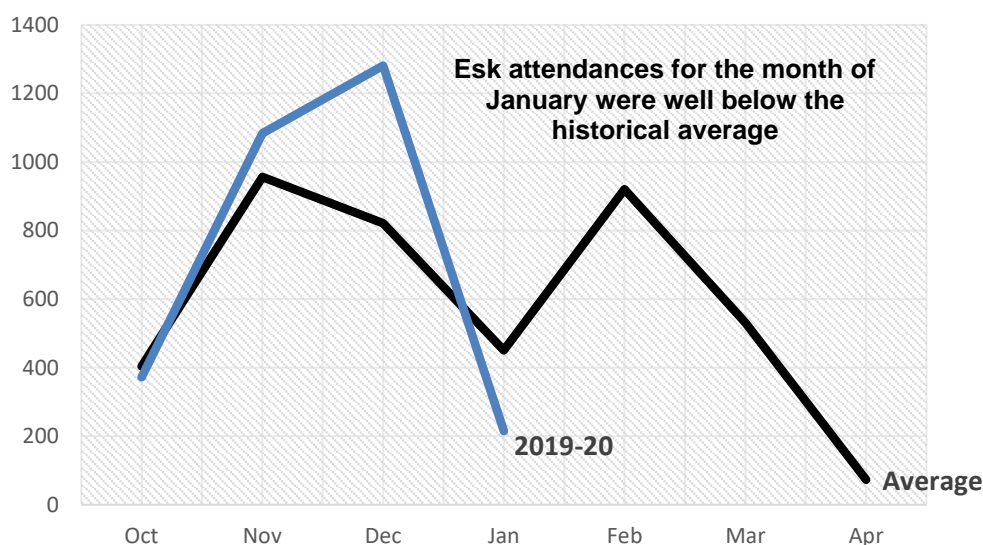


- Internal marketing initiatives for January included;
 - Promoting quarterly first aid and CPR courses;
 - Promoting the Somerset Health and Fitness and Council school holiday program;
 - Promoting the January members challenge;
 - Hosting a children's colouring competition;
 - Hosting three 'Save the Children Fund' sessions; and
 - Promoting the Council Kilcoy Sport and Recreation Needs Analysis public survey.
- External marketing initiatives for January included;
 - Promoting the Council Kilcoy Sport and Recreation Needs Analysis public survey;
 - Promoting quarterly first aid and CPR courses;
 - Thanking local volunteer fire fighters with support of the community;
 - Sponsoring Kilcoy Races Fashions on the Field;
 - Jayne Mackenzie's regular local newspaper column;
 - Jayne Mackenzie attending local interagency welfare meetings;
 - Financially assisting 'Save the Children' on their free kids' day at the centre; and
 - Promoting potential new dance classes.
- There was one incident at the centre for the month January. The incident was followed up by Somerset Health and Fitness staff. No further action is required.

3. Swimming pool operations

Esk Swimming Pool

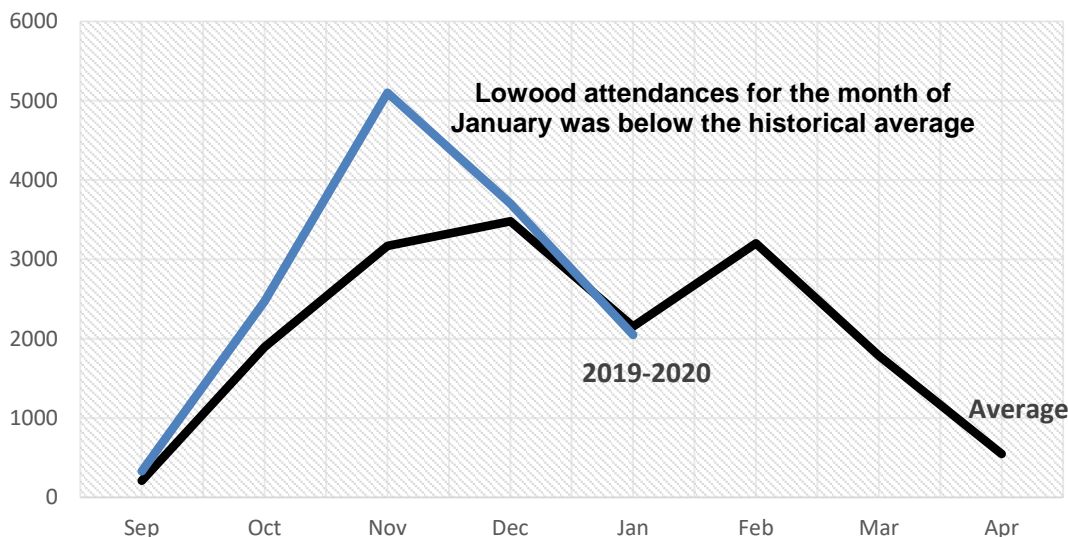
- There were 215 attendances at the Esk Swimming Pool for the month of January.
- January attendance was well below the historical norm for the facility. The Esk Swimming Pool Australia Day Pool Party was also poorly attended and down on previous year's attendance.



