



**Minutes of Ordinary Meeting
Held Wednesday 26 October 2016**

*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)
Mr R Bain	(Chief Executive Officer)
Mr C Payne	(Manager Corporate and Community Services)
Mr T Jacobs	(Manager Operations)
Mr B Sully	(Manager Planning and Development)
Mr G Smith	(Manager Finance)
Mrs S Pitkin	(Minute Secretary)
Ms M Maesele	(Communications Coordinator)

Apology

Cr B Whalley	(Councillor)
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Opening of Meeting

The Mayor, Cr Graeme Lehmann, opened the meeting at 9am.

Leave of Absence

Nil

Confirmation of Minutes

Decision	Moved – Cr Hall	Seconded – Cr Ogg
<p>“THAT the Minutes of the Ordinary Meeting held on 12 October 2016 as circulated to all Members of Council be confirmed”.</p> <p style="text-align: right;"><u>Carried</u></p>		

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Cr Hall – Matters of Public Interest**

26 October 2016	Lowood State High School Awards
28 October 2016	Kilcoy State High School Awards
29 October 2016	Rural Fire Brigade presentation at Gatton
31 October 2016	Agforce meeting at 5.30pm - Toogoolawah Showgrounds
7-10 October 2016	Mayor, Cr Hall and Cr Choat will attend the Pest Management Symposium at Townsville

Cr Brieschke – Matters of Public Interest

26 October 2016	<p>I am looking forward to the official bridge opening, 2.30pm, Hine Road, Dundas today. The opening not only recognises the Northbrook Bridge and Causeway, but those at Scrubby Creek, Jenkinsons, Taylors, Postmans Gully, Duck Creek, Fredrickson, and Hardings crossing.</p> <p>Lowood State High School Awards evening.</p>
27 October 2016	Mobile Hub day around the region
28 October 2016	Kilcoy State High School Awards, 9.15am
29 October 2016	The McConnel family will be hosting a private event to celebrate the 175 th Anniversary of Cressbrook Station.
6 November 2016	Fernvale Car and Bike Show
9 November 2016	Esk Cultural Festival Committee meeting, 7pm CWA Hall
10 November 2016	Lowood High School Robotics Program presentation - 4.30 - 5.30pm
12 November 2016	Caboonbah Undenominational Church Annual Service, 11am and please bring a plate to share at the picnic.

Cr Choat – Matters of Public Interest

Cr Choat noted the various awards nights for Year Twelves at Kilcoy Toogoolawah and Lowood. These students are about to enter into their final exam period, and Cr Choat wants them to understand that the community is behind them and wishes them well in their studies, and success and into the future.

Cr Gaedtke – Matters of Public Interest

29 October 2016	Billy Tea and Damper Big Breakfast and Bush Poetry – Toogoolawah Anglican Church
29 October 2016	Day in the Vines - C and K Kilcoy Kindergarten
03 November 2016	Craft Morning – Esk CWA
06 November 2016	Car and Bike Show – Fernvale
12 November 2016	Pig Races, Harlin Hotel
12 November 2016	Caboonbah Undenominational Church Annual Service
12 November 2016	Lowood Show Society Dinner Dance

Subject:	Environmental Health Monthly Report September 2016
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	SEHO

Background/Summary

In delivering on the themes identified in Council's current Operational Plan, it is with pleasure that we submit a synopsis of the section's activities during the month of September 2016.

NATURAL SOMERSET

The pest management program is implemented

- *Continue public awareness programme to educate the community on invasive plant and animal impacts, identification and control.*
- *Implement actions listed in the Biosecurity Plan.*

Invasive Animal Control

The following is a summary of pest animal control activities for the month:

Wild dogs

- **1080 Baits injected:** 278 wild dog baits, 92 feral pig baits. The next advertised 1080 baiting program day will be held on 14 November 2016.
- **Dingo scalps presented:** 3

Rabbits

- Officers have been working with landholders to control rabbit infestations in the following areas; Biarra, Toogoolawah, Hazeldean, Biarra and Mt Beppo.
- Officers are continuing to work closely with Seqwater controlling rabbits around Somerset Dam.

Feral Pigs

- Feral pigs have been reported to be impacting on properties in the Jimna area.

Officers have deployed Council's portable panel pig trap on a private property in the Jimna area that is being impacted by feral pigs. During the month a total of 30 feral pigs were trapped and destroyed on this property.

Invasive Plant Control

The table below illustrates the times of the year inspection and treatment programs are critical for the control of specific restricted invasive plants. The table also differentiates when regular and minimal control is required.

Restricted Invasive Plant – Biosecurity Act 2015	Summer (Dec—Feb)	Autumn (Mar—May)	Winter (Jun—Aug)	Spring (Sep—Nov)
Honey Locust				
Annual Ragweed				
Fireweed				
Parramatta Grass spp				
Giant Rat's Tail Grass				
Groundsel Bush				
Mother of Millions				
African Boxthorn				
Parthenium				
Water hyacinth				
Water Lettuce				
Hymenachne				

LEGEND:

Critical control/Intensive Inspection Period (Pre-flowing/Severe Growth period) 

Regular Control/Routine Inspection Conducted (Regular plant growth) 

Minimal Control/No inspection conducted (Minimal at no plant growth) 

A summary of invasive plant treatment on Council controlled land for the month is as follows:

- **Fireweed** - at Lowood, Fernvale, Jimna, Wanora and Sandy Creek, Neurum, Minden, Coominya, Atkinson Dam, Glamorganvale, Coolana, Prenzlau, Minden, Tarampa and Clarendon.
- **Groundsel** – at Lowood, Minden and Coominya.
- **Giant rat's tail grass** – at Sandy Creek, Mt Kilcoy, Fernvale, Wivenhoe Pocket, and Coominya.
- **Mother of Millions** – at Fernvale and Lowood.
- **Element 5** – Department of Transport and Main Road work was conducted on – Brisbane Valley Highway, Esk Kilcoy Road, D'Aguilar Highway West and Coominya Connection Road.

- **Main Roads Guide Post Spraying** - Brisbane Valley Highway, Esk Hampton Road, Mt Glorious and Wivenhoe Somerset Road.
- **Herbicide applied:** 8220L.

The following is a summary of other invasive plant activities for the month:

- Officers have been dealing with a spike in customers service requests (over 70 CSR's) relating to fireweed and requests for assistance in producing property pest management plans and eligibility for Council's Chemical Subsidy Program.

VIBRANT SOMERSET

Swimming pool water quality meets health standards

Water samples from the Toogoolawah, Kilcoy, and Lowood pools were collected during September to monitor for compliance with the *Queensland Health Swimming and Spa Pool Water Quality and Operational Guidelines, 2004*. All samples collected complied with the Queensland Health guidelines.

Immunisation clinics are conducted in line with the service provider agreement with Queensland Health

Council delivers a school based vaccination program at the Lowood and Toogoolawah High Schools under a service provider agreement with the State of Queensland. The second of three clinics was successfully delivered on 13 September 2016 for year 7 and 8 students.

The annual inspection and licensing program is implemented

- *Ensure that food businesses prepare and sell food that is safe and suitable*
- *Inspections are conducted of premises required to hold licences*
- *Ensure that businesses are compliant with licensing requirements*

In delivering the annual inspection program, a total of six (6) food business inspections were conducted during the month.

A summary of licences and approvals issued during August includes:

- Two (2) public place activity approvals.
- Four (4) temporary food business licences.
- Two (2) food business licences and 13 mobile food business licences.
- Three (3) temporary entertainment event approvals.

Food businesses, community groups and the general public are better informed about food safety

Council subscribes to the I'm ALERT food safety training package which offers food businesses, community groups, schools and the general public access to free online interactive food safety training. Just go to www.somerset.imalert.com.au

Since subscribing in June 2012, **875** users have utilised the site including **74** for the month of September.

Community is better informed about mosquito management. Mosquito management program is implemented

Council continues to provide information regarding mosquito management methods to the community through officer advice, Council's website and the Local Government Toolbox.

Council is currently planning an annual mosquito surveillance program in conjunction with

Queensland Health in various towns and villages in the region that will target the Dengue fever and Zika virus vectors; *Aedes aegypti* and *Aedes albopictus*.

The main aim of the annual surveillance program is to establish the level of confidence in -

- the assumption that mosquitoes *Aedes aegypti* or *Aedes albopictus* are **not** present in the Somerset Region, and
- the likelihood of early detection – to facilitate eradication.

In addition to the Queensland Dengue Management Plan 2015 – 2020; Queensland Health is currently working with local governments in SEQ to establish an emergency response framework that will be triggered on confirmation of positive *Aedes aegypti* or *Aedes albopictus* identification in SEQ.

Compliance and other activities

Staff received and investigated a total of **108** customer service requests during September relating to issues such as odour, dust and smoke nuisance, illegal dumping and invasive plants and animal investigations. During the month the following compliance actions were taken:

- Four advisory letters issued under the *Environmental Protection Act 1994* in relation to smoke and noise nuisance.
- One advisory letter issued under the *Public Health Act 2005* in relation to mosquitoes.

A total of 38 property searches were processed during the month.

Attachment

Nil

Recommendation

THAT the report be received and the contents noted.

Decision:	Moved - Cr Brieschke	Seconded - Cr Ogg
	"THAT the report be received and the contents noted."	
		<u>Carried</u>

Subject:	Regulatory Services Monthly Report - September 2016
File No:	Governance - Reporting - Officers Report 2016
Action Officer Ref:	LLO

Background/Summary

In delivering on the Themes identified in Council's current Operational Plan, it is with pleasure that I submit a synopsis of the Section's activities during the month of September 2016.

VIBRANT SOMERSET

- Conduct an ongoing compliance program for dogs/cats, breaches of local laws and kennels across the region

Regulatory Services Officers and the Local Laws Officer concentrated over the reporting period on responding to customer complaints. After hour patrols resulted in three (3) people selling animals from the Fernvale markets front entrance being spoken to and removed.

A family living in a caravan at Twin Bridges were asked to move on after a dog attack occurred in an area not designated for camping. The complainant left the area before any further information could be obtained.

Officers also continue to enforce confinement of dogs as a priority because the instances of wandering dogs increases risk to other pets, humans and livestock, and consumes time and resources of Regulatory Services. De sexed animals are less likely to wander so Council will continue to encourage people to have their pet de sexed.

- *Follow up on twenty four (24) outstanding dog registrations*

Twelve (12) infringement notices were issued over the September period for failing to register an animal.

Kennel Inspections have been completed for the last financial year -

Animal Owners	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
	3094	3142	3184									
Outstanding registration renewals	627	456	432									
53 Kennel Inspections	53	0	0									

- *Encourage responsible pet ownership:*

Responsible Pet Ownership Brochures are located at various organisations Including vets and boarding kennels.

- Brochures are included in new resident kits – mailed out when residents move into a new premise.
- Information flyer with registration renewals provided in the mail.
- Media Releases on topical issues are placed in local newspapers, information signage and our website.

- *Investigate and take action on animal/local law complaints*

A total of two hundred and ten (210) complaints and compliance tasks were received and actioned for the month of September. Wandering animals and barking dogs continue to be a concern with the public and represented the majority of enquires to Council.

Four Hundred and Seventy Seven (477) Customer Service phone enquiries were taken for Regulatory Services during the September period.

Small Animal Control Statistics

Month	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Dogs Impounded	14	14	12									
Cats Impounded	9	7	4									

Subject:	Host Home Accommodation - Club Verdigris Eco Retreat - 70 Baisdens Lane, Toogoolawah
File Ref:	05025-00000-000 – Lot 3 RP161246 - P335990
Action Officer:	BS

Background/Summary

I refer to Item 9 in today's agenda and wish to advise that I accompanied several Councillors on a site inspection of the subject land on Monday 24 October 2016. The owners were keen to have Councillors better understand the standard of the accommodation provided and the difficulties they were experiencing in securing their relevant building and plumbing permits.

It was clear from discussions that the continued operation of the facility was necessary if they were to secure sufficient finances to obtain their building and plumbing permits. (Refer Agenda Item 9 for context).

Following discussions it was agreed that the owners may continue to operate their tourism facility provided the necessary building and plumbing applications were lodged by the 31 March 2017.

Attachments

Nil

Recommendation

THAT Council endorse the undertaking that the tourism accommodation facilities may continue to operate provided the necessary building and plumbing applications are lodged with Council by 31 March 2017.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Hall
<p>"THAT Council endorse the undertaking that the tourism accommodation facilities may continue to operate provided the necessary building and plumbing applications are finalised with Council by 31 March 2017."</p>		
<p style="text-align: right;"><u>Carried</u></p>		

Subject:	State Koala Submission
File Ref:	Environmental Management - Programs - Wildlife and Conservation Management
Action Officer:	NRMO

Background/Summary

In June 2016 the State Government announced a substantial increase in the amount of funding that Koala Conservation initiatives will receive in Queensland over the coming 4 years (refer Attachment 1).

In response, Somerset Regional Council sent a letter to Minister Miles to congratulate him (on behalf of his Government) for this initiative, highlighting our support for additional Koala conservation effort, and a willingness to participate as we are able (refer Attachment 2).

Consequently, Somerset Regional Council received acknowledgment of our letter (refer Attachment 3), and on 30 September 2016, a formal invitation to participate in a review of the Koala conservation measures (refer Attachment 4). It is worth noting that the majority of the Koala Conservation measures and approaches outlined are State legislative or State facilitated programs, however the implementation of these initiatives inevitably involve numerous stakeholders at a local level, and may require Local Government/s to reflect such changes should there be a consensus at the conclusion of this process.

In respect of this chain of correspondence, please refer to Attachment 5, outlining a proposed Somerset Regional Council submission to the Koala Policy and Oversight Team per the recent Invitation. The proposed submission is presented to Council for consideration and endorsement of the entailed principles prior to submission.

Attachments

Attachment 1 – State Media Release - Queensland bolsters koala protection with \$12 million budget boost
 Attachment 2 – Somerset Regional Council – Letter to Minister Miles
 Attachment 3 – Department of Environment and heritage Protection – Letter of response
 Attachment 4 – Invitation for submission (and attachment)
 Attachment 5 – Somerset Regional Council - Proposed submission (including *Koala population distribution and habitat mapping in the Somerset Region* report referenced as attached)

Recommendation

THAT the submission as presented in Attachment 5 is noted, and endorsed for formal submission to the Koala Policy and Oversight Team (per Attachment 4).

Decision:	Moved - Cr Hall	Seconded - Cr Gaedtke
	"THAT the submission be held over until the Vegetation Management matters have been processed."	
		<u>Carried</u>

Subject:	Development Application No 16248 - Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling)
File No:	DA16248
Assessment No:	34589-00000-000
Action Officer:	PO-MJ

Subject Land

Location	597 Brisbane Valley Highway, Wanora
Real Property Description	Lot 645 on CC2654
Area	1.798ha
Current land use	Dwelling
Easements and Encumbrances	Nil

Somerset Region Planning Scheme 2016

Zone	Rural
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SEQ Regional Plan 2009-2031

Category	Regional Landscape and Rural Production Area
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Application

Level of Assessment	CODE
Applicant/s	Manning and Dona Whiley
Applicants contact details	597 Brisbane Valley Highway Wanora QLD 4306
Date application received	5 September 2016
Date properly made	6 September 2016

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil
Third Party Advice Agencies	Nil

Attachments

1. Site plan – prepared by Asset Outdoor Additions
2. Elevations - prepared by Asset Outdoor Additions
3. Floor plan – prepared by applicant

RECOMMENDED DECISION

Approve the Development Application subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 APPLICATION

Pursuant to Chapter 6 Section 260(1) and (3) of the *Sustainable Planning Act 2009 (SPA)*, the applicant has made a properly made development application and is seeking approval for a Development Permit for Making a Material Change of Use for a Dwelling house (Secondary dwelling).

The following level of assessment applies to the development under the Somerset Region Planning Scheme as the site is located within the Rural Zone:

- Code Assessable for a Dwelling house (Secondary dwelling)

The application will be assessed against the relevant matters set out in section 314 of *SPA*.

An application is required because the development of a second dwelling on a property triggers assessable development.

2.0 PROPOSAL

A Dwelling house (secondary dwelling) has been established on the subject property located at 597 Brisbane Valley Highway, Wanora without the appropriate development permits being in place. In an attempt to formalise the existing building the landowner's have now lodged the material change of use development application, along with a plumbing and drainage application. The secondary dwelling contains a bedroom, bathroom, kitchenette, deck and living spaces. A separate roof structure is located over the secondary dwelling which functions as a roof over the deck. The liveable area of the secondary dwelling is 27m².

The applicant has advised that the secondary dwelling is to be used to provide a dwelling for members of the land owner's family.

3.0 SITE DETAILS

The property is a small scale rural property with an area of 1.798ha. The property contains areas of vegetation and has frontage to the Brisbane Valley Highway. The property is regular

in shape and is predominantly flat.

4.0 SURROUNDING LAND USES

The property is surrounded by similar sized rural properties that typically contain detached dwellings and associated out buildings.

5.0 ASSESSMENT

STATE LEGISLATION

This application is made under the provisions of the *Sustainable Planning Act 2009*. As such it is subject to the requirements of the Regulatory Provisions of the South East Queensland Regional Plan 2009-2031 (SEQRP), relevant Acts and State Planning Policies. The site is located within the Regional Landscape and Rural Production Area under the SEQRP. The proposed development is consistent with the strategic intent requirements for area. The proposed use does not require assessment against the SEQRP Regulatory Provisions and the application did not require referral to the Department of Infrastructure, Local Government and Planning (DILGP).

VEGETATION MANAGEMENT ACT 1999

There is no vegetation of significance as per the Department of Environment and Resource Management mapping.

ENVIRONMENTAL PROTECTION ACT 1994

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

STATE PLANNING POLICIES

The requirements of the State Planning Policy April 2016 are incorporated into the Somerset Region Planning Scheme, as such a separate assessment is not required.

6.0 LOCAL GOVERNMENT LEGISLATION

The Somerset Region Planning Scheme identifies relevant codes and overlays against which the development is to be assessed with proposed solutions measured against the performance outcomes proposed by the Code. In instances where alternative solutions are provided in lieu of the probable solutions they are discussed below.

Applicable Code	Performance Outcome Compliance	Is an Alternative Solution Provided?
Rural zone code	Yes	Not required
Dwelling house code	Yes	No
Transport, access and parking code	Yes	Not required
Applicable Overlay Code	Performance Outcome Compliance	Is an Alternative Solution Provided?
Air transport overlay code	Yes	Not required
Biodiversity overlay code	Yes	No
Bushfire hazard overlay code	Yes	Not required
Scenic amenity overlay code	Yes	Not required

The development as proposed complies with the provisions of the relevant codes identified in the Somerset Region Planning Scheme with the exception of the following.

Dwelling House Code

Performance Outcomes	Acceptable Solutions
PO1 The scale, intensity, and siting of <i>dwelling houses</i> maintains the character and amenity of the locality.	AO1.5 A <i>dwelling house</i> in the Rural zone is located a minimum of 15 metres from any side boundary.
PO7 <i>Secondary dwellings:</i> (a) are designed and sited to maintain local character and amenity; (b) are visually compatible with the existing <i>dwelling house</i> ; and are located in proximity to the principal <i>dwelling</i> .	AO7.1 The <i>secondary dwelling</i> is no closer to the front boundary of the <i>premises</i> than the principal <i>dwelling house</i> . AO7.2 In the Rural zone, the <i>secondary dwelling</i> is located a minimum of 15 metres from any side boundary.
Applicants' Alternative Solution	
None provided	
Officer comment	
AO1.5 and PO7.2 Alternative Solution The secondary dwelling is to be located 5m from the southern side boundary which is a similar setback to an existing shed on the subject land. The secondary dwelling is separated from the dwelling house on the adjoining property by about 60 metres. It is anticipated that the character and amenity of the locality will not be impacted by the secondary dwelling.	
AO7.1 Alternative Solution The secondary dwelling is located closer to the primary road frontage than the existing dwelling house by around 50 metres. The secondary dwelling has been designed in a way to be small scale to ensure the local character and amenity is not adversely impacted. To ensure the secondary dwelling is consistent with the character and amenity of the area it may be beneficial to require landscaping in front of the dwelling to provide a visual buffer to the Brisbane Valley Highway. The secondary dwelling is located in close proximity to the main house.	