- There were no incidents recorded for the month of January.

Lowood Swimming Pool

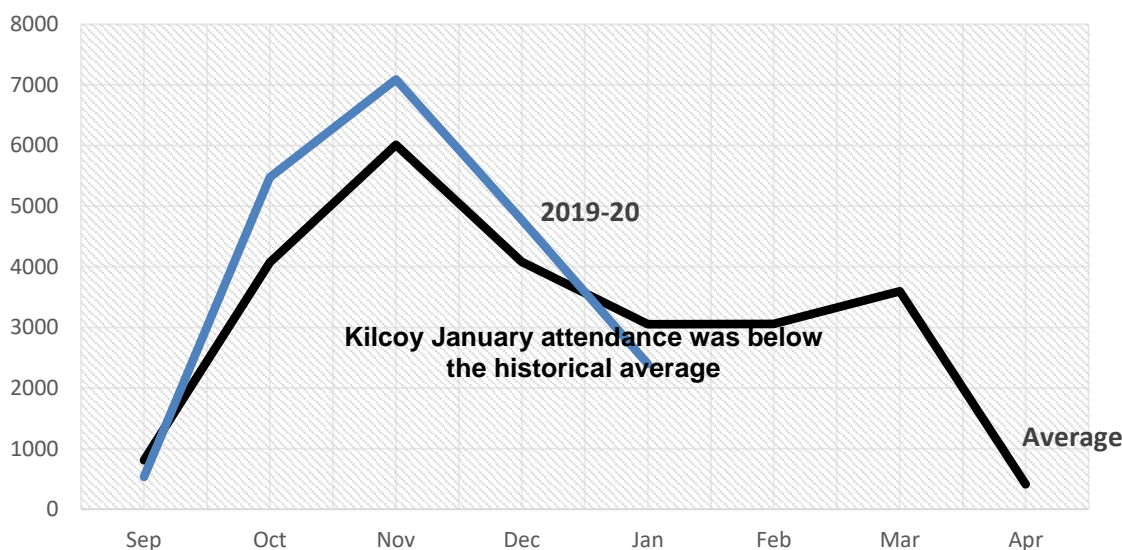
- There were 2,048 attendances at the Lowood Swimming Pool for the month of January.
- Attendance at the Australia Pool Party were in line with historical norms.



- There were no incidents recorded for the month of January.

Kilcoy Aquatic Centre

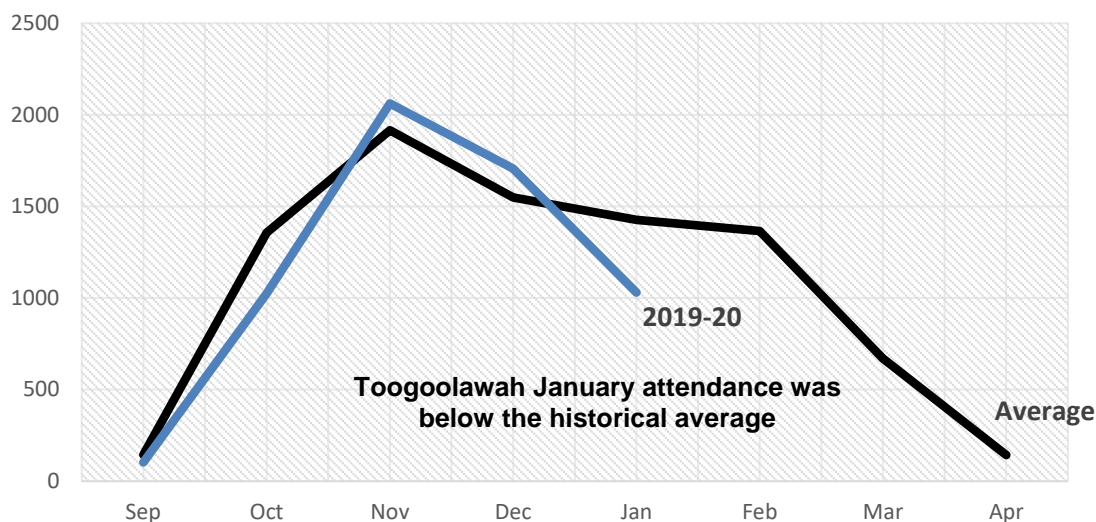
- There were 4,774 attendances at the Kilcoy Aquatic Centre for the month of January.
- Attendances at the Kilcoy Aquatic Centre were significantly below the historical norms. Attendance at the Australia Day Pool Party was also well down on previous years.