Biodiversity overlay code

Performance outcome	Acceptable outcome
PO14 <i>Development</i> is sufficiently setback and minimises impacts on koalas, koala habitat values, and koala habitat connectivity and employs measures to manage impacts on koala biodiversity values. Note - Koalas are listed as vulnerable under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act). Referral under the EPBC is required for certain actions.	Where for <i>Material Change of Use</i> AO14.3 A minimum setback of 50 metres is provided between <i>buildings</i> and <i>structures</i> and areas mapped as bushland koala habitat on Biodiversity overlay maps OM-003c-d. Where within the Rural zone or Rural residential zone AO14.6 Where within the Rural zone or Rural residential zone the minimum setbacks

Note - Where a suitably qualified person demonstrates that the mapped koala habitat values attributed to the site are not present on the site the above performance outcome may not apply (subject to Council discretion).	identified in AO14.3 to AO14.5 are taken to be 100 metres.
Applicant comment	
None provided	
Officer comment	
The secondary dwelling has been positioned in a location that did not require the removal of any vegetation. Given the small scale nature of the dwelling it is anticipated that there will be minimal impact on the mapped secondary koala habitat.	

7.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

Water Supply

The secondary dwelling will require on-site water storage of 45,000L.

Sewerage

The secondary dwelling will require connection to on-site effluent disposal.

Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater. However, the landowners must ensure that stormwater is connected to a legal point of discharge.

Roads

The secondary dwelling will gain access via the existing driveway.

Services

All infrastructure and services including the provision of electricity and telecommunication services are available to the site.

Infrastructure Charges

The subject land is located within the Rural zone, the stormwater and park and open space charges are therefore not applicable.

Heritage

The site neither adjoins nor contains a heritage feature listed in either the State Queensland Heritage Register or Council's Local Heritage Register.

8.0 STATE AGENCY REFERRALS

Concurrence Agencies

There are no Concurrence Agencies relating to this application.

Despite the subject land having frontage to the Brisbane Valley Highway which is a State controlled road, the Department of Infrastructure, Local Government and Planning were not triggered as a concurrence agency. The *Sustainable Planning Regulation 2009* identifies that a secondary dwelling is an excluded material change of use for which referral is not required where the subject land fronts a State controlled road.

Advice Agencies

There are no Advice Agencies relating to this application.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for Making a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 645 on CC2654 and situated at 597 Brisbane Valley Highway, Wanora subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> • Site plan – prepared by Asset Outdoor Additions • Elevations - prepared by Asset Outdoor Additions • Floor plan – prepared by applicant 	At all times
1.2	Comply with 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.	During Building Works and Plumbing/Drainage Stages
1.4	Provide a minimum storage capacity of 45,000-litre rain water tank supply capable of capturing roof run-off and connected to service all domestic water consumption needs of the "Secondary dwelling".	Prior to commencement of the use
1.5	On-site effluent disposal is to be compliant with the relevant standards.	Prior to commencement of the use
1.6	During construction phases measures are taken in construction practices to not increase the risk of death or injury to koalas.	During construction phase
1.7	On site fencing: <ul style="list-style-type: none"> (a) consists of post and rail with a minimum gap of 300 millimetres between rails, or (b) other fencing material that has holes or gaps of a minimum of 300 millimetres in diameter, and the first gap is flush with the ground or no more than 400 millimetres from the ground. 	At all times

1.8	Clothes washing facilities are to be included within the secondary dwelling.	Prior to commencement of use
1.9	The secondary dwelling is to utilise the existing access to the Brisbane Valley Highway, no additional access points to the highway are permitted.	At all times
1.10	The secondary dwelling is to only be occupied by a relative of the principal household.	At all times
1.11	Screening is to be provided on the eastern side of the secondary dwelling to provide a buffer to the Brisbane Valley Highway. The screening is to be effected either by the planting and maintenance of trees and shrubs, by the establishment and maintenance of grassed and vegetated earth mounds, by the erection of screen fences or any combination of these. Any planting is to be dominated by native species.	Prior to commencement of use and At all times
SCHEDULE 2 – Engineering <i>Assessment Manager</i>		
No	Condition	Timing
2.1	Ensure stormwater drainage is directed to a lawful point of discharge.	Before the change happens
2.2	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Before the change happens
2.4	Building Works and Plumbing and Drainage Works approval must be gained.	Before the Certificate of Classification for the building work is issued
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
2.6	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.	Before the change happens
SCHEDULE 3 – Environmental <i>Assessment Manager</i>		
No	Condition	Timing
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.	Before the change happens
Advice		
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' – being 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 <i>Division 8 Section 461</i> 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].		
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.		

Attachments for the Decision Notice include:

- Site plan - prepared by Asset Outdoor Additions
- Elevations - prepared by Asset Outdoor Additions
- Floor plan - prepared by applicant

Decision:	Moved - Cr Choat	Seconded - Cr Ogg
<p>"THAT Council approve the Development Application for a Development Permit for Making a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 645 on CC2654 and situated at 597 Brisbane Valley Highway, Wanora subject to the requirements and conditions contained in the Schedules and Attachments.</p>		
SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development in accordance with the material	At all times

	<p>contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <ul style="list-style-type: none"> • Site plan – prepared by Asset Outdoor Additions • Elevations - prepared by Asset Outdoor Additions • Floor plan – prepared by applicant 	
1.2	Comply with 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.	During Building Works and Plumbing/Drainage Stages
1.4	Provide a minimum storage capacity of 45,000-litre rain water tank supply capable of capturing roof run-off and connected to service all domestic water consumption needs of the "Secondary dwelling".	Prior to commencement of the use
1.5	On-site effluent disposal is to be compliant with the relevant standards.	Prior to commencement of the use
1.6	During construction phases measures are taken in construction practices to not increase the risk of death or injury to koalas.	During construction phase
1.7	<p>On site fencing:</p> <p>(a) consists of post and rail with a minimum gap of 300 millimetres between rails, or</p> <p>(b) other fencing material that has holes or gaps of a minimum of 300 millimetres in diameter, and the first gap is flush with the ground or no more than 400 millimetres from the ground.</p>	At all times
1.8	Clothes washing facilities are to be included within the secondary dwelling.	Prior to commencement of use
1.9	The secondary dwelling is to utilise the existing access to the Brisbane Valley Highway, no additional access points to the highway are permitted.	At all times
1.10	The secondary dwelling is to only be occupied by a relative of the principal household.	At all times
1.11	Screening is to be provided on the eastern side of the secondary dwelling to provide a buffer to the Brisbane Valley	Prior to commencement of

	Highway. The screening is to be effected either by the planting and maintenance of trees and shrubs, by the establishment and maintenance of grassed and vegetated earth mounds, by the erection of screen fences or any combination of these. Any planting is to be dominated by native species.	use and At all times
SCHEDULE 2 – Engineering <i>Assessment Manager</i>		
No	Condition	Timing
2.1	Ensure stormwater drainage is directed to a lawful point of discharge.	Before the change happens
2.2	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Before the change happens
2.4	Building Works and Plumbing and Drainage Works approval must be gained.	Before the Certificate of Classification for the building work is issued
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
2.6	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.	Before the change happens
SCHEDULE 3 – Environmental <i>Assessment Manager</i>		
No	Condition	Timing
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.	Before the change happens
Advice		
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' – being 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 section 242 of the 'Act'. <i>[A copy of the Right of Appeal will be enclosed with the Decision Notice]</i> .
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."
<u>Carried</u>

Subject:	Development Application No 14663 - Application for a Development Permit for a Reconfiguration of a Lot by subdivision 1 into 116 lots
File No:	DA14663
Assessment No:	34725-60000-000
Action Officer:	PO-RG

Subject Land

Location	Muckerts Lane, Fernvale
Real Property Description	Lot 31 SP152273
Area	29.05 Hectares
Current land use	Vacant
Easements and Encumbrances	N/A

Former Esk Shire's Planning Scheme 2005 (as amended)

Zone	Town
Precinct	General Residential
Structure Plan	N/A

SEQ Regional Plan 2009-2031

Category	Urban Footprint
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Application

Level of Assessment	CODE
Applicant/s	Fernvale Downs Pty Ltd
Applicants contact details	C/- Landpartners Limited PO Box 3916 South Brisbane QLD 4101

Land Owner/s
Date properly made

Fernvale Downs Pty Ltd
29 September 2014

Referral Agency
Concurrence Agency

Department of Infrastructure Local
Government and Planning (SARA)

Attachments

1. Proposal plan: BR005059.000-010 Rev N, dated 07.12.16, prepared by LandPartners and amended by Council on 05.08.16
2. SARA Referral Response Ref: SDA-0316-029119, dated 29.04.16
3. Draft Infrastructure Charges Notice

RECOMMENDED DECISION

Approve the Development Application subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 APPLICATION

Pursuant to Chapter 6 Section 260(1) and (3) of the *Sustainable Planning Act 2009 (SPA)*, the applicant has made a properly made development application and is seeking approval for a Development Permit for a Reconfiguration of a Lot by subdivision 1 into 116 lots over three stages.

The following level of assessment applies to the development under the Former Esk Shire's Planning Scheme 2005 (as amended) as the site is located within the Township Zone – General Residential Precinct:

- Code Assessable for Reconfiguring a Lot

The application will be assessed against the relevant matters set out in section 314 of *SPA*.

An application is required because Reconfiguring a Lot by subdivision in the Town Zone triggers an assessable development.

2.0 PROPOSAL

It is proposed that the existing site be subdivided into 116 residential lots over three stages, which will range in size from 1,250m² to 2,326m². There will be 45 lots created as part of Stage 1, 34 created as part of Stage 2 and 37 created as part of the final stage. The proposed development will also include a local park with an area of 6,730m², to be provided in Stage 1, which will be located within the proposed open space waterway corridor along the western boundary of the site. The proposed development will be serviced by the full range of urban infrastructure, including the Queensland Urban Utility water and sewer networks.

3.0 SITE DETAILS

The site is irregular in shape and its boundaries are defined by adjoining properties to the west, north and east and by Muckerts Lane to the south. The site has a predominant slope of around 5% towards Ferny Gully in northwest and consists mainly of open grassland. It is located around 2.4km from the Fernvale town centre along Fernvale Road and its access is via 400m of frontage along Muckerts Lane. The site contains an existing small dam in the south-east corner of the area. It is not known to be prone to slip, subsidence, erosion or inundation but may experience minor inundation along the western boundary during a 1% AEP rainfall event, but this will be contained within the proposed open space waterway corridor.

4.0 SURROUNDING LAND USES

The subject site is surrounded predominantly by single dwellings on large lots. To the east across Fernvale Road there is a small lot residential subdivision 600 metres away.

5.0 ASSESSMENT STATE LEGISLATION

This application is made under the provisions of the *Sustainable Planning Act 2009*. As such it is subject to the requirements of the Regulatory Provisions of the South East Queensland Regional Plan 2009-2031 (SEQRP), relevant Acts and State Planning Policies. The site is located within the Urban Footprint under the SEQRP, and as such the proposed development does not require assessment against the SEQRP.

VEGETATION MANAGEMENT ACT 1999

The site contains vegetation mapped as containing "of concern" regional ecosystems. As the proposed development will retain this vegetation within an open space watercourse area, it is consistent with the requirements of the *Vegetation Management Act 1999*.

ENVIRONMENTAL PROTECTION ACT 1994

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

STATE PLANNING POLICY APRIL 2016

The proposed development is consistent with the relevant provisions of the SPP April 2016.

6.0 LOCAL GOVERNMENT LEGISLATION

The former Esk Shire Planning Scheme 2005 (as amended) identifies relevant codes and overlays against which the development is to be assessed with proposed solutions measured against the specific outcomes proposed by the codes. In instances where alternative solutions are provided in lieu of the probable solutions they are discussed below.

Applicable Code	Specific Outcome Compliance	Is Alternative Solution Provided?
Town Zone	Yes	No
Reconfiguring a Lot	Yes	No
Applicable Overlay Code	Specific Outcome Compliance	Is Alternative Solution Provided?
Economic Resources	Yes	No
Catchment Management	Yes	
Biodiversity and Scenic Amenity	Yes	No
Natural Hazards	Yes	Yes

The development as proposed complies with the provisions of the relevant codes identified in the former Esk Shire Planning Scheme 2005 (as amended), with the exception of Probable Solution PS2 of the Natural Hazards Overlay Code.

Natural Hazards Overlay Code

Element (i): LOT LAYOUT	
Specific Outcomes	Acceptable Solutions
SO2 Firebreaks must be around and through the development (where appropriate), and must:	PS2 Firebreaks are provided by: - a minimum 20m cleared road reserve located between the development site and surrounding vegetated lands; or

<ul style="list-style-type: none"> - have sufficient width to both serve as an effective fire break and allow continuous access for fire fighting vehicles; and - be in secure tenure and maintained 	<ul style="list-style-type: none"> - roadways situated around the outside of the development site; or - secure fire breaking trails provided between the development site and surrounding vegetated lands where such trails: <ul style="list-style-type: none"> * have a minimum cleared width of 6 metres * have a minimum formed width of 4 metres * have a maximum gradient of 1 in 6 (16%) - are constructed and maintained to prevent erosion and provide continuous access for fire fighting vehicles - the use of pre-existing roads and trails where possible is required to reduce environmental and cultural heritage impacts - allow for vehicle access at least every 200 metres; and - provide passing or turning areas at least every 400 metres
Applicant's Alternative Solution	
Proposed Lots 58, 60–73 will be located directly adjacent to vegetated lands with no firebreak to separate them.	
Officer Comment	
<p>The proposed lots directly adjoin land which is heavily timbered and identified under the <i>Vegetation Management Act 1999</i> as native vegetation containing “of concern” remnant ecosystems. The applicant has advised that they are happy to accept a condition which will require a covenant to be registered over those lots which would prevent the construction of a house within 20m of the boundary with adjoining Lot 2 on RP135695 and Lot 27 on RP880138, as the lots have an average depth of 55m.</p>	
<p>As such, subject to the inclusion of such a condition it is considered that the proposal will satisfy SO2.</p>	

8.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

Water Supply

The proposed lots will be connected to reticulated water.

The Central SEQ Distribution – Retailer Authority (QUU) has provided a Service Advice Notice confirming they will be able to provide reticulated water to the proposed development. The applicant will need to obtain a separate Water Approval from QUU in order to connect to their network.

Sewerage

The proposed additional lot will be connected to reticulated sewerage.

The Central SEQ Distribution – Retailer Authority (QUU) has provided a Service Advice Notice confirming they will be able to provide reticulated sewerage to the proposed development. The applicant will need to obtain a separate Water Approval from QUU in order to connect to their network.

Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater as the applicant has submitted a stormwater report prepared by a Registered Professional Engineer Queensland (RPEQ) to show that the proposed stormwater treatments to be incorporated into the development will provide non-worsening of both stormwater quality and quantity.

Infrastructure charges for the Fernvale stormwater network have been calculated for the proposal in accordance with Council's *Charges Resolution (No. 2) 2016*. These are detailed in Attachment 3.

Parks and Open Space

The applicant has demonstrated that there is an area of 6,730m² which will achieve the service standards for a local park as identified by the Esk Shire Parkland Strategy.

Infrastructure charges for the Fernvale park and open space network have been calculated for the proposal in accordance with Council's *Charges Resolution (No. 2) 2016*. These are detailed in Attachment 3.

Services

All infrastructure and services including the provision of underground electricity and telecommunication services are available to the site.

Environment

The proposed development will not result in environmental degradation.

Heritage

The site neither adjoins nor contains a heritage feature listed in either the State Queensland Heritage Register or Council's Local Heritage Register.

8.0 REFERRAL AGENCY**Concurrence Agency****Department of Infrastructure, Local Government and Planning (DILGP)**

The Department of Infrastructure, Local Government and Planning, acting as the State Assessment and Referral Agency, has assessed the impact of the proposed development on the State-controlled road network and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. Referral response SDA-1014-015059 dated 29th April 2016. Refer to Attachment 2 and Schedule 3 of the recommended conditions.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by the subdivision of one lot into 116 lots over three stages on land described as Lot 31 on SP152273 and situated at Muckerts Lane, Fernvale, subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> BR005059.000-010 Rev N, dated 07.12.16, prepared by LandPartners and amended by Council on 05.08.16 	At all times.
1.2	Comply with relevant provisions of the former Esk Shire Planning Scheme 2005 (as amended); 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.	During construction works.
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to Compliance Assessment Request.
1.5	Pay to Council the amount of \$34 per lot for the issue of new valuations by the Department of Environment and Resource Management, being a total of \$3,944.00 over the three stages (\$1,530.00 for Stage 1, \$1,156.00 for Stage 2 and \$1,258.00 for Stage 3).	Prior to Compliance Assessment Request for each stage.
1.6	Covenants under the Land Titles Act 1994 that prevent the construction of a house on Lot 58 within 20m of the northern boundary with Lot 27 on RP880138, that prevents the construction of houses on Lots 60-65 within 20m of the boundary with Lot 27 on RP880138 and that prevents the construction of houses on Lots 66-73 within 20m of the boundary with Lot 2 on RP135695 must be prepared and registered over the lots.	Prior to Compliance Assessment Request for Stage 3.
SCHEDULE 2 – Engineering Assessment Manager		
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, landscaping, roadworks, and stormwater drainage required as stated in the following conditions.	Prior to Compliance Assessment Request for each stage and commencement of any Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	At all times.
2.3	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 Request.

2.4	<p>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:</p> <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 Request.
	Landscaping	
2.5	<p>Submit a Landscape Plan to Council and pay the required fees for any landscaping associated with the development. This includes open space, footpaths, road reserves within the development site and the Muckerts Lane frontages and any entry statements. The Landscape 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:</p> <ul style="list-style-type: none"> Comply with the <i>Somerset Development Manual</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 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 the Planning Manager. Any amendments approved by the Planning Manager 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 ensuring defects liability 	Prior to Compliance Assessment Request.

	<ul style="list-style-type: none"> 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 minimise disturbance during construction work; Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
	General Services	
2.6	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.	Prior to Compliance Assessment Request for each stage.
2.7	Written evidence (eg connection certificate) must be provided from each particular service provider stating either that each lot has been connected to applicable service or has a current supply agreement.	Prior to Compliance Assessment Request for each stage.
2.8	Electricity/telecommunication/water supply drawings must be coordinated with the civil engineering design details, to ensure that service clashes are avoided.	Prior to Compliance Assessment Request for each stage.
	Earthworks	
2.9	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.10	Rehabilitation of the dam sites, including methods of constructions, management and supervision to ensure that the site will be suitable for the proposed use as a residential development. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to Compliance Assessment Request for each stage.
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.
2.12	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owners(s).	At all times.
2.13	Any filling below the 1% Average Exceedance Probability (AEP) or Q100 flood event will be in accordance with an approved flood study.	Prior to the commencement of works.
	Roadworks	
2.14	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset</i>	Prior to Compliance Assessment Request for each

	<i>Regional Council Development Manual and Standard Drawings.</i>	stage, and as part of Operational Works.
2.15	Road reserve and carriageway widths to be in accordance with the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request for each stage.
2.16	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i> .	Prior to Compliance Assessment Request for each stage.
2.17	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
2.18	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to Compliance Assessment Request for each stage.
2.19	Provide verge and access in accordance with <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	Prior to Compliance Assessment Request for each stage, and as part of Operational Works
2.20	Upgrade the intersection of Muckerts Lane and Fernvale road including signage, line marking and pavement and surfacing design in accordance with the Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> and Austroads <i>Guide to Road Design</i> . Applicant is required to construct: a) BAR and BAL design to all turning movements. All intersection upgrade requirements are at the applicant's expense. All intersection upgrade requirements are to be completed prior to the plans of survey being registered.	Prior to Compliance Assessment Request for Stage 1.
2.21	Design Muckerts Lane to suit an ultimate design of 2 x 6.0m width carriageway with a 4.0m median including kerb and channel and footpath along the Muckerts Lane frontage to Fernvale Road. Applicant is required to construct the following: a) 9.5m wide carriageway including mountable kerb and channel, and verge adjacent to and for the full frontage of the development.	Prior to Compliance Assessment Request for Stage 1.

	<p>b) Muckerts Lane is to be sealed to a 7m sealed width on an 8.0m pavement width from the frontage of the development east to the existing 7m bitumen in Muckerts Lane.</p> <p>c) Provide a concrete footpath with a width of 2m, for the full frontage of the site of the development.</p>	
2.22	Transfer as road a 2.5m width of land along the full Muckerts Lane frontage of the site, as shown on the approved plan.	Prior to Compliance Assessment Request for Stage 1.
2.23	Construct concrete footpath/cycle paths as shown on approved plan BR005059.000-010 Rev N, dated 07/12/2016, prepared by LandPartners and amended by Council on 05/08/16.	Prior to Compliance Assessment Request for each stage.
	Street Names	
2.24	<p>Submit a list of names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.</p> <p>The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with Council's standards.</p>	Prior to Compliance Assessment Request for each stage.
	Street Lighting	
2.25	<p>Install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows:</p> <p>i) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5</p> <p>ii) Collector Roads – Lighting Category P4.</p> <p>Install all street lighting on the same side as footpaths, where applicable.</p> <p>Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).</p>	Prior to Compliance Assessment Request for each stage.
	Vehicle Access	
2.26	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request.
2.27	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.
	Easements	
2.28	Provide an easement over stormwater and interallotment drainage located within private property.	Prior to Compliance Assessment

	<p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council.</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's solicitor.</p> <p><i>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</i></p>	Request.
2.29	Dedicate all land shown as open space, park and drainage on the proposal plan of subdivision as drainage reserve only. The reserve is to be dedicated at no cost to Council. The proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	Prior to Compliance Assessment Request for Stage 1.
2.30	Dedicate private land subject to flooding during a 1% Average Exceedance Probability (AEP) or Q100 flood event as an easement for drainage purposes. The easement is to be dedicated at no cost to Council. The proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	Prior to Compliance Assessment Request for each stage.
	Stormwater	
2.31	Stormwater Drainage shall be constructed in general accordance with Calibre Consulting, Peppermint Hill Estate, Stormwater Quantity Management Plan, B14126.W-04B, dated April 2016, Peppermint Hill Estate Hydraulic Investigation Letter, B14126.W.06L.MS.ko.docx, dated 20 July 2016 and Site Based Stormwater Quality Management Plan, B14126.W-02C, dated April 2016	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
2.32	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM), Council Planning Scheme Policy No 6 – <i>Standards for Treatment of Stormwater Drainage</i> , and the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request, and as part of Operational Works.
2.33	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.34	Convey stormwater flows through the development from the upstream catchment.	At all times.
2.35	Fill, compact and grade all low lying land being subdivided to ensure each allotment is drained adequately by gravitation to the drainage system within the proposed development.	Prior to Compliance Assessment Request for each

		stage.
2.36	Where stormwater cannot be discharged to the kerb and channel, provide interallotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and Council's standards.	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
2.37	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
	Erosion and Sediment Control	
2.38	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. Should the developer 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.	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 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: <ul style="list-style-type: none"> 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	At all times.

	site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	
2.42	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.43	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.	At all times.
SCHEDULE 3 – REFERRAL AGENCY <i>Department of Infrastructure, Local Government and Planning (DILGP)</i> <i>Concurrence Agency Response</i>		
3.1	Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Department of Infrastructure, Local Government and Planning, as a <i>Concurrence Agency</i> , has assessed the impact of the proposed development having regard to the state-controlled road network and advises Council that it has requirements.	
3.2	Concurrence Agency response referenced SDA-0316-029119, dated 29.04.16.	
3.3	The Concurrence Agency response will be attached to Council's Decision Notice for DA14663.	
Advice		
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 (2)</i> of the 'Act' to the extent a development approval is for reconfiguring a lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government (Somerset Regional Council) within the following period – <ul style="list-style-type: none"> (a) For reconfiguration not requiring operational works – 2 years starting the day the approval takes effect; (b) For reconfiguration requiring operational works – 4 years starting the day the approval takes effect; (c) If the approval states a different period from when the approval takes effect – the stated period. Refer to Section 341 of the Act for further clarification.		
The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.		
Undertaking activity that involves additional surface disturbance beyond that which has already occurred at a proposed site need to be mindful of the Cultural Heritage Duty of Care requirement. Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.		

Council strongly advises that you contact the South East Queensland (North) Region office of the Department of Aboriginal and Torres Strait Islander Partnerships on (07) 3003 6483 to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of proponents under the terms of the *Aboriginal Cultural Heritage Act 2003*.

All Operational Work is to comply with relevant codes for design and construction.

Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.

Upon receiving the certification by a RPEQ, and submission and approval of as constructed drawings and documentation, Council will accept the works as "On Maintenance".

Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.

At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed "Off Maintenance". Bonds or other securities will be released after the works have been placed "Off Maintenance".

This approval requires '*Compliance Assessment*' by Somerset Regional Council as the '*Compliance Assessor – the nominated entity*', pursuant to Part 10, Section 398 of the *Sustainable Planning Act 2009*.

The mandatory form *IDAS for Compliance Assessment – form 32 [Sustainable Planning Act 2009 version 1.0 effective 18 December 2009]* must be completed by the person requesting compliance assessment of this conditional approval. The form must be submitted to Council as the Compliance Assessor and must be accompanied by any fees required by the compliance assessor. If there is insufficient space on the form, the person must attach extra pages outlining compliance. *[A copy of Form 32 will be enclosed with the Decision Notice]*.

The plan of subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.

Pursuant to Division 8 Section 461 of the *Sustainable Planning Act 2009*, the Applicant has the Right of Appeal to the *Planning and Environment Court* regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under section 242 of the '*Act*'. *[A copy of the Right of Appeal will be enclosed with the Decision Notice]*.

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.

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site.

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The policy designates NBN Co as the infrastructure provider of last resort (IPOLR) for new developments with more than 100 lots or more within its fixed-line footprint and in developments where its fixed-line network is available, or the NBN rollout has been announced, and Telstra as the IPOLR in developments of less than 100 lots/premises where NBN Co's fixed-line network is not available and has not been announced. Telstra also covers developments outside the NBN fixed-line footprint in NBN fixed-wireless and satellite areas.

For further information visit the Federal Department of Communications' website, www.communications.gov.au, or email greenfields@communications.gov.au

Attachments for the Decision Notice include:

1. Proposal plan: BR005059.000-010 Rev N, dated 07.12.16, prepared by LandPartners and amended by Council on 05.08.16
2. SARA Referral Response Ref: SDA-0316-029119, dated 29.04.16
3. Draft Infrastructure Charges Notice

Decision:

Moved - Cr Ogg

Seconded - Cr Hall

"THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by the subdivision of one lot into 116 lots over three stages on land described as Lot 31 on SP152273 and situated at Muckerts Lane, Fernvale, subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS

No	Condition	Timing
1.1	Carry out the development 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. • BR005059.000-010 Rev N, dated 07.12.16, prepared by LandPartners and amended by Council on 05.08.16	At all times.
1.2	Comply with relevant provisions of the former Esk Shire Planning Scheme 2005 (as amended); 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.	During construction works.
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to Compliance Assessment

		Request.
1.5	Pay to Council the amount of \$34 per lot for the issue of new valuations by the Department of Environment and Resource Management, being a total of \$3,944.00 over the three stages (\$1,530.00 for Stage 1, \$1,156.00 for Stage 2 and \$1,258.00 for Stage 3).	Prior to Compliance Assessment Request for each stage.
1.6	Covenants under the Land Titles Act 1994 that prevent the construction of a house on Lot 58 within 20m of the northern boundary with Lot 27 on RP880138, that prevents the construction of houses on Lots 60-65 within 20m of the boundary with Lot 27 on RP880138 and that prevents the construction of houses on Lots 66-73 within 20m of the boundary with Lot 2 on RP135695 must be prepared and registered over the lots.	Prior to Compliance Assessment Request for Stage 3.
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, landscaping, roadworks, and stormwater drainage required as stated in the following conditions.	Prior to Compliance Assessment Request for each stage and commencement of any Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	At all times.
2.3	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 Request.
2.4	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 Request.
Landscaping		
2.5	Submit a Landscape Plan to Council and pay the required fees for any landscaping associated with the development. This includes open space, footpaths, road reserves within the development site and the Muckerts Lane frontages and any entry statements. The Landscape Plan must be prepared by a suitably qualified and experienced Landscape Architect,	Prior to Compliance Assessment Request.

	<p>horticulturist, or other person experienced in landscape design and construction. The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> • Comply with the <i>Somerset Development Manual</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 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 the Planning Manager. Any amendments approved by the Planning Manager 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 ensuring 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 minimise disturbance during construction work; • Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
	General Services	
2.6	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.	Prior to Compliance Assessment Request for each stage.
2.7	Written evidence (eg connection certificate) must be provided from each particular service provider stating either that each lot has been connected to applicable service or has a current supply agreement.	Prior to Compliance Assessment Request for each stage.

2.8	Electricity/telecommunication/water supply drawings must be coordinated with the civil engineering design details, to ensure that service clashes are avoided.	Prior to Compliance Assessment Request for each stage.
	Earthworks	
2.9	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.10	Rehabilitation of the dam sites, including methods of constructions, management and supervision to ensure that the site will be suitable for the proposed use as a residential development. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to Compliance Assessment Request for each stage.
2.11	Contaminated material must not be used as fill on the site. Any filling must be undertaken using insert materials only.	At all times.
2.12	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owners(s).	At all times.
2.13	Any filling below the 1% Average Exceedance Probability (AEP) or Q100 flood event will be in accordance with an approved flood study.	Prior to the commencement of works.
	Roadworks	
2.14	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
2.15	Road reserve and carriageway widths to be in accordance with the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request for each stage.
2.16	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i> .	Prior to Compliance Assessment Request for each stage.
2.17	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

2.18	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to Compliance Assessment Request for each stage.
2.19	Provide verge and access in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request for each stage, and as part of Operational Works
2.20	Upgrade the intersection of Muckerts Lane and Fernvale road including signage, line marking and pavement and surfacing design in accordance with the Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> and Austroads <i>Guide to Road Design</i> . Applicant is required to construct: a) BAR and BAL design to all turning movements. All intersection upgrade requirements are at the applicant's expense. All intersection upgrade requirements are to be completed prior to the plans of survey being registered.	Prior to Compliance Assessment Request for Stage 1.
2.21	Design Muckerts Lane to suit an ultimate design of 2 x 6.0m width carriageway with a 4.0m median including kerb and channel and footpath along the Muckerts Lane frontage to Fernvale Road. Applicant is required to construct the following: a) 9.5m wide carriageway including mountable kerb and channel, and verge adjacent to and for the full frontage of the development. b) Muckerts Lane is to be sealed to a 7m sealed width on an 8.0m pavement width from the frontage of the development east to the existing 7m bitumen in Muckerts Lane. c) Provide a concrete footpath with a width of 2m, for the full frontage of the site of the development.	Prior to Compliance Assessment Request for Stage 1.
2.22	Transfer as road a 2.5m width of land along the full Muckerts Lane frontage of the site, as shown on the approved plan.	Prior to Compliance Assessment Request for Stage 1.
2.23	Construct concrete footpath/cycle paths as shown on approved plan BR005059.000-010 Rev N, dated 07/12/2016, prepared by LandPartners and amended by Council on 05/08/16.	Prior to Compliance Assessment Request for each stage.
Street Names		
2.24	Submit a list of names for all new roads, along with the reasons for selecting such names, for the road names to be	Prior to Compliance Assessment

	considered and approved by Council. The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with Council's standards.	Request for each stage.
	Street Lighting	
2.25	Install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows: i) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5 ii) Collector Roads – Lighting Category P4. Install all street lighting on the same side as footpaths, where applicable. Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).	Prior to Compliance Assessment Request for each stage.
	Vehicle Access	
2.26	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request.
2.27	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.
	Easements	
2.28	Provide an easement over stormwater and interallotment drainage located within private property. The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council. All easement documentation shall be prepared by the proponent in a form satisfactory to Council's solicitor. <i>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</i>	Prior to Compliance Assessment Request.
2.29	Dedicate all land shown as open space, park and drainage on the proposal plan of subdivision as drainage reserve only. The reserve is to be dedicated at no cost to Council. The	Prior to Compliance Assessment Request for Stage 1.

	proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	
2.30	Dedicate private land subject to flooding during a 1% Average Exceedance Probability (AEP) or Q100 flood event as an easement for drainage purposes. The easement is to be dedicated at no cost to Council. The proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	Prior to Compliance Assessment Request for each stage.
	Stormwater	
2.31	Stormwater Drainage shall be constructed in general accordance with Calibre Consulting, Peppermint Hill Estate, Stormwater Quantity Management Plan, B14126.W-04B, dated April 2016, Peppermint Hill Estate Hydraulic Investigation Letter, B14126.W.06L.MS.ko.docx, dated 20 July 2016 and Site Based Stormwater Quality Management Plan, B14126.W-02C, dated April 2016	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
2.32	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM), Council Planning Scheme Policy No 6 – <i>Standards for Treatment of Stormwater Drainage</i> , and the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request, and as part of Operational Works.
2.33	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.34	Convey stormwater flows through the development from the upstream catchment.	At all times.
2.35	Fill, compact and grade all low lying land being subdivided to ensure each allotment is drained adequately by gravitation to the drainage system within the proposed development.	Prior to Compliance Assessment Request for each stage.
2.36	Where stormwater cannot be discharged to the kerb and channel, provide interallotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and Council's standards.	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
2.37	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	Prior to Compliance Assessment Request for each stage, and as part of Operational Works.
	Erosion and Sediment Control	
2.38	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.

	<p>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 developer 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>	
2.39	<p>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 removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.</p>	As part of the lodgement of the Operational Works application.
2.40	<p>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.</p>	At all times.
2.41	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <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.
2.42	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.</p>	At all times.
2.43	<p>Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.</p>	At all times.
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3.1	<p>Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Department of Infrastructure, Local Government and Planning, as a <i>Concurrence Agency</i>, has</p>	

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Relevant Period - Pursuant to <i>Section 341 (2)</i> of the 'Act' to the extent a development approval is for reconfiguring a lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government (Somerset Regional Council) within the following period –	
<ul style="list-style-type: none"> (a) For reconfiguration not requiring operational works – 2 years starting the day the approval takes effect; (b) For reconfiguration requiring operational works – 4 years starting the day the approval takes effect; (c) If the approval states a different period from when the approval takes effect – the stated period. 	
Refer to Section 341 of the Act for further clarification.	
<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Undertaking activity that involves additional surface disturbance beyond that which has already occurred at a proposed site need to be mindful of the Cultural Heritage Duty of Care requirement. Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.</p> <p>Council strongly advises that you contact the South East Queensland (North) Region office of the Department of Aboriginal and Torres Strait Islander Partnerships on (07) 3003 6483 to obtain a copy of the Duty of Care Guidelines and further information on the responsibilities of proponents under the terms of the <i>Aboriginal Cultural Heritage Act 2003</i>.</p>	
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This approval requires '*Compliance Assessment*' by Somerset Regional Council as the '*Compliance Assessor – the nominated entity*', pursuant to Part 10, Section 398 of the *Sustainable Planning Act 2009*.

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For further information visit the Federal Department of Communications' website, www.communications.gov.au, or email greenfields@communications.gov.au"

Carried

Subject:	Development Application No 16114 - Application for a Development Permit for a Reconfiguration of a Lot by subdividing one lot into four lots
File No:	DA16114
Assessment No:	80589-50000-000
Action Officer:	PO-RG

Subject Land

Location	Kennedy Street, Winya
Real Property Description	Lot 2 on SP219391
Area	40.91 hectares
Current land use	Vacant
Easements and Encumbrances	ARP887549 – Access BSP219391 – Access

Somerset Region Planning Scheme

Zone	General residential
Precinct	Park residential

SEQ Regional Plan 2009-2031

Category	Regional Landscape and Rural Production
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Application

Level of Assessment	CODE
Applicant/s	United Development Corporation ATF Jaystar Unit Trust C/- Urban Systems PO Box 12 Paddington Qld 4064
Applicants contact details	United Development Corporation Pty Ltd
Land Owner/s	30 June 2016
Date application received	05 July 2016
Date properly made	

Referral Agencies

Concurrence Agencies	Department of Infrastructure, Local Government and Planning (SARA)
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Attachments

1. Proposal plan: Drawing No. 0760-PO8, dated 24-10-13 and drawn by Contour Consulting Engineers
2. Department of Infrastructure, Local Government and Planning response Ref: SDA-0816-032438, dated 29.09.16
3. Draft Infrastructure Charges Notice

RECOMMENDED DECISION

Approve the Development Application subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 APPLICATION

Pursuant to Chapter 6 Section 260(1) and (3) of the *Sustainable Planning Act 2009 (SPA)*, the applicant has made a properly made development application and is seeking approval for a Development Permit for a Reconfiguration of a Lot by subdividing one lot into four lots, being three lots over two stages and a balance area which will be developed under a

separate approval (DA13821).

The following level of assessment applies to the development under the Somerset Region Planning Scheme as the site is located within the General residential zone – Park residential precinct:

- Code Assessable for reconfiguring a lot.

The application will be assessed against the relevant matters set out in section 314 of *SPA*.

An application is required because reconfiguring a lot by subdivision is code assessable development in the General residential zone.

2.0 PROPOSAL

It is proposed that the existing lot be subdivided into four lots, with three of them created as traditional residential lots and a larger balance area which will be developed as park residential lots under DA13821. Stage One will create a single lot with an area of 849m², and Stage Two will create the final lots with areas of 1,287m² and 2,324m². The staging is necessary to ensure that proposed Lot 1 is able to be brought to market while negotiations concerning the extinguishment of the access easement burdening proposed Lots 2 and 3 are undertaken. It is proposed that the lots will be connected to all urban services, including reticulated water and sewerage.

Council has previously approved the same development under the Kilcoy Shire Council Planning Scheme 2006 (DA13804), which has since lapsed.

3.0 SITE DETAILS

The site is large and irregular in shape, with its boundaries defined by adjoining properties on all sides - although Kilcoy Creek forms a small part of the eastern boundary. It is open grazing land, with an undulating topography which generally falls to the creek in the southeast. It is not known to be prone to slip, subsidence or erosion but may experience inundation along the creek during a 1% AEP rainfall event. The 4,737m² area where new Lots 1-3 are proposed are not affected by any known inundation.

4.0 SURROUNDING LAND USES

The properties adjoining to the north and east are large and rural in nature, while those adjoining to the west are both residential and park residential in nature. The majority of these smaller properties contain existing dwelling houses.

5.0 ASSESSMENT

STATE LEGISLATION

This application is made under the provisions of the *Sustainable Planning Act 2009*. As such it is subject to the requirements of the Regulatory Provisions of the South East Queensland Regional Plan 2009-2031 (SEQR), relevant Acts and the State Planning Policy April 2016. The site is located within the Urban Footprint under the SEQR. The proposed development is termed 'infill development' within a designated urban area and, as such, does not require assessment against the SEQR Regulatory Provisions or referral to the Department of Infrastructure, Local Government and Planning (DILGP).

VEGETATION MANAGEMENT ACT 1999

The site does not contain mapped remnant vegetation.

ENVIRONMENTAL PROTECTION ACT 1994

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

Register.

STATE PLANNING POLICY APRIL 2016

The proposed development is consistent with the requirements of the State Planning Policy April 2016.

6.0 LOCAL GOVERNMENT LEGISLATION

The Somerset Region Planning Scheme identifies relevant codes and overlays against which the development is to be assessed with proposed solutions measured against the performance outcomes proposed by the codes. In instances where alternative solutions are provided in lieu of the probable solutions they are discussed below.

Applicable Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Reconfiguring a lot	Yes	AO11.1
Services, works and infrastructure	Yes	No
Transport, access and parking	Yes	No
Applicable Overlay Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Infrastructure	Yes	No

The development as proposed complies with the provisions of the relevant codes identified in the Somerset Region Planning Scheme with the exception of AO11.1 of the Reconfiguring a lot code.