- There were no incidents recorded for the month of January.

Toogoolawah Swimming Pool

- There were 1,030 attendances at the Toogoolawah Swimming Pool for the month of January.
- Attendances at the Toogoolawah Swimming Pool were significantly below historical norms. Attendance at the Australia Day Pool Party was also down on previous years.



- The Toogoolawah Swimming Pool remained unheated for the month of January whilst the solar heating pump, solar heating veins and amenities building roofing are repaired and / or replaced.
- There were no incidents recorded for the month of January.

Somerset Leisure implemented initiatives in promotion of the aquatic facilities including;

- Facebook promotion;
- website updates;
- disseminating flyers amongst the local communities;
- installing display banners at each centre;
- article listing in local newspapers;
- articles in school newsletters; and
- liaising with local user groups for pool usage and sponsorship.

4. Collaborate with local sport and recreation organisations in delivering activities and events that maximise facility use and provide access to opportunities and quality tuitions for residents, particularly young people

SRO coordinated the release of a public survey for the Kilcoy Sport and Recreation Needs Analysis. SRO, in collaboration with the Brisbane Valley Bulls JRLFC, organised senior trial matches at the Esk Recreation Reserve.

5. Build effective working relationships with local schools to assist with the development of sporting pathways for students within the region

N/A for reporting period.

6. Provide current and best practice administration advice for local sport and recreation clubs

SRO met with the Esk Tennis Club regarding the club's plan for a future clubhouse.

7. Provide for the sporting and recreational needs of the local communities through each indoor sport centre and swimming pool

The SRO coordinated pool movie nights at the Toogoolawah and Lowood Swimming Pools.

The events were attended by 76 and 203 people respectively. In total, 515 people attended the four pool movie nights in Kilcoy, Esk, Toogoolawah and Lowood. The evenings were well received by the community with a potential to expand to more evenings in Kilcoy and Lowood in the future.

Prior to each pool movie night safety audits were completed. These audits were following on from the pre-season audits completed in late September 2019. The audits ensure that safety issues are proactively identified and managed.

The SRO in collaboration with Pool Management also coordinated four Australia Day Pool Parties at the aquatic facilities throughout the region. This year's pool parties offered free entry to each facility, pool inflatables, water slides (Lowood, Toogoolawah and Kilcoy), a rock climbing wall (Esk only), barbeques and other activities.

This year's events saw the following attendance:

Kilcoy Aquatic Centre:	203
Lowood Swimming Pool:	192
Toogoolawah Swimming Pool:	86
Esk Swimming Pool:	19

	2020 (Sunday)	2019 (Saturday)	2018 (Friday)	2017 (Thursday)
Esk Swimming Pool	19	49	91	114
Kilcoy Aquatic Centre	203	410	444	529
Lowood Swimming Pool	192	195	249	217
Toogoolawah Swimming Pool	86	185	168	187

With the exception of Lowood, attendances for the event in 2020 were significantly below historical norms. Except for Esk, the same attractions and promotions were offered at each facility.

There was overcast weather throughout the region which may have affected attendances. Except for Kilcoy (Kilcoy Race Day), there were no major events scheduled within each community. There were events at clubs and hotels throughout the region but nothing targeted at the younger school-aged demographic.

The day of the events may have played a part in lower attendance rates. This was the first time in the last four years that the event has fallen on the second (middle) day of the long weekend.

8. Progressively implement Parkland Strategies and Recreation Framework as resources become available

N/A for reporting period.

Attachments

Nil

Recommendation

THAT Council receive the Sport and Recreation Report for the month of January 2020 and that the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council receive the Sport and Recreation Report for the month of January 2020 and that the contents be noted.”

Carried*Vote - Unanimous*

Subject:	Esk Racecourse Advisory Committee Meeting - 18 February 2020
File Ref:	Community services - meetings - 2016 - 2020 - Esk Racecourse Advisory Committee
Action Officer:	DCORP

Background/Summary

The quarterly meeting of the Committee was held on Tuesday, 18 February 2020.

Attachments

Meeting Report for Esk Racecourse Advisory Committee Meeting – 18 February 2020.

Recommendation

1. THAT Council receive the meeting Report for the quarterly meeting of the Esk Racecourse Advisory Committee held on Tuesday, 18 February 2020 and further
 - a) the Esk Racecourse Advisory Committee thank the Councillors on the Committee for their efforts during the last four years and congratulate them and the Council generally for the effort and funds being put into the Esk grounds as it is a credit to them and the community.
2. THAT Council commence negotiations to purchase Lot 2 RP 156749 and Lot 7 RP20825 due to the strategic nature of the land as it would provide a significant benefit to the operation of events held at the Esk Racecourse and Showgrounds.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“1. THAT Council receive the meeting Report for the quarterly meeting of the Esk Racecourse Advisory Committee held on Tuesday, 18 February 2020 and further

- a) the Esk Racecourse Advisory Committee thank the Councillors on the Committee for their efforts during the last four years and congratulate them and the Council generally for the effort and funds being put into the Esk grounds as it is a credit to them and the community.

2. THAT Council commence negotiations to purchase Lot 2 RP 156749 and Lot 7 RP20825 due to the strategic nature of the land as it would provide a significant benefit to the operation of events held at the Esk Racecourse and Showgrounds.”

Carried*Vote - Unanimous*

Subject:	RADF - Regional Arts Development Fund Committee Meeting - 17 February 2020
File Ref:	2019 - 2020 - RADF
Action Officer:	CCSO

Background/Summary

The Regional Arts Development Funding Committee met on Monday, 18 November 2019 to discuss miscellaneous items of business. The meeting report from the meeting is attached.

Attachments

Attachment 1 - Meeting Report for RADF Meeting of 17 February 2020

Recommendation

1. THAT Council receive the meeting report for the RADF Committee meeting held on Monday, 17 February 2020 and
2. THAT Council approve an amount of \$7000 for the Somerset Regional Council project "Generations Ukulele Project".

Resolution

Moved – Cr Hall

Seconded – Cr Ogg

- “1. THAT Council receive the meeting report for the RADF Committee meeting held on Monday, 17 February 2020; and
2. THAT Council approve an amount of \$7000 for the Somerset Regional Council project "Generations Ukulele Project."

Carried

Vote - Unanimous

Subject:	Vandalism - December 2019 - January 2020
File Ref:	Risk Assessment - Vandalism
Action Officer:	DCORP

Background/Summary

Council has previously resolved to be informed of incidences of wilful damage and destruction of Council property.

The following incidents were reported during the period of 1 December 2019 to 31 January 2020.

Date	Location	Incident
19 December 2020	Fernvale Skate Park, Clive Street Fernvale	Entire skate bowl graffitied
31 January 2020	Fernvale Memorial Park, Main Street Fernvale	Door on male toilets damaged – striker and lock latch bent

The Vandalism Repair Costs until 31 December 2019 are attached. There was no Insurance Claims relating to Vandalism for this period.

Attachments

Table – Vandalism Repair Costs – December 2019.

Recommendation

THAT Council receive the Vandalism Report for the period 1 December 2019 to 31 January 2020 and the contents be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council receive the Vandalism Report for the period 1 December 2019 to 31 January 2020 and the contents be noted.”