Reconfiguring a lot code

Movement network and access	
Performance Outcomes	Acceptable Solutions
PO11 Rear lot access is appropriately managed to reduce vehicular conflict and provide legal access.	AO11.1 The minimum width of an access handle for rear lots is: (a) 6 metres for residential activities; and (b) 8 metres for other activities.
Applicant's Alternative Solution	
The access handle of proposed Lot 3 will be 5.1m wide.	
Planning Comment	
The proposed access width is considered to be sufficient to prevent conflict regarding matters of legal access, and so is consistent with PO11.	

7.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

Water Supply

The proposed lots will be connected to Queensland Urban Utilities' reticulated water supply. The connection will require a separate water approval from QUU.

Sewerage

The proposed lots will be connected to Queensland Urban Utilities' reticulated sewerage network. The connection will require a separate water approval from QUU.

Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater. However, the landowners must ensure that stormwater is connected to a legal point of discharge.

Infrastructure charges for the Kilcoy stormwater network have been calculated in accordance with Council's *Charges Resolution (No. 2) 2016*, as detailed in the draft Infrastructure Charges Notice (refer to Attachment 3).

Parks and Open Space

Infrastructure charges for the Kilcoy parks and open space network have been calculated in accordance with Council's *Charges Resolution (No. 2) 2016*, as detailed in the draft Infrastructure Charges Notice (refer to Attachment 3).

Services

All infrastructure and services including the provision of electricity and telecommunication services will be available to the proposed lots.

Environment

The proposed development will not result in environmental degradation.

Heritage

The site neither adjoins nor contains a heritage feature listed in either the State Queensland Heritage Register or Council's Local Heritage Register.

8.0 STATE AGENCY REFERRALS

Concurrence Agency

Department of Infrastructure, Local Government and Planning (DILGP)

The Department of Infrastructure, Local Government and Planning has, in its capacity as the State Assessment and Referral Agency, assessed the impact of the proposed development on the State-controlled road network and has advised Council to include conditions as part of their referral agency response. Refer to Attachment 2 and Schedule 3 of the recommended conditions.

Advice Agencies

There are no Advice Agencies relating to this application.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot for the subdivision of one lot into four lots on land described as Lot 2 on SP219391 and situated along Kennedy Street, Winya subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development 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"> Drawing No. 0760-PO8, dated 24-10-13 and drawn by Contour Consulting Engineers. 	
1.2	Comply with relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	Prior to Compliance Assessment Request for each stage.
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	During construction works.
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to Compliance Assessment Request for each stage.
1.5	Pay to Council the amount of \$34 per lot for the issue of new valuations by the Department of Environment and Resource Management, being \$136 (\$68 for Stage 1 and \$68 for Stage 2) in this instance.	Prior to Compliance Assessment Request for each stage.
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
	ENGINEERING	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request for each stage.
2.2	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 Request for each stage.
2.3	<p>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:</p> <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 Request for each stage.
	GENERAL SERVICES	
2.4	Submit development applications to Energex/Telstra to either obtain design layout plans or certification letters to Council that any existing infrastructure or wayleaves are to their satisfaction and that they can provide services when required at the cost of a normal house connection.	Prior to Compliance Assessment Request for each stage.
2.5	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and	Prior to Compliance Assessment Request

	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 of telecommunication service, these lots may connect direct to such service to the approval and requirement of the service provider.	for each stage.
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 or has a current supply agreement.	Prior to Compliance Assessment Request for each stage.
	VEHICLE ACCESS	
2.7	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance Council Standard Drawings and Policy.	Prior to Compliance Assessment Request for each stage.
2.8	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. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.9	The Applicant is to construct a vehicle access for proposed lot 3 in accordance with Council's standard drawing SRC-ROAD-012.	Prior to Compliance Assessment Request for Stage 2.
2.10	Construct a minimum 3 meter sealed driveway for the full length of the access handle to proposed lot 3 in accordance with Council standard. The access is to be sealed with a minimum of a two-coat bitumen seal or concrete.	Prior to Compliance Assessment Request for Stage 2
	EASEMENTS	
2.11	Dedicate all land shown as pathway reserve on the proposal plan of subdivision as public use land. The reserve is to be dedicated at no cost to Council. The proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	Prior to Compliance Assessment Request for Stage 2
2.12	Provide an easement over stormwater and interallotment drainage located within private property. The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council	Prior to Compliance Assessment Request for each stage.

	All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor. Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property	
	STORMWATER	
2.13	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM), Council Planning Scheme Policy No 6 – <i>Standards for Treatment of Stormwater Drainage</i> , and the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request for each stage.
2.14	Stormwater Drainage shall be constructed in general accordance with Proposed Allotment Layout drawing 0760-P07 revision D dated 23-10-13 and Somerset Standard Drawing SRC-STM-011.	Prior to Compliance Assessment Request for each stage.
2.15	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
2.16	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site.	Prior to Compliance Assessment Request for each stage.
	EROSION AND SEDIMENT CONTROL	
2.17	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 proposed controls prove to be ineffective, Council will require the developer to install additional measures.	At all times.
2.18	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.
2.19	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	At all times.

	as a result of the operations shall be disposed of to an approved disposal facility.	
2.20	<p>Should Council determine that erosion or sediment damage has occurred on the site, or that a downstream drainage system has become silted, the developer will be responsible for the restoration work.</p> <p>Should the developer 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.
SCHEDULE 3 – REFERRAL AGENCY <i>Department of Infrastructure, Local Government and Planning (DILGP)</i> <i>Concurrence Agency Response</i>		
<p>Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Department of Infrastructure, Local Government and Planning, as a <i>Concurrence Agency</i>, has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and advised Council to include conditions as part their referral agency response.</p>		
<p>Concurrence Agency response dated 29.09.16 and referenced SDA-0816-032438.</p>		
<p>The Concurrence Agency response will be attached to Council's Decision Notice for DA16114.</p>		
Advice		
<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 (2)</i> of the 'Act' to the extent a development approval is for reconfiguring a lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government (Somerset Regional Council) within the following period –</p> <ul style="list-style-type: none"> (a) For reconfiguration not requiring operational works – 2 years starting the day the approval takes effect; (b) For reconfiguration requiring operational works – 4 years starting the day the approval takes effect; (c) If the approval states a different period from when the approval takes effect – the stated period. <p>Refer to Section 341 of the Act for further clarification.</p>		
<p>This approval requires '<i>Compliance Assessment</i>' by Somerset Regional Council as the '<i>Compliance Assessor – the nominated entity</i>', pursuant to Part 10, Section 398 of the <i>Sustainable Planning Act 2009</i>.</p>		
<p>The mandatory form <i>IDAS for Compliance Assessment – form 32 [Sustainable Planning Act 2009 version 1.0 effective 18 December 2009]</i> must be completed by the person requesting compliance assessment of this conditional approval. The form must be</p>		

submitted to Council as the Compliance Assessor and must be accompanied by any fees required by the compliance assessor. If there is insufficient space on the form, the person must attach extra pages outlining compliance. *[A copy of Form 32 will be enclosed with the Decision Notice].*

Pursuant to Division 8 Section 461 of the **Sustainable Planning Act 2009**, the Applicant has the Right of Appeal to the **Planning and Environment Court** regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under section 242 of the 'Act'. *[A copy of the Right of Appeal will be enclosed with the Decision Notice].*

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.

Construction hours are 6:30am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.

The Plan of Survey will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.

The completion of relevant documentation and a pre start meeting with Council's Technical Officer, supervising Engineer and the Contractor is required prior to any works starting at the site.

Attachments for the Decision Notice include:

1. Proposal plan: Drawing No. 0760-PO8, dated 24-10-13 and drawn by Contour Consulting Engineers
2. Department of Infrastructure, Local Government and Planning response Ref: SDA-0816-032438, dated 29.09.16
3. Draft Infrastructure Charges Notice

Decision:

Moved - Cr Gaedtke

Seconded - Cr Hall

"THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot for the subdivision of one lot into four lots on land described as Lot 2 on SP219391 and situated along Kennedy Street, Winya subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS

No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> Drawing No. 0760-PO8, dated 24-10-13 and drawn by Contour Consulting Engineers. 	At all times.
1.2	Comply with relevant provisions of the Somerset Region	Prior to Compliance

	Planning Scheme, Planning Scheme Policies and Local Laws.	Assessment Request for each stage.
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	During construction works.
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to Compliance Assessment Request for each stage.
1.5	Pay to Council the amount of \$34 per lot for the issue of new valuations by the Department of Environment and Resource Management, being \$136 (\$68 for Stage 1 and \$68 for Stage 2) in this instance.	Prior to Compliance Assessment Request for each stage.
SCHEDULE 2 – Engineering <i>Assessment Manager</i>		
	ENGINEERING	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Compliance Assessment Request for each stage.
2.2	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 Request for each stage.
2.3	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 Request for each stage.
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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.	Prior to Compliance Assessment Request for each stage.

	Where proposed allotments front existing overhead electricity of telecommunication service, these lots may connect direct to such service to the approval and requirement 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 or has a current supply agreement.	Prior to Compliance Assessment Request for each stage.
	VEHICLE ACCESS	
2.7	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance Council Standard Drawings and Policy.	Prior to Compliance Assessment Request for each stage.
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2.11	Dedicate all land shown as pathway reserve on the proposal plan of subdivision as public use land. The reserve is to be dedicated at no cost to Council. The proponent in a form satisfactory to Council's Solicitor shall prepare all documentation.	Prior to Compliance Assessment Request for Stage 2
2.12	<p>Provide an easement over stormwater and interallotment drainage located within private property.</p> <p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p>	Prior to Compliance Assessment Request for each stage.

	Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property	
	STORMWATER	
2.13	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM), Council Planning Scheme Policy No 6 – <i>Standards for Treatment of Stormwater Drainage</i> , and the <i>Somerset Regional Council Development Manual</i> .	Prior to Compliance Assessment Request for each stage.
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2.17	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 proposed controls prove to be ineffective, Council will require the developer to install additional measures.	At all times.
2.18	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.
2.19	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.
2.20	Should Council determine that erosion or sediment	At all times.

	<p>damage has occurred on the site, or that a downstream drainage system has become silted, the developer will be responsible for the restoration work.</p> <p>Should the developer 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>	
<p>SCHEDULE 3 – REFERRAL AGENCY <i>Department of Infrastructure, Local Government and Planning (DILGP)</i> <i>Concurrence Agency Response</i></p>		
<p>Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Department of Infrastructure, Local Government and Planning, as a <i>Concurrence Agency</i>, has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and advised Council to include conditions as part their referral agency response.</p>		
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<p>Advice</p>		
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<p>Relevant Period - Pursuant to <i>Section 341 (2)</i> of the 'Act' to the extent a development approval is for reconfiguring a lot, the approval lapses if a plan for the reconfiguration is not given to the Local Government (Somerset Regional Council) within the following period –</p> <ul style="list-style-type: none"> (a) For reconfiguration not requiring operational works – 2 years starting the day the approval takes effect; (b) For reconfiguration requiring operational works – 4 years starting the day the approval takes effect; (c) If the approval states a different period from when the approval takes effect – the stated period. <p>Refer to Section 341 of the Act for further clarification.</p>		
<p>This approval requires '<i>Compliance Assessment</i>' by Somerset Regional Council as the '<i>Compliance Assessor – the nominated entity</i>', pursuant to Part 10, Section 398 of the <i>Sustainable Planning Act 2009</i>.</p>		
<p>The mandatory form <i>IDAS for Compliance Assessment – form 32 [Sustainable Planning Act 2009 version 1.0 effective 18 December 2009]</i> must be completed by the person requesting compliance assessment of this conditional approval. The form must be submitted to Council as the Compliance Assessor and must be accompanied by any fees required by the compliance assessor. If there is insufficient space on the form, the person must attach extra pages outlining compliance. <i>[A copy of Form 32 will be enclosed with the Decision Notice]</i>.</p>		

Pursuant to Division 8 Section 461 of the ***Sustainable Planning Act 2009***, the Applicant has the Right of Appeal to the ***Planning and Environment Court*** regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under section 242 of the 'Act'. *[A copy of the Right of Appeal will be enclosed with the Decision Notice].*

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.

Construction hours are 6:30am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.

The Plan of Survey will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.

The completion of relevant documentation and a pre start meeting with Council's Technical Officer, supervising Engineer and the Contractor is required prior to any works starting at the site."

Carried

Subject:	Request for reconsideration of development conditions
File Ref:	DA4137
Action Officer:	Senior Planner

Background/Summary

By way of background, Council at its Ordinary Meeting on 10 August 2005 conditionally approved DA4137 for a Development Permit for a Material Change of Use involving a Funeral Parlour and Caretaker's Residence on land with dual road frontage to Railway Street, Heap Street and Esk Hampton Road, Esk and described as Lot 135 on SP132929.

14 September 2005, Council considered representations in respect of certain conditions applying to car parking area; security deposit; drainage; and Heap Street setback requirements. Council supported the representations and issued a Negotiated Decision Notice on 20 September 2005.

17 August 2009, Council resolved to extend the approval period for a further four years up to and including 14 September 2013.

26 September 2012, Council resolved to extend the approval for an additional four years up to and including 14 September 2017.

26 September 2012, Council resolved to support a change to the approved development, which comprises three stages as indicated on the approved Site Plan provided at Attachment 1.

Stage 1 involves restoration of the former Historic Esk Courthouse and Jail Buildings, to be relocated from Caboonbah to the subject land, for the purpose of a Chapel, Administration Office, Coffin Display area, Uni-sex wheelchair accessible toilet and public seating capacity

of 70 seats. The Jail building will be converted to public toilet facilities. Photographs of the former historic buildings are provided at Attachment 2.

Stage 2 involves the construction of a coldroom/preparation area, delivery room and vehicles / storage area associated with the Funeral Parlour.

Stage 3 involves construction of a proposed caretaker's residence.

Council has recently received representations from the applicant seeking Council's in-principle support to reconsider certain conditions associated with the staged development; and to allow the operators the opportunity to commence the use of Stage 1 whilst an agreement is reached regarding compliance with the operational works conditions that are placing a substantial financial hardship on the small local family business, as detailed below:

	Car Parking Area	
2.5	Provide car parking spaces in accordance with Council Development Manual and Council Planning Scheme Policy No 3 – Standards for Provision and Construction of Parking Areas.	As part of the Operational Works application
2.6	<p>Provide eight (8) car parking spaces for the staged development. Four (4) parking spaces inclusive of 1 disabled space are to be provided onsite prior to the use of Stage 1 or 2. An additional four (4) spaces are to be provided adjacent to the property along Railway Street; Or alternatively;</p> <p>In lieu of providing four (4) parking spaces on Railway Street, pay to Council at the rate applicable at the time of payment a monetary contribution towards the provision of car parking in accordance with Council's Planning Scheme Policy No. 4 – Public Car Parking Contributions.</p> <p>The contribution will be held in trust by Council for use at a future stage to provide or upgrade parking within the Region.</p> <p>In accordance with the Policy at this time a contribution of 4 x \$7,441 is payable.</p>	As part of the Operational Works application
	<i>Kerb and Channel</i>	
2.15	The applicant is to provide kerb and channel to the frontage of the development to Railway Street and widen the existing bitumen seal of Railway Street to the lip of the new kerb and channel.	As part of Operational Works approval
	<i>Footpath</i>	
2.16	The applicant is to provide a 1.5m wide footpath in Railway Street from its intersection with Heap Street for approximately 40 metres.	As part of Operational Works approval

The applicant advises that the building work associated with Stage 1 has been completed for two years. However, the overwhelming costs of fulfilling the remainder of the development conditions has meant that the otherwise operational facility remains closed for business. Many requests to use the chapel have been declined by Brisbane Valley Funerals.

The applicant contends that the final projected costing associated with the works involved in

constructing parking areas; providing kerb and channelling to the frontage of the development along Railway Street; widening the existing bitumen seal of Railway Street; and providing a 1.5m wide footpath in Railway Street will exceed \$200,000 in addition to Infrastructure Charges. Currently, these works are to be completed as part of the Operational Works application and prior to commencement of Stage 1.

The development is conditioned to provide a total of eight (8) parking spaces for the staged development. The number of parking spaces is currently based on a seating capacity of 70 persons/1 parking space per 10 seats and 1 parking space for the caretaker's residence. Condition 2.6 gives the applicant the option of constructing four onsite parking spaces and making a monetary contribution towards the provision of four (4) parking spaces, which is currently set at \$8,711.00 per space (\$34,844).

As an option the applicant proposes to utilise an existing onsite gravelled area with capacity for five parking spaces; together with an informal onsite 'overflow grassed parking area' for at least twenty vehicles. However, it is noted that the overflow area will eventually reduce in scale as the staged development proceeds.

Street parking is available in the immediate vicinity. However, parking along the frontage of the property within Heap Street is not ideal as the area between Redbank and Railway Street does not provide sufficient room for setbacks, sightlines, and turning movements of vehicles entering and exiting the intersections and property access.

The applicant understands that it is in their best interest to provide a high standard of service and infrastructure for their clients, therefore as the business grows it is their intention to upgrade the onsite parking area, when financially viable, in accordance with Council Standards.

Accordingly, it is proposed that a permissible change application be lodged with Council addressing the proposed changes to conditions 2.5, 2.6, 2.15 and 2.16.

In particular, it is also proposed that conditions 2.15 and 2.16 be deleted from the approved development due to the proposed works placing a significant burden on the staged development. As an alternative, the applicant offers to make a reasonable monetary contribution towards the provision of kerb and channel along Heap Street in lieu of providing kerb and channel along Railway Street as part of Council's future plans to upgrade Heap Street.

In reviewing standards and dispensations applied to other development in the region, it is noted parking areas in Pipeliner Park are constructed to gravel standard. In 2012 the Fernvale Uniting Church approval was given dispensation in parking by deleting a condition requiring a contribution of \$111,615 for the provision of off-street parking. In 2014 the Lowood Funeral Parlour and Mortuary approval was also given dispensation in providing off-street parking to the value of \$48,774. Council at the time considered the requirement for off-street parking was a significant burden on both projects and threatened their viability. In addition, neither approval required the construction of footpaths.

It is considered that the proposed changes discussed in this report could be considered as a future permissible change request as the changes are consistent with section 367 of the *Sustainable Planning Act 2009*, which states:

- (1) A permissible change, for a development approval, is a change to the approval that would not, because the change –

- a. Result in a substantially different development; or
- b. If the application for the approval were remade including the change –
 - i. Require referral to additional concurrence agencies; or
 - ii. For an approval for assessable development that previously did not require impact assessment – require impact assessment; or
- c. For an approval for assessable development that previously required impact assessment – be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or
- d. Cause development to which the approval relates to include any prohibited development.

The proposed development comprises three stages as indicated on the approved Site Plan provided at Attachment 1. A request to change the application will not require referral to additional concurrence agencies. The Department of Transport and Main Roads support the staged development. No direct access to the Esk Hampton Road will be granted from the proposed site. All access is to be via Heap and Railway Street. The proposed changes outlined in this report are considered not likely to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed. One submission was received during the initial public notification of the application regarding stormwater drainage. A condition for stormwater drainage was imposed on the approved development.

A request for a permissible change will not alter the approved development in any way which would result in non-compliance with the former Esk Shire Planning Scheme 2005 (as amended) or the South East Queensland Regional Plan 2009-2031. Currently, the subject land is located within the Centre zone under the Somerset Region Planning Scheme maps and a Funeral Parlour and Caretaker's Residence are code assessable development within the Centre zone.

Attachments

1. Approved Site Plan of proposed staged development – DA4137 – ML and KA Wicks c/- Brisbane Valley Funerals.
2. Photographs of former historic Esk Courthouse and Jail Buildings
3. Locality Plan of Lot 135 SP132929 fronting Railway Street, Heap Street and Esk Hampton Road, Esk

Recommendation

THAT the applicant be advised that Council is prepared to adjust the conditional works following lodgement of a Permissible Change request.