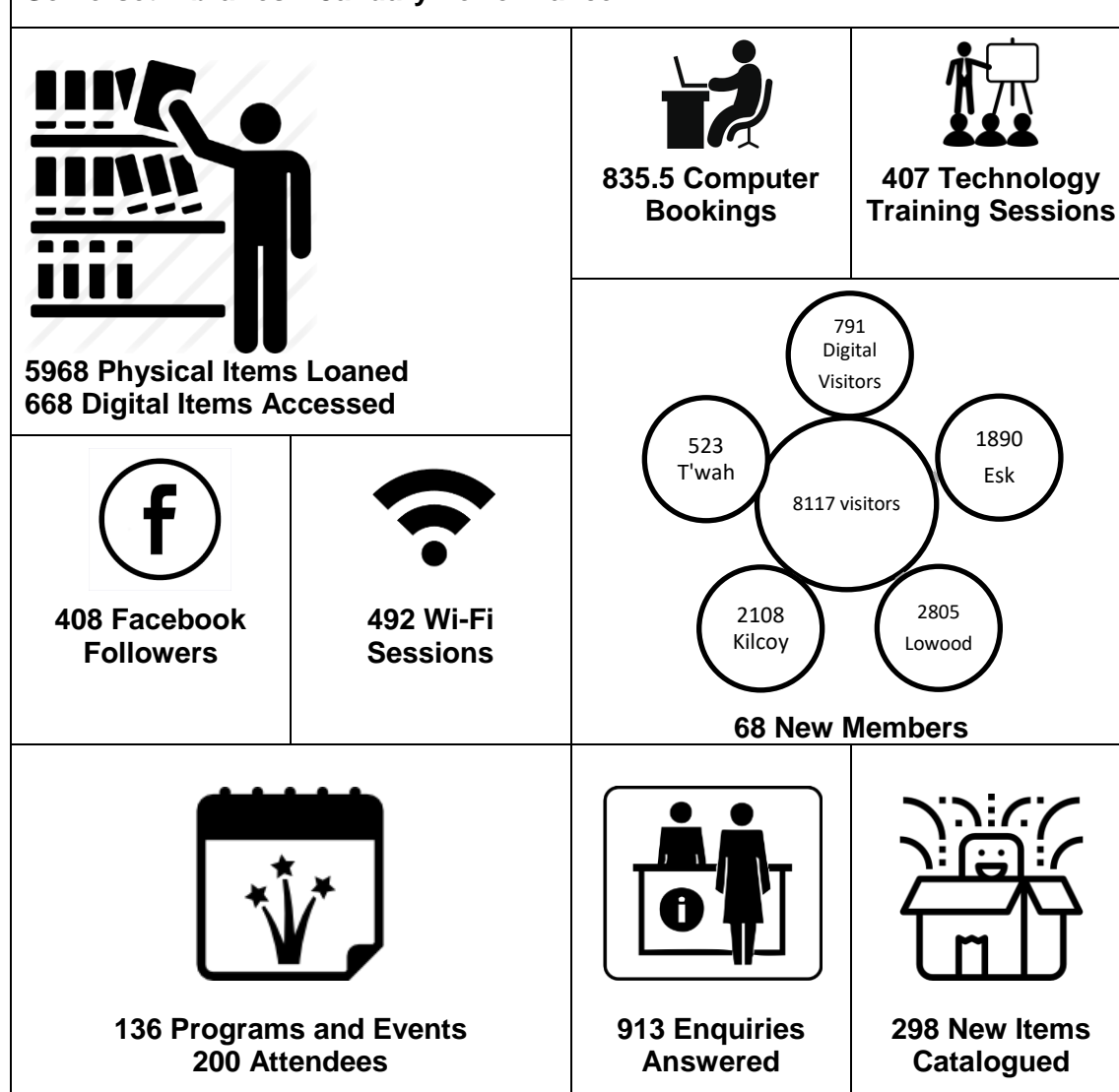
Carried

Vote - Unanimous

Subject: Somerset Libraries Officer’s report January 2020
File Ref: Officer report
Action Officer: (RL) Regional Librarian

Background/Summary

Somerset Libraries – January Performance



Summer Reading Club

Grant applications

Somerset Council were successful recipients of a State Library of Queensland *First Five Forever* project grant for \$12,762.

The project will fund the purchase of a trailer which will store current First Five Forever equipment and assist library staff with the delivery of library outreach aimed at families and children aged five and under to community groups and organisations across the region.

Be Connected State Library of Queensland training

Somerset Libraries have been nominated and selected to host two regional training workshops in 2020 on behalf of the State Library of Queensland.

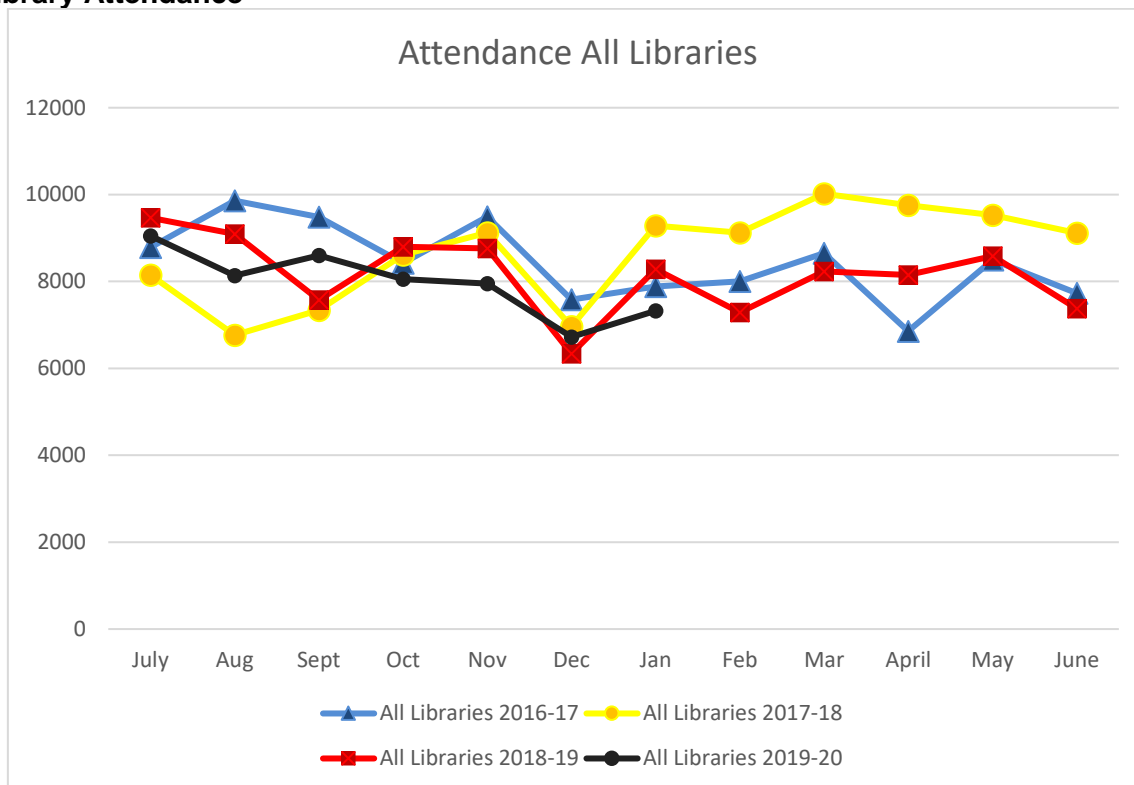
The focus of the first sessions is **Be connected** - an Australian government initiative committed to increasing the confidence, skills and online safety of older Australians.