Decision:	Moved - Cr Hall	Seconded - Cr Brieschke
	<p>“THAT the applicant be advised that Council is prepared to adjust the conditional works following lodgement of a Permissible Change request.”</p>	

Carried

Subject:	Development Application No 16157 - Application for a Development Permit for a Material Change of Use for an expansion to a Tourist Park
File No:	DA16157
Assessment No:	05521-00000-000
Action Officer:	PO-MJ

Subject Land

Location	117 Avoca Creek Road, Avoca Vale
Real Property Description	Lot 1 on RP144325
Area	2.05 hectares
Current land use	Lions Camp Duckadang
Easements and Encumbrances	Nil

Somerset Region Planning Scheme 2016

Zone	Rural
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SEQ Regional Plan 2009-2031

Category	Regional Landscape and Rural Production area
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Application

Level of Assessment	CODE
Applicant/s	Lions Camp Duckadang
Applicants contact details	C/- Peter Boge PO Box 437 Strathpine QLD 4500
Land Owner/s details	Lions Camp Duckadang
Date properly made	27 July 2016

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil
Third Party Advice Agencies	Nil

Attachments

1. Interim By-Law Approved Plan – dated December 1974
2. Proposal Plan provided by Lions Camp Duckadang
3. Floor plans of accommodation buildings
4. Site layout marked up by Somerset Regional Council

RECOMMENDED DECISION

THAT Council approve the Development Application for a Material Change of Use for a Development Permit for a Tourist Park on land described as Lot 1 on RP144325 and situated at 117 Avoca Creek Road, Avoca Vale subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 APPLICATION

Pursuant to Chapter 6 Section 260(1) and (3) and Section 261 of the *Sustainable Planning Act 2009* (SPA), the applicant has made a properly made development application and is seeking approval for a Material Change of Use for a Development Permit for an expansion to a Tourist park.

The following level of assessment applies to the development under the Somerset Region Planning Scheme as the site is located within the Rural Zone:

- Code Assessable for Tourist park

2.0 BACKGROUND

As part of Council's implementation of Subordinate Local Law 1.6 – Operation of a camping grounds and Local Law 1.8 – Operation of a caravan park an application for a Local Law permit was received from Lions Camp Duckadang. The operators were seeking approval under the Local Law for 15 caravan park sites and 10 tent sites which would be utilised by the public at times when the camp was not being utilised. As part of the assessment of the Local Law application Council's planning officers reviewed the historic development approvals over site which revealed that an approval which would allow camping/caravans external to Lions Camp Duckadang did not exist. As such, a Local Law approval could not be issued at that time.

The review of the historic land use approval identified that the original approval was issued in 1975 under an Interim Development By-Law and allowed accommodation for a maximum of 52 people and 2 caretakers (see Attachment 1 for original approved plan). Since the original approval was issued it appears that the use has intensified and has deviated away from the approved development plans. The facility now provides accommodation for up to 100 people in a number of dormitories, plus caretaker's residence. It was further determined that no land use approvals existed for the expansion to the development.

3.0 PROPOSAL

The Lions Camp Duckadang have now lodged a material change of use development application for a Tourist Park, as part of this application they are seeking to formalise the existing expansion of the camp and also the provision of caravan and camping facilities.

The application seeks approval for 15 caravan park sites and 10 camping sites across the subject land. As the caravan/camping is only to occur during times when the camp is not being utilised the existing amenities and facilities are proposed to be utilised for the caravan/camping guests.

A total of 100 people are capable of being accommodated within four dormitory buildings, namely Bayley House, Rubie House, Jamieson House and McDonald House. Each building is provided with its own amenities and Ruby House is a self contained unit and typically provides accommodation to the teachers/supervisors for groups visiting the camp. Hamilton Hall provides an indoor recreation space and the caretaker's residence and office are contained within Farmer House.

A number of facilities are also provided across the site including a commercial grade kitchen, swimming pool, mini golf, canoeing on the Brisbane River, Tennis and Basketball, Low Ropes Course, Volleyball, Tiny Tot playground and Gas BBQ facilities under the rotunda.

4.0 SITE DETAILS

The site is described as Lot 1 on RP144325 and located at 117 Avoca Creek Road, Avoca Vale, containing 2.05 hectares in area and borders the Brisbane River.

5.0 SURROUNDING LAND USES

Predominately the site is surrounded by large rural properties utilised for cattle grazing and growing lucerne. Typically the area is dominated by a low population density.

6.0 ASSESSMENT - STATE LEGISLATION

This application is made under the provisions of the *Sustainable Planning Act 2009*. As such it is subject to the requirements of the Regulatory Provisions of the South East

Queensland Regional Plan 2009-2031 (SEQRP), relevant Acts and State Planning Policies. The site is located within the Regional Landscape Rural Production area under the SEQRP. The proposed use does not require assessment against the SEQRP Regulatory Provisions and the application did not require referral to the Department of State Development, Infrastructure and Planning.

6.1 VEGETATION MANAGEMENT ACT 1999

There is no vegetation of significance as per the Department of Environment and Resource Management mapping.

6.2 ENVIRONMENTAL PROTECTION ACT 1994

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

7.0 LOCAL GOVERNMENT LEGISLATION

The Somerset Region Planning Scheme identifies relevant codes and overlays by which the development is to be assessed with alternative solutions measured against the specific outcomes proposed by the Code.

The following table provides a summary of the identified codes and overlays applicable to the proposed development and in instances where alternative solutions are provided in achieving the performance outcomes, they are discussed below.

Applicable Code	Performance outcome compliance	Is an Alternative Solution provided?
Rural zone code	Yes	Yes
Tourist park and relocatable home park code	Yes	Yes
Service, works and infrastructure code	Yes	Not required
Transport, access and parking code	Yes	Yes
Applicable Code	Performance outcome compliance	Is an Alternative Solution provided?
Agriculture overlay code	Yes	Yes
Biodiversity overlay code	Yes	Yes
Bushfire hazard overlay code	Yes	Yes
Catchment management overlay code	Yes	Yes
Flood hazard overlay code	Yes	Not required

The applicants have provided a proposal plan which identifies their preferred locations of the proposed caravan and camping locations. Following a site inspection of the property it was determined that the proposed layout is not practical on the site and as such Somerset Regional Council has marked up a plan which identifies a more appropriate layout across the site (Refer to Attachment 4). As a result of the amended layout the maximum number of caravan sites considered practical on the site is to be 14 and the maximum number of camping (tent) sites is to be 11.

Rural zone code

Tourist development	
Performance outcomes	Acceptable outcome
P08	A08

<p>Tourism development is separated from rural activities so that it does not result in:</p> <ul style="list-style-type: none"> (a) adverse impacts on the ongoing operation of existing rural activities or the potential operation of future rural activities; (b) adverse impacts on rural amenity; and (c) inability for a tourism development to operate as intended having regard to the nature of rural activities. <p><i>Note – Tourism development in the Rural zone includes any use that attracts visitors for entertainment, functions, recreation or short-term stays, including nature based tourism, short-term accommodation, tourist park, winery, tourist attraction or function facility.</i></p>	<p><i>Buildings and structures associated with tourism development are set back a minimum of:</i></p> <ul style="list-style-type: none"> (a) 50 metres from a public road. (b) 100 metres from the boundary of the site.
Officer comment	
<p>The subject land directly adjoins land utilised for cattle grazing and growing lucerne. As the facility has operated for considerable time without causing adverse impacts to the existing surrounding rural activities and this is anticipated to continue. The adjoining land is also identified as being a biodiversity protection area by the Biodiversity overlay code which would indicate that intense agricultural activities are unlikely on this land.</p>	

Tourist park and relocatable home park code

<i>Performance outcomes</i>	<i>Acceptable outcome</i>
<p>PO1</p> <p>The use provides suitable levels of buffering, amenity, privacy, and recreation areas commensurate with the reasonable expectations of visitors and residents having regard to the nature of the accommodation use, and the character of the locality</p> <p>Short term and long term accommodation densities are compatible with the character and amenity of the locality and does not result in overdevelopment of the <i>site</i>.</p> <p>A tourist park includes a mix of accommodation types.</p>	<p>AO1.4</p> <p>The proposal complies with the provision in Table 9.3.21.3.B with respect to:</p> <ul style="list-style-type: none"> (a) minimum <i>site</i> area for each accommodation type; (70m² for caravan site and 40m² for tent site) (b) setbacks to internal <i>road</i> frontages (1.5 metres); (c) distances to amenities (minimum 20 metres); and (d) distance from refuse storage areas (minimum 50 metres).

Officer comment

The caravan sites proposed to be located in the south eastern portion of the property are to be positioned greater than 20 metres from the closest amenities. As a large number of caravans are now self-contained it is considered appropriate for only self-contained caravans for be contained within this area, if approved an appropriate condition will be included.

Further conditions will also be included, if approved, requiring the minimum site design and layout requirements of the planning scheme to be complied with.

Transport, access and parking code

Vehicle standing and manoeuvring areas	
<i>Performance outcomes</i>	<i>Acceptable outcome</i>
PO10 Vehicle standing and manoeuvring areas are of suitable standard for the intended use and the areas are constructed to a standard that avoids <i>environmental nuisance</i> .	AO10.2 Internal manoeuvring and standing areas of the <i>site</i> are sealed.
Officer comment	
Currently the existing internal driveways are unsealed and predominantly just grassed areas. Given the location and nature of the development it is considered that hardstand (ie gravel) is appropriate and if approved the development will be conditioned accordingly.	

Agricultural land overlay code

<i>Performance outcomes</i>	<i>Acceptable outcome</i>
PO1 Loss, fragmentation, alienation or diminished capacity of agricultural land is avoided unless: <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; loss or fragmentation is minimised to the extent possible. 	Where for a material change of use in the Rural zone AO1.1 Development (inclusive of the <i>development footprint</i>) is not located on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b unless identified in Table 8.2.1.3.B.
Officer comment	
A tourist park is not included within Table 8.2.1.3B and as such the code is applicable, notwithstanding this, the subject land is identified as containing Class A Agricultural Land, given the size of the site and the existing onsite development it is considered that the agricultural pursuits of the land have been extinguished.	

Biodiversity overlay code

Biodiversity Corridors rehabilitation and revegetation	
<i>Performance outcomes</i>	<i>Acceptable outcome</i>
PO5 Development provides for land identified as containing a Biodiversity Corridor on Biodiversity overlay maps OM003a-b to be restored and enhanced so as to contribute towards a functional and connected network of viable habitat areas. <i>Note</i> – where an environmental offset applies, restoration and enhancement activities are to be included as a requirement of a Direct Benefit Management Plan under the	AO5.1 Development provides for cleared, degraded or disturbed areas identified as containing a Biodiversity Corridor on Biodiversity overlay maps OM003a-b to be rehabilitated or allowed to regenerate naturally. AO5.2 Development provides for locally native plant species to be predominantly used in the revegetation and landscape planting

Queensland Environmental Offsets Policy.	on the <i>site</i> . A05.3 Development provides for revegetation and landscape planting that does not use declared or environmental weeds.
Officer comment	
The subject land is located within a Biodiversity corridor and is currently mostly clear of vegetation due to the development on the site. The subject land is not of a sufficient size to provide considerable revegetation opportunities and given the development is predominantly surrounded by the cleared properties used for grazing purposes it is not considered that functional revegetation is feasible on the subject land.	

Bushfire hazard overlay code

<i>Performance outcomes</i>	<i>Acceptable outcome</i>
P02 In Medium (potential intensity) Bushfire Hazard Areas as identified on Bushfire Hazard Overlay Map OM-004a-b, <i>buildings</i> and <i>structures</i> are sited: <ul style="list-style-type: none"> (a) in cleared areas where the environmental impacts of vegetation clearing are minimised; (b) on the area of the site which is least prone to bushfire hazard having regard to aspect, slope and vegetation; (c) to provide adequate setbacks between buildings, structures, and areas of identified bushfire hazard. 	A02 <i>Buildings</i> and <i>structures</i> in areas of Medium Bushfire (potential intensity) Hazard as identified on Bushfire Hazard Overlay Map OM-004a-b: <ul style="list-style-type: none"> (a) are located 100 metres from ridgelines; (b) are not located on north to west facing slopes; (c) have a firebreak with a minimum dimension of 20 metres.
Officer comment	
The site contains small areas of mapped medium bushfire hazard. As the site is mostly clear of vegetation it is considered that the bushfire hazard has been removed from the site. The surrounding land is mostly cleared with the only vegetation in close proximity to the subject land is located along the banks of the Brisbane River.	

Catchment management overlay code

<i>Performance outcomes</i>	<i>Acceptable outcomes</i>
P01 Land use and <i>development</i> is: <ul style="list-style-type: none"> (a) appropriately separated from <i>watercourses</i> and <i>water bodies</i> to avoid <i>adversely impacting on water quality</i>; and (b) connected to reticulated sewerage or is connected to an on-site waste water 	A01.1 Development is setback a minimum of: <ul style="list-style-type: none"> (a) 25 metres from the <i>high bank</i> of a <i>watercourse</i> identified on Catchment management overlay maps OM005a-b; and (b) 100 metres from the <i>full supply level</i> or the <i>upper flood margin</i>

treatment or effluent disposal system that complies with Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments</i> .	<p><i>level of a water body (whichever is greater) identified on Catchment management overlay maps OM005a-b.</i></p> <p>AND</p> <p>AO1.2 <i>Buildings</i> are connected to reticulated sewerage</p>
<p>PO3 Development in the Higher Risk Catchment Area is undertaken in a sustainable manner that:</p> <p>(a) contributes to maintaining and improving the water quality of the major drinking water storages; and</p> <p>(b) will not have an adverse impact on the environment.</p>	<p>AO3.1 For any development within the Higher Risk Catchment Area the water quality impacts of the proposal are addressed in a catchment management analysis report undertaken in accordance with Planning Scheme Policy 3 – Catchment Management Analysis Guidelines</p>
Officer comment	
The subject land is bound by the high bank of the Brisbane River, the existing development is within 25 metres of the high bank. No further buildings works are currently proposed and the existing effluent disposal system is located outside the buffer to the river and as such it is considered that the risk to the catchment will not be impacted by the proposal.	

7.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

Water Supply

The facility contains an existing bore that has been determined to provide potable water. The water is treated using a UV treatment system and Council tests their potable water supply at least once a year as required by their food business licence.

Sewerage

The site is serviced by the existing on-site effluent disposal system capable of servicing about 100 people which is suitable for the accommodation buildings provided. As the caravan and camping component will be operating at a separate time to the camp it is considered that the system will not be impacted by the additional development.

Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater. However, the landowners must ensure that stormwater is connected to a legal point of discharge.

Services

All infrastructure and services including the provision of underground electricity and telecommunication services are available to the site.

8.0 STATE AGENCY REFERRALS

Concurrence Agencies

There are no Concurrence Agencies relating to this application.

Advice Agencies

There are no Advice Agencies relating to this application.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Material Change of Use for a Development Permit for a Tourist Park on land described as Lot 1 on RP144325 and situated at 117 Avoca Creek Road, Avoca Vale subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> • Site layout marked up by Somerset Regional Council • Floor plans of accommodation buildings 	At all times
1.2	Comply with 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, charges or expenses levied by Council over the subject land	Before the change happens
1.4	A maximum of 14 of caravan sites and 11 camping (tent) sites are to be provided on the site generally in accordance with the site layout marked up by Somerset Regional Council. The 14 caravan sites includes 6 sites in the south eastern portion of the site are only to be provided for self-contained caravans only.	At all times
1.5	The caravan and camping component of the tourist park is only to be operated when Lions Camp Duckadang is not in operation.	At all times
1.6	Each caravan sites are to be provided with a minimum site area of 70m ² .	At all times
1.7	Each camping (tent) site is to be provided with a minimum site area of 40m ² .	At all times
1.8	The approval holder must not erect or locate an accommodation or suffer or permit an accommodation to be erected or located, closer than 3m to any other accommodation.	At all times
1.9	Caravan sites are to be located a minimum of 1.5 metres from any internal roads/driveways.	At all times

1.10	Any bulk storage refuse bins are to be located a minimum of 50 metres from any accommodation buildings, caravan or camping site.	At all times																					
1.11	During any construction on site measures are taken in construction practices to not increase the risk of death or injury to koalas.	At all times																					
1.12	Any new fencing installed or replaced along the western boundary of the subject land is as follows: (a) consists of post and rail with a minimum gap of 300 millimetres between rails, or (b) other fencing material that has holes or gaps of a minimum of 300 millimetres in diameter, and the first gap is flush with the ground or no more than 400 millimetres from the ground.	At all times																					
1.13	An accessible tank, or swimming pool of not less than 40,000 litres is to be available with appropriate fire fighting fittings to be utilised in the event of a bushfire.	At all times																					
1.14	The maximum number of people to be accommodated within the Tourist Park (Lions Camp Duckadang) is 100 plus caretakers.	At all times																					
SCHEDULE 2 – Environmental <i>Assessment Manager</i>																							
2.1	The approval holder must ensure that water supplied as part of the operation for drinking, bathing, food preparation and utensils washing is potable water.	At all times																					
2.2	The approval holder must provide the number of fixtures listed in the table below for the exclusive use of residents of the tourist park: <table border="1"> <thead> <tr> <th>Fixture</th><th>Male</th><th>Female</th></tr> </thead> <tbody> <tr> <td>Number of toilets:</td><td>4</td><td>4</td></tr> <tr> <td>Number of hand basins:</td><td>2</td><td>2</td></tr> <tr> <td>Number of showers:</td><td>2</td><td>2</td></tr> <tr> <td>Number of baby baths:</td><td>1</td><td></td></tr> <tr> <td>Number of washing machines:</td><td>1</td><td></td></tr> <tr> <td>Number of twin tubs:</td><td>1</td><td></td></tr> </tbody> </table>	Fixture	Male	Female	Number of toilets:	4	4	Number of hand basins:	2	2	Number of showers:	2	2	Number of baby baths:	1		Number of washing machines:	1		Number of twin tubs:	1		At all times
Fixture	Male	Female																					
Number of toilets:	4	4																					
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Number of showers:	2	2																					
Number of baby baths:	1																						
Number of washing machines:	1																						
Number of twin tubs:	1																						
2.3	All waste generated as part of the operation of the facility must be stored and disposed of in accordance with Chapter 5A, part 2 of the <i>Environmental Protection Regulation 2008</i> (or superseding legislation as produced from time to time), and (a) For general waste; disposed of through a waste service	At all times																					

	approved by Council. The required number of standard waste services shall be determined by Council, and	
	(b) For other solid waste; at an appropriately licensed waste disposal facility.	
2.4	The premises, including all buildings, structures, facilities, equipment and fixtures must be maintained in – (a) Good working order and condition; and (b) A clean, hygienic, safe and tidy condition.	At all times
SCHEDULE 3 – Engineering <i>Assessment Manager</i>		
3.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	At all times
3.2	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.	At all times
ROADWORK		
3.3	All internal roads are to be constructed and maintained with a minimum 4 meter wide hardstand surface (ie gravel or approved material).	Within in 6 months of date of approval and maintenance and at all times.
3.4	All manoeuvring areas for Caravan sites shall enable access to a single-unit truck / bus based on a 12.5 meter Design Vehicle in accordance with <i>Austroads</i> design manual.	Within in 6 months of date of approval and maintenance and at all times.
CARAVAN SITES		
3.5	All caravan sites are located so that they provide a hard standing and drained surface.	Within in 6 months of date of approval and maintenance and at all times.
INDOOR AND OUTDOOR LIGHTING		
3.6	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. 	Within in 6 months of date of approval and maintenance and at all times.
3.7	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> 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 	At all times

	<ul style="list-style-type: none"> 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	
3.8	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.9	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.	At all times
	EROSION AND SEDIMENT CONTROL	
3.10	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 proposed controls prove to be ineffective, Council will require the developer to install additional measures.	At all times
Advice		
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 <i>Division 8 Section 461</i> 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].		