The training will build skills, knowledge and the confidence of Council staff to deliver the Be connected program and other digital literacy initiatives that will add value and sense of purpose for why everyone in the community needs digital literacy skills to get online and be part of the digital world.

Upcoming Events

5 February 2020- Be Connected – Digital Mentor training
14 February - Library Lovers Day – Heart shaped basket craft @ Lowood Library –
14 February - Library Lovers Day – Origami Morning Tea @ Kilcoy Library
14 February - Library lovers Day – Author Talk @ Toogoolawah Library
14 February - Library Lovers Day – movie screening @ Esk Library –
18 February - Resume & Cover letter basics @ Lowood Library
22 February - Writing Memoir @ Esk Library
10 March – Sensational Succulents @ Lowood Library
18 March – My Health Record training @ Esk Library
24 March – Off the Grid @ Kilcoy Library
24 March – Designing Effective Posters @ Lowood Library
28 March – Introduction to Crime Writing @ Esk Library
5 April – Jillaroo Jive @ Esk
6 April – Jillaroo Jive @ Esk
7 April – Bug Hotel @ Kilcoy Library

Library Attendance



Attachments

Nil

Recommendation

THAT Council receive the *Somerset Libraries Officer Report for January 2020* and the contents be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Gaedtke

“THAT Council receive the *Somerset Libraries Officer Report for January 2020* and the contents be noted.”

Carried

Vote - Unanimous

RADF Cheque Presentation

Mayor Lehmann presented a RADF cheque to Mr Brian Wallace from the Kilcoy Art Society. The funding will be used to bring Sandra Pearce from Brisbane to conduct a print making workshop, and the weekend workshop is now fully subscribed. Mr Wallace thanked Council for the funding.

Adjournment of Meeting

The Mayor adjourned the meeting at 9.58 am for morning tea, resuming at 10.22 am.

Subject:	Parks and Gardens - Capital Works 2019/2020
File Ref:	Parks and Reserves - Design and Construction - Parks Structures
Action Officer:	Charlene Meehan, Parks and Gardens Foreman

Background/Summary

Councillors would be aware that \$22,000 capital works funding was allocated in the 2019/2020 budget to replace the small covered picnic setting in the Esk Skate Park (Barbour Memorial Park).

After further consideration, Council Officers have subsequently advised that:

- A large park shelter was installed at the skate park when the skate facilities were constructed in 2012.
- Supply of one park shelter at the skate park facility at Esk is consistent with the level of development at other skate park facilities within the region.
- Due to the layout of the skate park facilities in Esk, limited open space is available for another standard sized park shelter.
- Capital works funding allocated to the skate park at Esk would be better utilised to fund another shelter project within the Esk township.

Council officers have advised that that the installation of shelters over the two existing picnic tables in Pipeliner Park is also currently listed for consideration for future capital works funding due to ongoing community demand and aspirations for this park.

Pipeliner Park is a destination park with a high level of patronage and the reallocation of funding for an additional shelter at this park is considered by Council Officers to be the better utilisation of the capital works funding available.

Considering the above, approval is being sought for the funding allocated for the replacement of the small covered picnic setting at the Esk Skate Park to be used to construct a shelter over one of the existing picnic tables at Pipeliner Park (in a similar style to the existing shelters within the park).

The existing shelter will continue to be maintained for as long as possible. When replacement is required officers will review the location of the shelter to determine a more suitable location in Barbour Memorial Park.

Attachments

Location map and photos

Recommendation

THAT Council approve the reallocation of the \$22,000 capital works funding to enable the construction a shelter over an existing picnic table at Pipeliner Park; and for the small covered picnic setting in the Esk Skate Park to continue to be maintained for as long as possible.

Resolution

Moved – Cr Hall

Seconded – Cr Brieschke

“THAT Council approve the reallocation of the \$22,000 capital works funding to enable the construction a shelter over an existing picnic table

at Pipeliner Park; and for the small covered picnic setting in the Esk Skate Park to continue to be maintained for as long as possible."

Carried

Vote - Unanimous

Subject:	Community Assistance Grants 2019 - 20 - The West Moreton Landcare Group Inc - Doc Id 1171280
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

To assist with the costs of a storage container to be located on Brisbane Valley Rail Trail corridor land at the James Street, Lowood intersection of the trail.

Amount requested:	\$ 5,316
Total cost of project:	\$ 5,316
Amount recommended to be granted:	\$ 5,316 plus in-kind support

Assessor's Summary

The applicant states that the group is seeking funding for the purchase of a container for storage to be located temporarily on land owned by Transport and Main Roads (TMR) at James Street Lowood intersection (L 2 RP32309) of the Brisbane Valley Rail Trail (BVRT) Corridor. The group has obtained approval from TMR for the placement of the container.

The container is intended to house a ride on mower, grass trimmers etc. This equipment is used to maintain grassed areas and plantings along the rail corridor. The applicant further states that this equipment will be used by volunteers and participants in the Salvation Army's Work for the Dole Project.

The group outlines that the area attracts wide interest from visitors travelling to and through the town including members of numerous garden clubs.

The proposed location of the container is on a section of the BVRT that is leased by Council from TMR.

The temporary installation of the container on the BVRT corridor would require a building application, this has been considered in the project costings.

Council is due to commence work on a section of the Lowood BVRT, in the vicinity of the proposed location from James Street to Bushlark Road, Lowood. During construction of this project, Council could assist the group with an in-kind installation of a suitable foundation surface, footings, tie downs etc required under a building approval.

There is potential for a co-funded project for this site / surface to be re-purposed at a later date (e.g. shelter for BVRT users).

Attachments

Nil

Recommendation

THAT Council recommend the application as summarised in this report for funding and \$5,316

plus in-kind support be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with part of the cost associated with a storage container to be located on Brisbane Valley Rail Trail corridor land at the James Street, Lowood intersection of the trail.

Resolution

Moved – Cr Whalley

Seconded – Cr Ogg

“THAT Council recommend the application as summarised in this report for funding and \$5,316 plus in-kind support be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with part of the cost associated with a storage container to be located on Brisbane Valley Rail Trail corridor land at the James Street, Lowood intersection of the trail.”

Carried*Vote - Unanimous*

Subject:	Community Assistance Grants 2019 - 20 - Mt Beppo Public Hall Inc - Doc Id 1172358
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

To assist with the costs associated with building a covered, lockable outdoor area, including concrete slab and the lining and installation of storage cupboards to an internal storeroom.

Amount requested:	\$ 14,868.30
Total cost of project:	\$ 28,868.30
Amount recommended to be granted:	\$ 14,868.30

Assessor's Summary

The applicant states that the hall in its present state has no outdoor area and that the addition of a lockable storage area for hirers would provide an extra outdoor space for events close to the kitchen. The outdoor area will also include a lockable storage area for the mower, extra chairs and a BBQ.

The applicant has provided quotation from a local builder to construct the outdoor area, including the demolition and removal of a current existing cement slab that is not fit for purpose.

The group are also seeking to make internal improvements to the hall. The applicant states the internal storeroom, is currently unlined and has no cupboards for storage. Currently when the hall is hired to the public, the committee move stock out of the room. The addition of lining and cupboards will prevent the group from having to do this and would also provide vermin proofing to the storage area.

Attachments

Nil

Recommendation

THAT Council recommended the application as summarised in this report for funding and \$14,868.30 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with building a covered, lockable outdoor area,

including concrete slab and the lining and installation of storage cupboards to an internal storeroom.

Resolution

Moved – Cr Whalley

Seconded – Cr Hall

“THAT Council recommended the application as summarised in this report for funding and \$14,868.30 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with building a covered, lockable outdoor area, including concrete slab and the lining and installation of storage cupboards to an internal storeroom.”

Carried*Vote - Unanimous*

Subject:	Community Assistance Grants - Somerset Excellence Bursary 2019 - 2020 - Shari Anderson - Doc Id 1176277
File Ref:	Community Relations - Sponsorships - Somerset Excellence Bursaries
Action Officer:	DHRCS

Background/Summary

Council has received an application for financial assistance from Lisa Anderson, on behalf of her daughter, Shari Anderson from Sandy Creek. Shari has been selected as a member of the Under 15 School Sport Sunshine Coast Regional Cricket Team and has been invited to attend Queensland School Sport State Cricket Championship that was held in Mackay from 9-12 November 2019.