Attachments for the Decision Notice include:

- Site layout marked up by Somerset Regional Council
- Floor plans of accommodation buildings

Decision:	Moved - Cr Ogg	Seconded - Cr Gaedtke
<p>“THAT Council approve the Development Application for a Material Change of Use for a Development Permit for a Tourist Park on land described as Lot 1 on RP144325 and situated at 117 Avoca Creek Road, Avoca Vale subject to the requirements and conditions contained in the Schedules and Attachments.</p>		

SCHEDULE 1 – GENERAL CONDITIONS

No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> • Site layout marked up by Somerset Regional Council • Floor plans of accommodation buildings 	At all times
1.2	Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.	At all times
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1.4	A maximum of 14 of caravan sites and 11 camping (tent) sites are to be provided on the site generally in accordance with the site layout marked up by Somerset Regional Council. The 14 caravan sites includes 6 sites in the south eastern portion of the site are only to be provided for self-contained caravans only.	At all times
1.5	The caravan and camping component of the tourist park is only to be operated when Lions Camp Duckadang is not in operation.	At all times
1.6	Each caravan sites are to be provided with a minimum site area of 70m ² .	At all times
1.7	Each camping (tent) site is to be provided with a minimum site area of 40m ² .	At all times
1.8	The approval holder must not erect or locate an accommodation or suffer or permit an accommodation to be erected or located, closer than 3m to any other accommodation.	At all times
1.9	Caravan sites are to be located a minimum of 1.5 metres from any internal roads/driveways.	At all times
1.10	Any bulk storage refuse bins are to be located a minimum of 50 metres from any accommodation buildings, caravan or camping site.	At all times

1.11	During any construction on site measures are taken in construction practices to not increase the risk of death or injury to koalas.	At all times																					
1.12	Any new fencing installed or replaced along the western boundary of the subject land is as follows: (a) consists of post and rail with a minimum gap of 300 millimetres between rails, or (b) other fencing material that has holes or gaps of a minimum of 300 millimetres in diameter, and the first gap is flush with the ground or no more than 400 millimetres from the ground.	At all times																					
1.13	An accessible tank, or swimming pool of not less than 40,000 litres is to be available with appropriate fire fighting fittings to be utilised in the event of a bushfire.	At all times																					
1.14	The maximum number of people to be accommodated within the Tourist Park (Lions Camp Duckadang) is 100 plus caretakers.	At all times																					
SCHEDULE 2 – Environmental <i>Assessment Manager</i>																							
2.1	The approval holder must ensure that water supplied as part of the operation for drinking, bathing, food preparation and utensils washing is potable water.	At all times																					
2.2	The approval holder must provide the number of fixtures listed in the table below for the exclusive use of residents of the tourist park: <table border="1"> <thead> <tr> <th>Fixture</th><th>Male</th><th>Female</th></tr> </thead> <tbody> <tr> <td>Number of toilets:</td><td>4</td><td>4</td></tr> <tr> <td>Number of hand basins:</td><td>2</td><td>2</td></tr> <tr> <td>Number of showers:</td><td>2</td><td>2</td></tr> <tr> <td>Number of baby baths:</td><td>1</td><td></td></tr> <tr> <td>Number of washing machines:</td><td>1</td><td></td></tr> <tr> <td>Number of twin tubs:</td><td>1</td><td></td></tr> </tbody> </table>	Fixture	Male	Female	Number of toilets:	4	4	Number of hand basins:	2	2	Number of showers:	2	2	Number of baby baths:	1		Number of washing machines:	1		Number of twin tubs:	1		At all times
Fixture	Male	Female																					
Number of toilets:	4	4																					
Number of hand basins:	2	2																					
Number of showers:	2	2																					
Number of baby baths:	1																						
Number of washing machines:	1																						
Number of twin tubs:	1																						
2.3	All waste generated as part of the operation of the facility must be stored and disposed of in accordance with Chapter 5A, part 2 of the <i>Environmental Protection Regulation 2008</i> (or superseding legislation as produced from time to time), and (a) For general waste; disposed of through a waste service approved by Council. The required number of standard waste services shall be determined by Council, and (b) For other solid waste; at an appropriately licensed waste disposal facility.	At all times																					

2.4	The premises, including all buildings, structures, facilities, equipment and fixtures must be maintained in – (a) Good working order and condition; and (b) A clean, hygienic, safe and tidy condition.	At all times
SCHEDULE 3 – Engineering <i>Assessment Manager</i>		
3.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	At all times
3.2	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.	At all times
ROADWORK		
3.3	All internal roads are to be constructed and maintained with a minimum 4 meter wide hardstand surface (ie gravel or approved material).	Within in 6 months of date of approval and maintenance and at all times.
3.4	All manoeuvring areas for Caravan sites shall enable access to a single-unit truck / bus based on a 12.5 meter Design Vehicle in accordance with <i>Austroads</i> design manual.	Within in 6 months of date of approval and maintenance and at all times.
CARAVAN SITES		
3.5	All caravan sites are located so that they provide a hard standing and drained surface.	Within in 6 months of date of approval and maintenance and at all times.
INDOOR AND OUTDOOR LIGHTING		
3.6	Lighting must be provided to the following areas of the site: • The entries and exits of the approved building.	Within in 6 months of date of approval and maintenance and at all times.
3.7	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: • 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. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary.	At all times

	<ul style="list-style-type: none"> Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
3.8	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.9	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.	At all times
	EROSION AND SEDIMENT CONTROL	
3.10	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 proposed controls prove to be ineffective, Council will require the developer to install additional measures.	At all times
Advice		
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 <i>Division 8 Section 461</i> 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]."		
<u>Carried</u>		

Subject:	Development Application No 16198 - Application for a Development Permit for a Material Change of Use for a secondary dwelling
File No:	DA16198
Assessment No:	00286-00000-000
Action Officer:	PO-RG

Subject Land

Location	48 Gutteridge Road, Coominya
Real Property Description	Lot 37 on RP141742
Area	2.026 hectares
Current land use	Dwelling house and associated outbuilding
Easements and Encumbrances	Nil

Somerset Region Planning Scheme

Zone	Rural
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SEQ Regional Plan 2009-2031

Category	Regional Landscape and Rural Production Area
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Application

Level of Assessment	CODE
Applicant/s	Sara Jane McKinven
Applicants contact details	46 Glenelg Drive Brassall QLD 4305
Date application received	16 August 2016
Date properly made	15 September 2016

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil
Third Party Advice Agencies	Nil

Attachments

1. Site plan: Drawing Job No. CCC page 02, dated Sept 2016 and drawn by King Architectural Engineering
2. Floor plan: Drawing Job No. CCC page 03, dated Sept 2016 and drawn by King Architectural Engineering
3. Elevations: Drawing Job No. CCC pages 05 and 06, 01, dated Sept 16 drawn by King Architectural Engineering

RECOMMENDED DECISION

Approve the Development Application subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 APPLICATION

Pursuant to Chapter 6 Section 260(1) and (3) of the *Sustainable Planning Act 2009 (SPA)*, the applicant has made a properly made development application and is seeking approval for a Development Permit for a Material Change of Use for a secondary dwelling.

The following level of assessment applies to the development under the Somerset Region Planning Scheme as the site is located within the Rural zone:

- Code Assessable

The application will be assessed against the relevant matters set out in section 314 of *SPA*.

An application is required because the construction of a secondary dwelling on a property in the Rural zone is assessable development.

2.0 PROPOSAL

The applicant proposes to erect a new primary residence on the property, which will be occupied by the property owner's daughter, and use the existing dwelling house as a secondary dwelling. The new dwelling house will contain three bedrooms, one bathroom, a lounge, kitchen, dining and laundry and will have a total GFA of 159.63m². It will be sited 50m from the rear of the property and more than 20m to each of the side boundaries. The existing house has an area of 84m², and will remain occupied by the property owner.

3.0 SITE DETAILS

The property is a small rural property, which has been largely cleared but contains limited stands of vegetation, the existing dwelling and its associated outbuilding and a small dam. Its boundaries are defined to the west, north and south by adjoining properties and to the east by Gutteridge Road. It is not known to be prone to slip, subsidence, erosion or inundation.

4.0 SURROUNDING LAND USES

The property is surrounded by similar properties, which contain existing dwelling houses and their associated outbuildings.

5.0 ASSESSMENT

STATE LEGISLATION

This application is made under the provisions of the *Sustainable Planning Act 2009*. As such it is subject to the requirements of the Regulatory Provisions of the South East Queensland Regional Plan 2009-2031 (SEQRP), relevant Acts and State Planning Policy. The site is located within the Regional Landscape and Rural Production Area under the SEQRP. The proposed development does not require assessment against the SEQRP Regulatory Provisions and did not require referral to the Department of Infrastructure, Local Government and Planning (DILGP).

VEGETATION MANAGEMENT ACT 1999

There is no vegetation of significance as per the Department of Environment and Resource Management mapping.

ENVIRONMENTAL PROTECTION ACT 1994

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

STATE PLANNING POLICY APRIL 2016

The proposed development is consistent with the SPP April 2016.

6.0 LOCAL GOVERNMENT LEGISLATION

The Somerset Region Planning Scheme identifies relevant codes and overlays against which the development is to be assessed with proposed solutions measured against the performance outcomes proposed by the codes. In instances where alternative solutions are provided in lieu of the probable solutions they are discussed below.

Applicable Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Rural zone	Yes	No
Dwelling house	Yes	AO7.1
Services, works and infrastructure	Yes	No
Transport, access and parking	Yes	No
Applicable Overlay Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Scenic amenity	Yes	No

The development as proposed complies with the provisions of the relevant codes identified in the Somerset Region Planning Scheme with the exception of AO7.1 of the Dwelling house code.

Dwelling house code

Secondary dwellings	
<i>Performance Outcomes</i>	<i>Acceptable Solutions</i>
PO7 <i>Secondary dwellings:</i> (a) are designed and sited to maintain local character and amenity; (b) are visually compatible with the existing <i>dwelling house</i> ; and (c) are located in proximity to the principal <i>dwelling</i> .	AO7.1 The <i>secondary dwelling</i> is no closer to the front boundary of the <i>premises</i> than the principal <i>dwelling house</i> .
Applicant's Alternative Solution	
The existing residence, at the front of the property, will be used as the secondary dwelling and the new dwelling house will be located at the rear of the property.	
Planning Comments	
Although the proposal will have the secondary dwelling in front of the dwelling house, it has been long established on the site and as such its visual presence forms part of the existing amenity of the area. As the proposed dwelling house will be located at the rear of the property, it is considered the alternative solution maintains the existing amenity of the area and so is consistent with PO7.	

7.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

Water Supply

The site is not located in an area served by a reticulated water supply, and so a condition will be included requiring the installation of 45,000L of water storage capacity for potable and general use.

Sewerage

The proposed dwelling house will be connected to an on-site effluent disposal system which

complies with AS/NZS 1547.

Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater. However, the landowners must ensure that stormwater is connected to a legal point of discharge.

Services

All infrastructure and services, including the provision of electricity and telecommunications, are available to the site.

Environment

The proposed development will not result in environmental degradation.

Heritage

The site neither adjoins nor contains a heritage feature listed in either the State Queensland Heritage Register or Council's Local Heritage Register.

8.0 STATE AGENCY REFERRALS

There were no referral agencies required for the proposed development.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a secondary dwelling on land described as Lot 37 on RP141742 and situated at 48 Gutteridge Road, Coominya subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS		
No	Condition	Timing
1.1	Carry out the development 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. <ul style="list-style-type: none"> Drawing Job No. CCC page 02, dated Sept 2016 and drawn by King Architectural Engineering Drawing Job No. CCC page 03, dated Sept 2016 and drawn by King Architectural Engineering Drawing Job No. CCC pages 05 and 06, 01, dated Sept 16 drawn by King Architectural Engineering 	At all times.
1.2	Comply with 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.	During Building Works and Plumbing/ Drainage Stages.
1.7	Provide a minimum water supply storage capacity of 45,000L capable of capturing roof run-off and connected to service all domestic water consumption needs of the new dwelling house.	Prior to commencement of the use.

1.8	On-site effluent disposal is to be compliant with the relevant standards.	Prior to commencement of the use.
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
2.1	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
2.2	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policies and Standards.	At all times.
2.4	The new dwelling house is to use the existing vehicular access to the property.	At all times.
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to commencement of use.
2.6	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 commencement of use.
SCHEDULE 3 – Environmental		
<i>Assessment Manager</i>		
No	Condition	Timing
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.	Prior to commencement of the use.
Advice		
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' – being four (4) years starting the day the approval takes effect.		
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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.
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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.

Attachments for the Decision Notice include:

1. Site plan: Drawing Job No. CCC page 02, dated Sept 2016 and drawn by King Architectural Engineering
2. Floor plan: Drawing Job No. CCC page 03, dated Sept 2016 and drawn by King Architectural Engineering
3. Elevations: Drawing Job No. CCC pages 05 and 06, 01, dated Sept 16 drawn by King Architectural Engineering

Decision:	Moved - Cr Brieschke	Seconded - Cr Ogg
<p>"THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a secondary dwelling on land described as Lot 37 on RP141742 and situated at 48 Gutteridge Road, Coominya subject to the requirements and conditions contained in the Schedules and Attachments.</p>		

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	available on the premises at all times during construction.	Works and Plumbing/Drainage Stages.
1.7	Provide a minimum water supply storage capacity of 45,000L capable of capturing roof run-off and connected to service all domestic water consumption needs of the new dwelling house.	Prior to commencement of the use.
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2.1	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
2.2	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policies and Standards.	At all times.
2.4	The new dwelling house is to use the existing vehicular access to the property.	At all times.
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to commencement of use.
2.6	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 commencement of use.
SCHEDULE 3 – Environmental <i>Assessment Manager</i>		
No	Condition	Timing
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.
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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."
<u>Carried</u>

Subject:	Planning and Environment Court - Kopelke - Compliance
File Ref:	Officers Report
Action Officer:	DPAD

Decision:	Moved - Cr Choat	Seconded - Cr Hall
	"THAT the verbal report provided to Council be received and the contents noted.	
	THAT the terms of the Mediation Agreement (viewed at meeting) are agreed."	
	<u>Carried</u>	

Visitor to Meeting

Ms Bev Morton from Queensland Urban Utilities (QUU) attended the meeting and introduced herself to Councillors as the new QUU liaison officer.

Staff Service Presentation

The Mayor presented a Certificate and gift to Mrs Melanie Wheeler in recognition of ten years service to council.

Adjournment of Meeting

The meeting adjourned at 9.55am for morning tea, resuming at 10.15am.

Subject:	Condition assessment of sealed road network and Brisbane Valley Rail Trail
File Ref:	Financial management - asset management
Action Officer:	DFIN

Background/Summary

There has been recent discussion about the standard of works necessary to complete the Brisbane Valley Rail Trail (BVRT). It has been proposed that the 110 km BVRT within the Somerset Regional Council area would transfer from the State Government to Council when it is completed.

It is recommended that at the time of transfer, a condition record of the BVRT using the international road roughness index (IRI) be taken so:

- That there is an objective historic baseline for the BVRT at the time it was handed over. This would mean that Council would, for example, be in a position to respond to future criticism from government or others that the BVRT was in a poorer shape under Council's management than while managed by the State Government;
- There would be information available for use in public liability actions against Council;
- So as to comply with asset management and audit requirements.

It is also recommended that Council obtain similar data about its 800 km sealed road network as well as imagery of both assets and other data. The most recent condition assessment of Council's sealed roads was conducted in 2015 by ARRB Group Ltd at a cost of \$55,245 (ex GST).

A quote from Shepherd Services Pty Ltd for both the BVRT and the sealed road network for \$20,350 is attached. IRI data is usually obtained using an instrument within a specially equipped vehicle.

Attachment

Quotation from Shepherd Services Pty Ltd

Recommendation

THAT because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes for the condition assessment of the sealed road network and Brisbane Valley Rail Trail and that Shepherd Services Pty Ltd be appointed to carry out this work at the appropriate time on the basis of quotation 1153.

Decision:	Moved - Cr Choat	Seconded - Cr Brieschke
	<p>"THAT because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes for the condition assessment of the sealed road network and Brisbane Valley Rail Trail and that Shepherd Services Pty Ltd be appointed to carry out this work at the appropriate time on the basis of quotation 1153."</p>	

Carried

Subject: Sale of Council land - 34641-00000-000 - Fairneyview Fernvale Road Fairney View Qld 4306 - L 3 RP28870
File Ref: Council properties - disposal of land - document 912829
Action Officer: DFIN

Background/Summary

Council has received an enquiry regarding the purchase of the above freehold land.

There are holding costs in respect of the land and it is not held for any particular purpose.

The 0.2 hectare land is low lying and its value derives from the fact that it is a separate freehold title in a generally desirable rural area south of Fernvale.

If Council decides to dispose of this property, tenders are required to be called.

Recommendation

THAT Council invite tenders for the disposal of L 3 RP28870 and further that the selection criteria for determining a successful bidder will be:

- price
- the ability of the new owner to apply to realign the boundaries of L 3 RP28870 with a neighbouring allotment so as to potentially create two lots that each have major components above the Defined Flood Level.

Decision:	Moved - Cr Choat	Seconded - Cr Ogg
	<p>"THAT Council invite tenders for the disposal of L 3 RP28870 and further that the selection criteria for determining a successful bidder will be:</p> <ul style="list-style-type: none"> • price • the ability of the new owner to apply to realign the boundaries of L 3 RP28870 with a neighbouring allotment so as to potentially create two lots that each have major components above the Defined Flood Level." 	

Carried

Subject: Noxious weed debt relief - 111 Sippels Road Patrick Estate
File Ref: Environmental management - programs - pest management
Action Officer: DFIN

Background/Summary

Council officers cleared 111 Sippels Road Patrick Estate - L 183 CA3115 – 03793-00000-000 of groundsel bush following the service of relevant legal notices.

The property owner has requested relief from the amount charged.

Consistent with discussions with Councillors on 12 October 2016, it is recommended below that the amount be reduced on this occasion.

Recommendation

THAT Council reduce the charge to the owner of 111 Sippels Road Patrick Estate - L 183 CA3115 – 03793-00000-000 in respect of invoice 20258 to \$1,000.

Decision:

Moved - Cr Choat

Seconded - Cr Brieschke

"THAT Council reduce the charge to the owner of 111 Sippels Road Patrick Estate - L 183 CA3115 – 03793-00000-000 in respect of invoice 20258 to \$1,000."

Carried

Subject: Somerset Libraries' officer report 1 September - 31 September 2016

File Ref: Officers report

Action Officer: Library Team Leader

Background/Summary

9483 visits to Somerset Libraries were recorded in the month from 1 – 30 September. Over **516** attendances have been recorded at community program sessions and outreach events where library staff presented a variety of literacy opportunities and activities.

Somerset Libraries' statistical snapshot for September 2015 - 2016:

Somerset Libraries	2015	2016
Customer Service		
Visits to library branches (Appendix A)	10291	9483
Enquires answered	2387	2349
New membership (Appendix B)	82	79
Loans of library stock (Appendix C)	5916	5981
eBook loans (Appendix C)	909	316
eAudio loans (Appendix C)	85	69
Digital magazines (Appendix C)	23	53
Total loans	6933	6419
Reservations of library stock (Appendix C)	1123	1154
Computer usage (Appendix D)		
Hours of public computer use	754	643
Hours of Broadband for seniors kiosk use	281	322
Total hours of computer usage	1035	965
IT training (Appendix E)		
BFS Training	43	35
eDevice Training	22.5	36

Community programs (Appendix F)		
Storytime attendances	227	200
IT training attendances	17	93
Outreach and events attendances	1319	172
Total community program attendances	1628.5	536

Please note: Last year's community attendance included Literary Festival which operates every second calendar year. 1200 attendances in 2015.

School Holiday Activities

The September school holiday activities gained a large increase of attendances at the Esk branch program. An increase of 750% for the same period in 2015. Attendances were similar to the previous year at all other branches.

Zinio Magazine

A large increase in digital magazine borrowing for the month of September due to a wider selection of magazines. Somerset Libraries and Lockyer Valley Libraries consortia have joined to offer an increased variety of magazines for the same costs. This venture has been operating since July 2016 with numbers increasing each month.

Scenic Rim will join the consortia October 2016 to offer a wider selection of magazines and a more economical cost to the e-resource subscription for each participant of the group.