Shari has previously been the recipient of a Regional Level Bursary. Please note, this application has received approval to be considered post-event due to extenuating circumstances. This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$100 for Regional Level representation.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Lisa Anderson, on behalf of her daughter Shari, who has been invited to attend the Queensland School Sport State Cricket Championship that was held in Mackay from 9-12 November 2019.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Lisa Anderson, on behalf of her daughter Shari, who has been invited to attend the Queensland School Sport State Cricket Championship that was held in Mackay from 9-12 November 2019.”

Carried*Vote - Unanimous*

Meetings authorised by Council

Nil

Councillor Reports

Cr Gaedtke - Councillor report

February 2020

- 13 Brisbane Valley Interagency - Discussion took place around the lack of medical services in Esk, Lowood and Fernvale
- 17 Kilcoy State High School Investiture
Toogoolawah State High School Student Leaders Investiture
Resident Meeting
RADF Committee Meeting
- 18 Tourism Advisory and Economic Development Committee Meeting
Meeting with Town Planning staff
Resident Meeting
- 19 Traffic Safety Advisory Committee Meeting
Disaster Management Meeting
Resident Meeting x 2
Brisbane Valley Kilcoy Landcare Group monthly meeting
- 20 Kilcoy Art Society Inc. AGM and monthly meeting
Kilcoy Chamber of Commerce and Community – ANZ Bank Closure public meeting
Sheep Station Creek Progress Association Inc monthly meeting
- 21 Channel 9 – ANZ Bank Closure
- 22 Channel 9 – ANZ Bank Closure
Lowood Lions Youth of the Year 2020
- 25 Kilcoy Interagency monthly meeting

Following much discussion and public representation, it is apparent that residents and businesses alike will have to work around the fact that Kilcoy ANZ Bank and associated banking services are no longer available in Kilcoy. I have been contacted by the landlord of the premises that was leased by ANZ Bank and I am aware of their disappointment in this matter. Alternatives are to enquire of the banking services offered by Australia Post, and rally around for the establishment of an agency or a community modelled bank branch. From further discussions it is evident businesses are already considering future processes and necessary banking changes. I believe that the most challenged by this closure is our elderly, and special attention will be required to assist this sector of future banking needs.

Cr Sean Choat - Councillor report

February 2020

- 12 Council General Meeting and Workshop – Council Chambers Esk
- 15 Lowood Slimmers Fashion Parade Fundraiser
- 17 Kilcoy State High School Investiture
- 17 Toogoolawah State High School Investiture
- 18 Lowood and Districts Residents Network Meeting
- 19 Traffic and Safety Advisory Committee Meeting – Council Chambers Esk
- 19 Local Disaster Management Group Meeting – Council Chambers Esk

22 Lowood Lions Youth of the Year selection and awards

Cr Choat congratulated the Lions Youth of the Year participants.

Cr Helen Brieschke - Councillor report

February 2020

- 13 Brisbane Valley Interagency Meeting, Fernvale Futures
- 17 Toogoolawah State High School Investiture ceremony
Toogoolawah State High School P & C meeting
- 18 SRC Tourism Advisory and Economic Development meeting
- 19 Traffic Safety Advisory Committee meeting
Local Disaster Management meeting
Brisbane Valley Kilcoy Landcare meeting
- 20 Lowood Lions Youth of the Year Student interviews, Lowood High School
- 21 Partner Project Foundation Group Meeting, Lowood
- 22 Lowood Lions Youth of the Year Quest, Lowood Show Hall
- 25 Visit to Toogoolawah Railway Station precinct with Director Operations
- 26 Ordinary Council Meeting

Report

Lowood Lions Youth of the Year

I had the honour of participating on the judging panel for the Lowood Lions Youth of the Year Quest last weekend. I have to admit I don't know who was more nervous, the young participants or the judges. The presentations were extraordinary and thought provoking and I congratulate the five students Matt Leschke, Emily Stephen, Mackenzie Lukritz, Raiden Shannon and Karly McDonald, parents and Lowood High School teachers.

In the end it came down to a mathematical calculation of scores with Mackenzie Lukritz as a finalist and Emily Stephen as a public speaker.

Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

"THAT the verbal and written reports of Cr Gaedtke, Cr Choat and Cr Brieschke be received and the contents noted."

Carried

Vote - Unanimous

Thank you to Steve Brennan (Acting Director Planning)

Mayor Lehmann, on behalf of Council, thanked Mr Steve Brennan (Senior Environmental Health Officer) for taking on the role of Acting Director Planning and Development over the past months during the recruitment process for a new Director Planning and Development. The Mayor noted that Mr Brennan's assistance and input into this role has been much appreciated.

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closure of Meeting

Summary

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.32 am.