Attachments

Appendixes A,B,C,D,E,F

Recommendation

THAT the Somerset Libraries' report September 2016 be received.

Decision: Moved - Cr Hall Seconded - Cr Brieschke

"THAT the Somerset Libraries' report September 2016 be received."

Carried

Subject: Vandalism - September 2016
File Ref: Risk management - 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 incident occurred during September 2016:

Date	Location	Incident
5/9/16	Flood Sign Twin Bridges, Fernvale	Reported that the flood sign has been hit by a car (for the second time).
12/9/16	Clock Park	Reported that the amenities had been graffitied.

The Vandalism Repair Costs until 30 September 2016 are attached. There were no insurance claims relating to Vandalism for the month of September 2016.

Table – Vandalism Repair Costs until 30 September 2016

THAT the report be received and the contents noted.

Carried

Background/Summary

This year, International Volunteers Day falls on Monday 5 December. In view of the success of last year's matinee movie screenings at Toogoolawah and Kilcoy, the IVD committee is suggesting to repeat this style of event, electing to hold it on Saturday 3 December, to ensure that more volunteers have the opportunity to attend.

As occurred last year, free entry and pop corn would be provided for up to 280 Somerset volunteers (The Toogoolawah venue can seat up to 200 and Kilcoy up 80 people). Tickets (including a free popcorn voucher) would be made available at all Council offices for volunteers to pick up on a first served basis.

At this stage discussions have been held with the Toogoolawah Progress Association, but the movies to be screened have not yet been finalised.

As occurred last year, it is proposed to approach the Lowood Fernvale Bendigo Bank to help fund a 57 seat bus to bring volunteers from Lowood and Fernvale to Toogoolawah.

Promotion of the events will commence in November, once the movies have been selected and costs finalised.

THAT the report be received and the contents noted.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Ogg
	"THAT the report be received and the contents noted."	
		<u>Carried</u>

Subject:	Naming of Ovals at Fernvale Sports Park
File Ref:	Grants and subsidies - programs - Get Playing Plus
	Doc Id. 901193, 904189, 898950, 907407, 907849, 909294, 904707, 909576, 910644, 904250, 912538, 912250, 912239, 912238, 914317
Action Officer:	DCORP

Background/Summary

At Council's Ordinary Meeting of 24 August 2016, it considered a report in relation to the Naming of Ovals at Fernvale Sports Park.

It was resolved:

THAT an advertisement be placed in local newspapers seeking public comment on the following proposed names for the ovals at the Fernvale Sports Park:

- a) *Goan Oval;*
- b) *Titmarsh Oval; and*
- c) *Judith Schmidt Netball Courts;*
- d) *Harrisborough Oval.*

An advertisement was placed in local newspapers and the submission period closed on Tuesday, 4 October 2016.

Submissions for the following names were received:

- Tom Goan (or Goan Oval) (2 submissions received);
- Sam Brouff (2 submissions received);
- Les Titmarsh (6 submissions received);
- Darren Hines (1 submission received); and
- Harrisborough (1 submission received).

No submissions were received in response to the proposed name of the netball courts.

Council's *OP/001 Place (and Infrastructure) Naming Process Policy and Procedure* provides a guideline for the naming of various features including infrastructure within Somerset region. It indicates that:

Primary consideration will be given to names / terms from any of the following sources (not necessarily in the following order):

- (a) *Early pioneering families of the district within which the piece of infrastructure is located,*

- (b) *Flora and fauna native to Somerset region,*
- (c) *Former residents of Somerset region, who have paid the supreme sacrifice while serving with the armed forces of Australia, in any of the various armed conflicts in which Australia has been involved, and*
- (d) *Aboriginal names or terms relevant to Somerset region.*

Council's policy further indicates that an officer shall consider any comments/suggestions received by the due date and submit a report to Council with a recommendation regarding the suggested name/s. Where the recommendation does not support the suggested name/s, the officer will nominate an alternative name for Council's consideration. Council's direction shall also be sought regarding any official opening/unveiling ceremony.

In the event that Council adopts the recommendation, the officer shall arrange for the appropriate sign/s or plaque to be installed, and, where appropriate, advise the relevant party of Council's decision. The type of signage and materials used will be in accordance with Council's *OP/001 Place (and Infrastructure) Naming Process Policy and Procedure*.

It should be noted that the existing Brouff Road will be closed in future. When this occurs, an access will be created from the Brisbane Valley Highway to the car park designated for the Fernvale Sports Park. Council may, also, like to consider naming this access route with reference to the submissions received for naming of the ovals.

Attachments

Nil

Recommendation

THAT the following names be applied to the ovals:

- Les Titmarsh Oval (cricket oval);
- Harrisborough Field;
- Judith Schmidt Netball Courts; and
- the future access from the Brisbane Valley Highway to the car park designated for the Fernvale Sports Park be named 'Sam Brouff Way'.

Decision:

Moved - Cr Ogg

Seconded - Cr Choat

"THAT the following names be applied to the ovals:

- Les Titmarsh Oval (cricket oval);
- Harrisborough Field;
- Judith Schmidt Netball Courts; and
- the future access from the Brisbane Valley Highway to the car park designated for the Fernvale Sports Park be named 'Sam Brouff Way'."

Carried

Subject:	Annual Report 2015 - 2016
File Ref:	Corporate management - reporting - Annual Report
Action Officer:	DCORP

Background/Summary

The Annual Report for Somerset Regional Council is presented for adoption. The report covers the period 1 July 2015 to 30 June 2016 and has been prepared in accordance with the *Local Government Act 2009* and the Local Government Regulation 2012.

Attachments

Annual Report
Annual Financial Statements including audit certificate from the Auditor-General

Recommendation

THAT the Annual Report for Somerset Regional Council, including audited financial statements, for the period 1 July 2015 to 30 June 2016, be adopted.

Decision:	Moved - Cr Ogg	Seconded - Cr Gaedtke
	<p>"THAT the Annual Report for Somerset Regional Council, including audited financial statements, for the period 1 July 2015 to 30 June 2016, be adopted."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Proposed Amendments - Subordinate Local Laws
File Ref:	Laws and enforcement – local laws – local laws – not adopted – proposed local laws
Action Officer:	DCORP

Background/Summary

1. Background

Council is considering amendments to its existing subordinate local laws to:

- permit the keeping of more than two (2) dogs in some circumstances, and
- include Fernvale Sports Park as an off street parking area.

The process to amend local laws is set out in Council's policy C014 – Local Law Making Process (attached). This process satisfies the requirements of the *Local Government Act / Regulation* for local law making.

2. Proposed Amendments

The subordinate local laws are proposed to be amended as follows:

Subordinate Local Law No 2 Animal Management

Currently the subordinate local law prohibits the keeping of more than two (2) dogs on any allotment. The amendments proposed that, subject to approval, a person may keep:

- two (2) dogs on any allotment
- a third dog for compassionate reasons on:
 - (i) an allotment within a designated area, or
 - (ii) an allotment which:
 - (A) is located outside a designated area, and
 - (B) has an area less than 10,000m².
- up to four (4) dogs on an allotment which is located outside a designated area and has an area of 10,000m² or more,
- up to six (6) dogs on an allotment which is located outside a designated area, has an area of 20,000m² or more, and the applicant is an accredited breeder.

The minimum standards for keeping dogs are, also, proposed to be amended to include requirements to meet the registration and microchipping obligations under the *Animal Management (Cats and Dogs) Act*.

Subordinate Local Law No 1.5 Keeping of Animals

This subordinate local law deals with the application process to keep animals, including criteria by which applications will be assessed and conditions that may be imposed. The amendments propose that:

- no application be required to keep two (2) dogs
- all applicants to keep more than two (2) dogs be required to give written notice to occupiers of properties within a 100m radius, inviting submissions to be made to the Council regarding the application
- applicants provide evidence of compassionate grounds or accredited breeder qualifications, where required.

Subordinate Local Law No 5 Parking

The amendments propose to add Fernvale Sports Park to the list of off street regulated parking areas.

3. Anti-Competitive Provisions

The proposed amendments relating to the keeping of dogs contain provisions that may be seen as anti-competitive from a business perspective. The local law making process requires separate consultation to be undertaken with regard to these matters. It is proposed that, subject to delegate, the Chief Executive Officer determine how the public interest test (PIT) is to be conducted, the matters the PIT is to deal with and the consultation process for the PIT. No PIT is required for the amendments to the Parking Subordinate Local Law.

4. Proposed Fee Structure

As part of the amendment process, Council has given consideration to an indicative fee structure. The proposed fee structure includes the following elements:

- an application fee (proposed \$300)
- no annual renewal fee, other than the payment of the dog registration fee for each dog

- registration fees that provide discounts for keeping fewer dogs, pensioner ownership, desexed dogs and paying the account on a timely basis.

A proposed schedule is attached for your information.

Attachments

C014 – Local Law Making Process
 Animal Management (Amendment) Subordinate Local Law (No 1) 2016
 Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016
 Parking (Amendment) Subordinate Local Law (No 1) 2016
 Proposed Fee Structure

Recommendation

1. Council resolves to propose to make each of:
 - (a) Animal Management (Amendment) Subordinate Local Law (No 1) 2016;
 - (b) Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016; and
 - (c) Parking (Amendment) Subordinate Local Law (No 1) 2016.
2. Council resolves, pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* to decide -
 - (a) how the public interest test of each subordinate local law particularised in the schedule is to be conducted; and
 - (b) the matters with which the public interest test report in relation to each subordinate local law particularised in the schedule must deal; and
 - (c) the consultation process for the public interest test and how the process is to be used in the public interest test.

SCHEDULE

1. Animal Management (Amendment) Subordinate Local Law (No 1) 2016
2. Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016.

Decision:	Moved - Cr Choat	Seconded - Cr Hall
	<ol style="list-style-type: none"> 1. "Council resolves to propose to make each of: <ol style="list-style-type: none"> (a) Animal Management (Amendment) Subordinate Local Law (No 1) 2016; (b) Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016; and (c) Parking (Amendment) Subordinate Local Law (No 1) 2016. 2. Council resolves, pursuant to section 257 of the <i>Local Government Act 2009</i> ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the <i>Local Government Regulation 2012</i> to decide - 	

- ## SCHEDULE

- Carried

Carried

Subject:	B-double Route Renewal Applications - Darwalla Milling Co
File Ref:	Traffic and Transport - Permits - 2016 - 2017 - National Heavy Vehicle Regulator - NHVR (913270)
Action Officer:	CD

Background/Summary

An application has been received from Darwalla Milling Co for a 25m B-Double permit along the following route, for the period 7 October 2016 to 6 October 2019:

- Rocky Gully Road - from Atkinson Dam Road to Bischoffs Road
- Bischoffs Road - from Rocky Gully Road to a drop-off area before the bridge on Bischoffs Road
- Individual trailers will then be taken to the poultry farm 218 Bischoffs Road (Lot 53 SP192458) (The application states that the bridge is not suitable for 25m B-Double access.)
- Exit: Reverse of above

Note: 19m B-Doubles currently deliver to 218 Bischoffs Road via Rocky Gully Road from Coominya. The direct route from Atkinson Dam Road was not previously approved as there was a single lane causeway in the section; this has recently been upgraded to a 2-lane crossing. Approval of this request may generate requests from current operators seeking similar approval, Council may consider removal of heavy vehicles from Coominya as being beneficial.

The current B-Double approval has restricted hours of operation – “No operations between the hours 7am to 9am and 2.30pm to 4.30pm on school days”.

An officer undertook an assessment of the route infrastructure including an onsite inspection.

Attachments

Road Manager consent request Number 86604

Recommendation

THAT Council approve the application for the period 7 October 2016 to 6 October 2019 with conditions:

- Time restrictions: No operations between the hours 7am to 9am and 2.30pm to 4.30pm on school days.

Decision:	Moved - Cr Hall	Seconded - Cr Ogg
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“THAT Council approve the application for the period 7 October 2016 to 6 October 2019 with conditions:

- Time restrictions: No operations between the hours 7am to 9am and 2.30pm to 4.30pm on school days.”

Carried

Subject:	Quotation - Crossdale Road Bridge Number 2 Replacement
File Ref:	Corporate Management - Tendering - Quotations
Action Officer:	WM

Background/Summary

A request for quotation was sought under Local Buy Contract BUS244-1013 – Civil Construction and Road Resurfacing, from five suppliers for the replacement of the existing timber bridge known as Crossdale Road Bridge Number 2.

Quotations closed on Thursday 6 October 2016 with three submissions received from the five suppliers, ranging in value from \$631,965.07 to \$768,840.00 for the replacement of Crossdale Road Bridge Number 2. All figures within this report are exclusive of GST.

The approved estimated construction cost for Crossdale Road Bridge Number 2 is \$769,868. Hence, the quotations have come within the estimated construction cost. Crossdale Road Bridge No#2 is funded under the Bridge Renewal Program Number 2.

Quotation Conformance

All Quotations were considered conforming.

Quotation Evaluation

Evaluation of quotations were completed by a quotation assessment team consisting of Council's Works Manager, Andrew Johnson, and GHD Engineers, Paul Henderson and Michael Matthey. The assessment criteria was made available to suppliers with the request for quotation with the criteria consisting of price, track record and experience, methodology and project delivery, and safety and quality.

Conforming Quotation Discussion

The two highest ranked conforming suppliers, CPM Group Pty Ltd (CPM) and Ark Construction Group Pty Ltd (ACG), were further considered to establish the suitability of their offers.

CPM Group Pty Ltd

CPM has the past experience, knowledge and resources to fulfill this contract and has successfully built several bridges within the Somerset Region. CPM offered the lowest quotation for the bridge being \$631,965.07. CPM offered an additional lump sum option for the bored piles to minimise risk to Council. CPM is prepared to take on the risk for pile length, liner length and rock strength for an additional cost of \$19,487.37. The assessment team carefully considered this option based on the bridge design and available geotechnical reports and the likelihood of problems being experienced with piling.

Based on available information, it is the opinion of the assessment team that the offer proposed by CPM will greatly reduce Council's exposure to risk and considered to represent the best value for money. Based on the likelihood of potential risk, it is suggested that this option by CPM in this instance be accepted. This will bring their total offer to \$651,452.44 which remains lower than the next conforming offer.

Ark Construction Group Pty Ltd

ACG has the past experience, knowledge and resources to fulfill this contract and has successfully built several bridges within the Somerset Region. However, the ARC quote was \$656,978.92 which is \$25,013.85 dearer than the base price from CPM and when considering other assessment criteria, the quote offered by ARC does not offer any noticeable advantages over the CPM quotation.

Based on the quotation assessment, the quotation submitted by CPM Group Pty Ltd is the highest ranked supplier and is considered to offer Council the best value for money for the replacement of Crossdale Road Bridge Number 2.

Attachments

Nil

Recommendation

THAT the Quotation for the replacement of Crossdale Road Bridge Number 2 be awarded to CPM Group Pty Ltd for the cost of \$643,795 (Excl GST).

Decision:	Moved - Cr Ogg	Seconded - Cr Hall
	<p>"THAT the Quotation for the replacement of Crossdale Road Bridge Number 2 be awarded to CPM Group Pty Ltd for the cost of \$651,452.44 (Excl GST)."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Proposed Temporary Road Closure - Unnamed Road 1159 Adjoining the Western Boundary of Lot 199 on SP119635, Wanora
File Ref:	Roads - Road Closures - Temporary (913426)
Action Officer:	CD

Background/Summary

Following the resolution from the Council at the meeting dated 10 August 2016 regarding the permanent road closure of Unnamed road 1159 adjoining the western boundary of Lot 199 on SP119635, which stated:

"THAT Council advise the Department of Natural Resources and Mines in reference to permanent road closure number 2016/003306 that Council objects to the permanent road closure applied for as this section of road may be required for access in the future."

An email has now been received from the Department of Natural Resource and Mines, seeking Council's views on an application to temporarily close the road reserve unnamed road 1159 adjoining the western boundary of Lot 199 on SP119635, Wanora.

The area of road reserve applied for closure is approximately 12,000m² and its proposed use is for grazing purposes.

This section of unnamed road reserve links Drapers Road West to Lloyds Road, currently the only road link between these roads is the Brisbane Valley Highway.

There are no services in the area applied to be closed.

The land adjacent to the road to be closed is zoned rural.

The drawing attached shows a permanent road closure from previous request, should Council agree to a temporary closure this plan would be updated by the Department of

Natural Resources and Mines.

Attachments

Location Drawing

Recommendation

THAT Council advise the Department of Natural Resources and Mines in reference to the temporary road closure, that Council has no objection.

Decision:	Moved - Cr Brieschke	Seconded - Cr Ogg
	"THAT Council advise the Department of Natural Resources and Mines in reference to the temporary road closure, that Council has no objection."	
		<u>Carried</u>

Subject:	Operational Report for September 2016
File Ref:	Governance - Reporting - Officer Reports
Action Officer:	CSSA

Background/Summary – Technical Design Team (Michael Kinion)

This team have continued to progress the designs for the 2016/17 capital works budget. All survey information for the capital works projects is now complete. The team has completed the design for the shared path projects in Lowood and have received approval from TMR to start works. Other works completed this month include the design of the Ivory Creek stormwater project and the three sections of survey on Gregors Creek Road to allow GHD to progress the submission for additional grant funding. They have continued to provide support to the construction crews, on the Honeywood footpath project, Mahons Road drainage and kerb and channel project and Duffys Bridge project.

Our assets register continues to be updated with the stormwater, rural culverts and cemeteries. The team continues to gather traffic data to update the information in our system. It has also issued the following permits as listed below:

Permit	Sept-16	Sept-15
Property searches	36	37
Land access permit	33	46
Property access applications	2	3
National Heavy Vehicle Regulator permits:		
Dwellings	8	5
Other	16	14

Background/Summary – Works Department (Rob Bouchier)

Weather Conditions:

There has been no lost time to weather conditions.

Gary Eastell - Foreman:

Northern Maintenance Crew: (Greg Rolph)

This crew is currently working on Mahons Road kerb and channel and drainage job. The kerb is expected to be placed 21 October. This crew has undertaken maintenance on Edwards Road, O'Connor Road, Buaraba Creek Road and Kavanaghs Road. Work in Esk at Pryde Street and Edward Street will commence in the next week.

Excavator crew: (Paul Davina off sick) Dave Bandit temporary operator

There has been nine (9) burials during September. This crew has continued with ongoing drainage maintenance and clean up of illegal dumping sites.

Landfill: (Rob Hester)

The waste operations are continuing as normal at Esk Landfill. The new excavator was commissioned in recent weeks - Plant no 241.

Wayne Kohler - Foreman:

Southern Maintenance Crew: (Thomas Varney)

This crew has completed maintenance works on Retschlags Road, Brown Road, Valma Lane, Jacksons Road, Bischoffs Road (off Gatton Esk) Lehmanns Road, Harris Road, Allen Road and Strasburgs Road. This crew is now be working on Bichels Road construction Job.

Esk Concrete Crew: (Ron Ratcliff)

This crew is continuing with construction of the Honeywood Estate footpath. This will continue over the next few weeks.

Wayne Feeney - Foreman:

Kilcoy 1 Grader Crew: (Stuart Gardner)

This crew has completed constructing the approaches to Duffys Bridge on Gregors Creek Road. The guardrail was placed and the bridge was fully open to traffic on 17 October. This crew is now completing earthworks on Kimbala Crossing Number 2.

Kilcoy 2 Grader Crew: (Ian Thompson [Temp Ganger])

This crew has now completed a large part of the widening and overlay of Esk Crows Nest Road. The final seal is now in place. This crew has undertaken maintenance on Tuites Lane and Morden Road. Work has now commenced on the Esk Kilcoy Road and D'Aguilar Highway intersection project for Department of Transport and Main Roads. It is expected this work will take around six (6) weeks to complete.

Bob Peters – Foreman:

Austroroads Patching Crew 1: (Clinton McLeod)

This crew is continuing with ongoing patching throughout the region, and continuing with spray sealing new works as jobs are completed. Both trucks involved in some recent works at the Minden School Car Park.

Austroroads Patching Crew 2 (Craig Thompson)

This crew is continuing with pothole patching throughout the region and assisting other crews as needed.

Bitumen Crew: (James Rolph)

This crew is continuing with Department of Transport and Main Roads work including cleaning of concrete kerbs on D'Aguilar Highway, pavement failures, clean up after truck rollover on Kilcoy Murgon Road, stabilising work on Gatton Esk Road and Esk Kilcoy Road. It has also been ongoing with asphalt repairs on TMR and Council networks. Other works include a number of QUU repairs to roads after water main failures.

Bruce Zinn - Foreman:**Bridge Crew: (Kerry Kubler)**

This bridge crew has now completed the new footpath in Gardner Street North while the School was in recess. This crew is undertaking maintenance as needed on various bridges and are getting ready for a start on Gallanani bridge replacement on Esk Crows Nest Road.

Kilcoy Concrete Crew: (Nigel Valentine)

This crew is now working on Dunlop Bridge replacement on Western Branch Road. This will be ongoing for the next few weeks.

Nelson Handyside – Senior Foreman:**Repair Crew: (Jim Walker)**

This crew is continuing with ongoing customer service requests and pro active patrol work. Other works include minor guardrail repairs, repair and replace signs as required. The TMR sign replacement schemes are now underway. The new speed signage is completed on Esk Hampton Road. The Brisbane Valley Highway sign replacement from Wivenhoe Dam to north of Esk is about to start. The bridge signage upgrade has commenced. This includes seven (7) TMR bridges.

Town Maintenance Crew: (Jim Smith)

This crew is assisting other crews as required and sign replacement jobs as required.

Charlene Meehan – Foreman:**Esk Gardeners:**

This crew has continued to undertake mowing, tree and garden maintenance including mulching and infill plantings, grounds maintenance in preparation of community events and participating in residential Free Tree events in Kilcoy, Esk and Fernvale.

Esk and Lowood Mowing Crew:

The mowing crew is assisting the Esk gardeners, delivery of residential bins and relieving for town stewards.

Kilcoy Mowing Crew and Gardeners:

This crew has continued to undertake mowing, tree and garden maintenance including mulching and infill planting, grounds maintenance in preparation of community events, and replanting gardens in the Kilcoy Cemetery.

SRC Slasher Operators:

The slasher operators are undertaking mowing, taking annual leave or relieving town stewards who are taking leave in the off peak season.

Town Stewards:

The town stewards are continuing their usual cleansing duties as well as general mowing, grounds, asset and facility maintenance activities.

Peter Heath – Workshop Foreman:**Mechanics:**

- Ongoing service and maintenance of Council fleet along with services and repairs to floating plant items.
- P.587 Ausroads unit, has had the radiator replaced due to a split top tank.
- P.576 and P.577 mowing trucks have had the DPD (diesel Particulate Diffuser) which sit in the exhaust system and controls emissions, removed and cleaned.
- P.238 Komatsu loader had the articulation pins and bushes replaced under warranty

- by Komatsu.
- P.241 new Komatsu excavator has been commissioned for the Esk Landfill.
- P.242 new Komatsu wheel loader for Kilcoy construction and maintenance crew 1 has been commissioned.
- Two repairs carried out on IWS trucks.
- Two new lease vehicles have arrived.
- Annual fleet inspection of all Council heavy vehicles was carried out by TMR inspectors on Friday 30 September. Only four minor defects were found on trailers which were repaired and self cleared within a few days.
- Monthly check and start test on emergency gen-sets were carried out at Esk Office, Fernvale Futures and Kilcoy Depot.
- Workshop carried out quarterly servicing and inspection on all trailers.

Welding Crew:

This crew has carried out various repairs to Council assets including parks, gardens and buildings around the region. Fabricate and install tool boxes to new truck P.503 for Repair Crew 1 and continued with various repairs to Council plant.

Hire Plant:

Trucks, excavators, water trucks, rollers have been hired as needed. Council's bitumen contractor, SRS Roads have been on site completing new works as required. Reseals are underway; however the late spring is causing issues with lower ground temps slowing the operation.

Background/Summary – Customer Service Requests (Debbie Chandler)

Council received 590 customer service requests for the month of September 2016. A copy of the report is attached for your information.

Month	No of CSR's received	For comparison month	No of CSR's received
Month	No of CSR's received	For comparison month	No of CSR's received
Jul-16	462	Jul-15	453
Aug-16	529	Aug-15	526
Sept-16	590	Sept-15	526
Total	1581	Total	1505

The top five requests received from customers were:

- Declared plants – private property - 72
- Livestock wandering at large - 24
- Grading Maintenance - 23
- Dog wandering at large - 21
- Declared animals, general enquiries - 21

Recommendation

THAT the report be received.

Decision:	Moved - Cr Hall	Seconded - Cr Brieschke
	"THAT the report be received."	

Carried

Subject:	Community Assistance Grants 2015 - 16 - Kilcoy Race Club Doc Id 912374
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

Request for sponsorship of race meeting Kilcoy Race Club -

Amount requested:	\$2,000 exl GST
Total cost of project:	\$
Amount recommended to be granted:	\$1,000 incl GST

Assessor's Summary

Council is in receipt of a letter from Kilcoy Race Club requesting sponsorship for two upcoming race meetings:

- Christmas Cup Dual Code race meeting Saturday, 3 December 2016
- Australia Day race meeting Thursday, 26 January 2017.

The President of the Kilcoy Race Club states that sponsorship of \$2,000 ex. GST would be acknowledged with naming rights to a gallop race on both days with the race club offering sponsors four passes to the "Cannonball Christmas Capers" event to be held in the Trackside Pavilion.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be considered and \$1,000, plus GST if applicable, be granted through the advertising budget allocation for sponsorship of a race in 2016-17 for the Kilcoy Race Club.

Decision:	Moved – Cr Brieschke	Seconded - Cr Hall
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"THAT the application as summarised in this report be considered and \$1,000, plus GST if applicable, be granted through the advertising budget allocation for sponsorship of a race in 2016-17 for the Kilcoy Race Club."

Carried

Subject:	Progress report on Operational Plan 2015 - 2016 - quarter ended 30 September 2016
File Ref:	Corporate management - planning - Operational Plan
Action Officer:	CEO

Background/Summary

The basis of this report is on an exception basis. Only those items which are not proceeding in accordance with anticipated outcomes and timeframes are reported on.

Director Planning and Economic Development

Progress on the implementation of the Outputs for the various sub-programs of the 2016/2017 Operational Plan has been reviewed for the period ended 30 September 2016. All of the Outputs are on target or well advanced.

Director Corporate and Community Services

Progress on the implementation of the 2016/17 Operational Plan has been reviewed for the period ended 30 September 2016.

Departmental outcomes are progressing within required timeframes and no variations are anticipated at this time.

Director Operations

Well Planned Somerset

Item 58 – Undertake capital works program for roadworks and drainage projects

Program various phases of the projects and achieve completion on time and budget.

On Time – As previously reported there are a number of projects that were carried over from the 2015-16 year, these are all programmed for completion prior to the end of 2016.

On Budget – On the projects completed this year there has been over expenditures on the following projects:

- Toogoolawah Primary School (TIDS) – budget \$21,000 – expenditure \$25,000. Extra works was undertaken to re-configuring fences at the school access to allow for a better outcome.
- Glamorgan Vale Road Footpath. – budget \$70,000 – expenditure \$81,000. The cost of service identification and protection exceeded expectation.

DOPER's comment:

- The over expenditure on the Toogoolawah Primary project will be re-distributed as part of managing the overall TIDS program.
- For the other current over expenditure, it is expected that savings in other projects will result in no overall negative impact on the budget position.

Director Finance

Finance operational plan objectives for the quarter ended 30 September 2016 were achieved in full.

Director Human Resources and Customer Service

Progress on the implementation of the 2016/17 Operational Plan has been reviewed for the period ended 30 September 2016.

Departmental outcomes are progressing within required timeframes and no variations are anticipated at this time

Attachments

Nil

Recommendation

THAT the Chief Executive Officer's report on progress of the Operational Plan 2015 - 2016

for the quarter ended 30 September 2016 be received and the contents noted.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Choat
	<p>"THAT the Chief Executive Officer's report on progress of the Operational Plan 2015 - 2016 for the quarter ended 30 September 2016 be received and the contents noted."</p> <p style="text-align: right;"><u>Carried</u></p>	

Meetings authorised by Council

Nil

Mayor's and Councillors' Reports

Cr Hall – Councillor's Report

LGAQ Annual Conference 18 - 20 October 2016

Cr Hall noted his attendance at the annual LGAQ Annual Conference at the Gold Coast from 18 - 20 October 2016. Cr Hall noted that there were many interesting discussions, especially on roads.

Meeting with Minister Donaldson, Parliament House, Brisbane - 13/10/16

13 October 2016 – With mayor and Chief Executive Officer, met with Minister Donaldson for a discussion on chicken farms.

Cr Brieschke – Councillor's Report

13 October 2016	Brisbane Valley Interagency meeting, Fernvale. Meeting Awassi Sheep property.
15 October 2016	Brisbane Valley Protein Precinct Information Day, Coominya. ARROW, wildlife meeting. Ladies Night at the Pictures for Toogoolawah Kindergarten.
18 October 2016	Meeting with resident regarding Cats Claw Creeper in Cressbrook Ck.
20 October 2016	Mobile Hub, Eagle Rise Estate, Lowood
22 October 2016	Esk Markets
24 October 2016	Meeting with resident, Councillor's and Officers.
25 October 2016	Toogoolawah High School Awards night, Esk.

I along with Councillor Choat attended the Brisbane Valley Protein Precinct Information Day at Coominya, 15 October, which was well attended by the local community. Comments during discussion with residents revealed they were grateful for the invitation and were looking forward to the employment opportunities that the facility will offer the region.

The Mobile Hub held at Eagle Rise Estate, Lowood last Thursday was very successful with approximately 35 - 40 residents visiting the stalls presented by members of the Brisbane Valley Interagency. Many residents were able to spend time talking to agencies and care providers and all enjoyed the sausage sizzle.

I had one resident inquire if a sign post could be installed at the designated bus stop on Kingfisher Drive as around 30 children use this site.

I would like to congratulate students of Toogoolawah State High School on the presentation of their Annual Awards held last night at the Somerset Civic Centre. It was a pleasure to see students I have known since kindergarten achieving such high standards.

Cr Choat – Councillor's Report - 12 October 2016 – 25th October 2016

Awassi Coominya 13/10/2016

Was very interested to visit Mr and Mrs Piggott's property at Coominya with Mayor Lehmann and Councillors Hall Gaedtke and Brieschke to see their property and gain a better understanding for the developments they are planning. As only one of very few breeders of the Awassi Sheep in Australia – a sheep known for its hardiness and suitability for dry sandy country, the Piggott's development is both unique and important.

This venture will see the establishment of a sheep dairy and 'Cheesery' where people can visit see production, as well as taste and purchase this innovative new product. I wish Mr and Mrs Piggott well with their venture.

Protein Precinct Information Day (Poultry farm) Coominya 15/10/2016

This development has the potential to make a real difference in the local economy in the Coominya district. The open day was well attended by local residents who expressed a very positive feelings about this important development. Many enquired about employment prospects and were surprised at the variety of jobs which will be on offer to local people.

Trinity Lutheran Church Lowood 140th Anniversary 16/10/2016

Nicky and I attended this day of celebration including the unveiling of the Commemoration Plaque for the first Lutheran Church in Lowood originally at the present site of the cemetery. Neville Vorpapel had the honour of unveiling the plaque. Pastor Matthew Schultz conducted the Anniversary Rite.

Nicky and I attended the commemorative Church service along with Mayor Graeme and Lady Mayoress Judy Lehmann, and Councillor Cheryl Gaedtke. Special thank you to Pastors Matthew Schultz, Lester Reinbott, Andrew Schultz and former LCAQD Bishop, Pastor Noel Noack. It was particularly nice to have Pastor Noel and his wife Margaret returning for this occasion as Lowood Trinity Church was Pastor Noel's first ever parish.

Also congratulations to Aaron Heck for his marvellous job as Master of Ceremonies for the entire day, Faith Lutheran College and of course the ladies with their catering such a lovely lunch afterwards.

Brisbane Valley Neighbourhood Watch meeting 17/10/2016

I attended the October meeting which served as the group's Annual General Meeting. They are a very positive group and we discussed a number of local matters and wider issues and what is being done to eliminate crime in the region.

Fernvale Community Association General Meeting 24/10/2016

Attended General Meeting for Fernvale Community Association. The group is planning a number of local projects including some exercise equipment for the use of people using the Fernvale stretch of the Brisbane Valley Rail Trail, a decent War Memorial for the area and some plantings of native hibiscus to improve the aspect of the entrance to town. I wish them well in their endeavours and will support them in any way I can.

Toogoolawah State High School Annual Awards Night 25/10/2016

Was such a pleasure to attend this event with Mayor Lehmann and Lady Mayoress Judy Lehmann and Councillors Hall and Brieschke to see the hard working students of Toogoolawah State High showcase their successes in 2016. The Student Council officiated a tremendous night which ran very well. There are so many achievers at the school, but I will congratulate Zack Bulow on his achievements as Joint School Captain, his many achievement awards and on being the 2016 School Dux.

I wish the 2016 seniors well with their final exams and to their futures. Congratulations to Mrs Beu and her staff for such a great job as stewards at the school which brings pride to the Somerset Region.

Cr Ogg – Councillor’s Report*LGAQ Conference - Gold Coast*

Cr Ogg noted that this year's LGAQ Conference was very interesting. Cr Ogg was particularly interested in the outdoor exercise equipment that is on offer and undertook to do some more work on this matter, and present an outcome at a later meeting.

Lowood Stags Presentations

Cr Ogg noted that the Lowood Stags football presentation was a great afternoon and it was wonderful to see so many kids. Cr Ogg noted that the Stags have worked very hard to keep their junior football teams.

Cr Ogg also attended the 25th Anniversary of the Stags.

Cr Ogg also attended the Toogoolawah State High School awards, which was fantastic, very well done.

Cr Gaedtke – Councillor’s Report**Meetings/Functions attended**

13 October 2016	On-site meeting – Coominya
13 October 2016	Meeting at Kilcoy re: Funding opportunities for tourism
16 October 2016	140 Years of Lutheran Worship Lowood
18/20 October 2016	LGAQ Annual Conference – Gold Coast
25 October 2016	Interagency Meeting – Kilcoy
25 October 2016	Meeting with Kilcoy RSL President

On-site meeting - Coominya

It was a pleasure to take part in the meeting which was well supported by Councillors and Town Planning staff. Potential business owners often need assistance and guidance to understand the processes required to obtain town planning consent.

140 Years of Lutheran Worship Lowood

The Trinity Lutheran Church Lowood celebrated 140 years of worship by offering a service and an unveiling of the Commemoration Plaque at the Lowood Cemetery (Bethel Cemetery) and a Holy Communion Service in the Trinity Lutheran Church Lowood. The ceremony was followed by a fellowship Lunch. The experience was most uplifting and many past residents travelled back to Lowood to take part in the celebrations. I wish to congratulate the commemoration organisers.

LGAQ Annual Conference – Gold Coast

The conference was well supported by Somerset Regional Council with five Councillors attending. The Hon Annastacia Palaszczuk MP opened the conference and there were many keynote speakers who had valuable information to share with the conference delegates. It was interesting to witness some of the debate that occurred around the motions submitted by Queensland Councils.

The draft South East Queensland Regional Plan was released at the conference, which unveils a 50 year vision for the South East, with a focus on community, affordable living, future jobs and maximising existing infrastructure. Deputy Premier and Minister for Infrastructure, Local Government and Planning Jackie Trad said it was developed through extensive consultation with the region's 12 councils, industry and the community. The SEQ Regional Plan reflects the values, needs and great ideas of the community and was developed in close partnership with the region's 12 Mayors and South East Queenslanders.

Jackie Trad also announced the State would pay its 25 per cent share of the National Disaster Relief and Recovery Arrangements (NDRRA) funding that is owed to councils in plant and equipment costs. Queensland councils will now ramp up pressure on the Commonwealth to follow the Palaszczuk Government's lead and reimburse unpaid plant and equipment costs for disaster recovery works. It is estimated that the reimbursement is worth about \$2.5 million to more than 30 councils from reconstruction works performed in 2014.

Somerset Dam to produce renewable energy for SEQ again

A major refurbishment of the Somerset Hydro-Electric Plant will increase SEQWater's capacity to produce renewable energy for the state's electricity grid. The plant, which first generated power in 1954, has not been operational since it was inundated by the January 2011 floods. The \$11.6 million restoration, once completed, would increase the capacity of the plant from 3.2 to 4.1 megawatts. Hydro-electricity is the second largest source of large-scale renewable energy in Queensland.

Cr Lehmann – Mayor's Report

The Mayor presented a report of his activities from 29 September 2016 to 26 October 2016 as follows -

Thursday 29 September 2016	10am	Police Remembrance Day Service at Ipswich
Friday 30 September 2016	8.30am	Water from Wivenhoe Project Meeting at Fernvale Futures
	4.30pm	Bottle Tree Hotel Rodeo at Glamorganvale
Saturday 1 October 2016	2.30pm	Relay for Life event at Kilcoy
Sunday 2 October 2016	8.45am	Closing ceremony of Relay for Life event at Kilcoy
Tuesday 4 October 2016	9.30am	Law Enforcement Torch Run at Esk State School
Wednesday 5 October 2016	7.30am	Glamorganvale Water Board, Deputy Mayor and CEO meeting at Glamorganvale Water Board office

Thursday 6 October 2016	3.30pm	Lowood State School Robotics After School Program
Friday 7 October 2016	10am	Somerset Regional Community Association meeting at Toogoolawah Hotel
Saturday 8 October 2016	11.45am	Opening of the Kelly Blunt Oval at Mt Kilcoy State School, and Spring Fair
	4.30pm	Opening of Equinox Boogie at Ramblers Drop Zone, Toogoolawah
	6.30am	Opening Art Exhibition - Somerset Regional Art Gallery - The Condensery at Toogoolawah
Sunday 9 October 2016	12 noon	Trophy presentation - Lowood Stags at the Lowood sports grounds
Monday 10 October 2016	7am	Lowood Lions Meeting
Tuesday 11 October 2016	2pm	Launch - Police and Emergency Officer of the Year at Ipswich with Mayor Pisasale
Thursday 13 October 2016	11am	Inspection of sheep farm at Coominya regarding proposed development prospect
	3.45pm	Met with Minister Donaldson at Parliament House, Brisbane with Deputy Mayor, CEO and representatives from Ipswich City Council and Scenic Rim Regional Council regarding poultry farm issues
	6.30pm	Prenzlau Rural Fire Brigade AGM
Friday 14 October 2016	9.30am	Peter Keyte and Tim Cope, Port of Brisbane Pty Ltd regarding cruise terminal in Brisbane and inland rail
Saturday 15 October 2016	11am	SES Awards presentation and family day at Cormorant Bay
Sunday 16 October 2016	10am	Trinity Lutheran Church 140th Anniversary service at Lowood
18 - 20 October 2016		Local Government Association of Queensland (LGAQ) Annual Conference, Gold Coast
Friday 21 October 2016	2.30pm	Council of Mayors SEQ teleconference
Saturday 22 October 2016	6pm	Lowood Stags - 25 year reunion at Lowood Showgrounds
Sunday 23 October 2016	12 noon	Somerset Civic Centre - <i>Open Mic</i> event
Monday 24 October 2016	9am	Sharon Gibb and DPAD regarding disabled access issues

Tuesday 25 October 2016	11am	Mikayla Thorondor - onsite visit regarding planning and building matters
	7pm	Lowood Lions meeting
	10am	Citizenship Ceremony at Esk
	1pm	On-site meeting at BP Kilcoy regarding planning matters
	6pm	Toogoolawah High School Awards night at the Somerset Civic Centre

Decision:

Moved - Cr Choat

Seconded - Cr Brieschke

"THAT the verbal and written reports of Mayor Lehmann, Crs Hall, Brieschke, Choat, Ogg and Gaedtke be received and the contents noted."

Carried**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 10.50am.