



**Minutes of Ordinary Meeting
Held Wednesday 8 February 2017**

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

Present

Cr G D Lehmann	(Mayor)
Cr D Hall	(Deputy Mayor)
Cr H Brieschke	(Councillor)
Cr S Choat	(Councillor)
Cr C Gaedtke	(Councillor)
Cr M Ogg	(Councillor)
Cr B Whalley	(Councillor)
Mr R Bain	(Chief Executive Officer)
Mr C Payne	(Director Corporate and Community Services)
Mr T Jacobs	(Director Operations)
Mr B Sully	(Director Planning and Development)
Mrs S Pitkin	(Minute Secretary)
Mrs K Isidro	(Minute Secretary)
Ms M Maeselee	(Communications and Marketing Manager)

C O N T E N T S

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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 Choat	Seconded – Cr Brieschke
<p>“THAT the Minutes of the Ordinary Meeting held on 25 January 2017 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 Gaedtke – Matters of Public Interest**

It is pleasing to see that our region's landowners have various opportunities to be informed about rural management matters. Various workshops are organised by council and our local land care groups, and I encourage our landowners to attend workshops when possible.

10 February Kilcoy Art Society Inc – Artist of the Month, Kilcoy Courthouse Gallery
20 February Toogoolawah State High School – Student Leaders Investiture Ceremony

Cr Whalley – Matters of Public Interest

Bass Fishing Competition on Wivenhoe Dam

Decision:	Moved - Cr Whalley	Seconded - Cr Hall
<p>“THAT Council open negotiation with SEQ Water for a reinstatement of a competition along the same lines on Wivenhoe Dam as the 2016 March event. At the original speed parameters.”</p>		
<p style="text-align: right;"><u>Carried</u></p>		

Cr Brieschke – Matters of Public Interest

A new exhibition called 'The Bimble Box' will open at Somerset Regional Art Gallery, The Condensery this Friday, 10 February.

This unique exhibition is touring through four states in Australia and will be on display until 26 March at Toogoolawah. I would like to encourage the community to visit The Condensery during this time and also invite artists to take advantage of the Drawing workshops being held on 17 and 18 February.

It was wonderful to see The Condensery successfully entered as the only Australian entry in the Refurbishment section of The Archdaily Building of the Year Awards.

3000 entries world-wide were narrowed down to 80 projects across 16 categories, with 5 entered in the Refurbishment section. Voting closed on 6 February.

The Toogoolawah Show Society will hold their AGM tonight, 8 February, 7.30 pm at the showgrounds dining hall.

Somerset Dam and District Progress Assoc., will hold their AGM, Sunday, 19 February, 3pm at the Coronation Hall.

There will be a public information meeting on the new Puppy Farm Legislation that came into effect 1 January, 2017. This will be of interest to all breeders and dog owners. The meeting will be held Saturday, 25 February, 1.00 pm at the Glenore Grove Public Hall.

Mayor - Matters of Public Interest

Proposed meeting with Police and Others

The Mayor requested that Council write a letter to Superintendent Pond to reinstate the meetings with Queensland Police Service, SEQ Water, Department of Natural Resources and Council regarding Hills Crossing Savages Crossing and the Twin Bridges areas.

Decision:	Moved - Cr Lehmann	Seconded - Cr Hall
	"THAT Council write a letter to Superintendent Pond to reinstate the meetings with QPS, SEQ Water, DNR and Council regarding Hills crossing Savages Crossing and twin Bridges areas."	
	<i><u>Carried</u></i>	

Subject:	Natural Resource Management Monthly Report December 2016 and January 2017
File:	Governance - Reporting - Officer Reports
Action Officer Ref:	NRMO

Background/Summary

In delivering on the themes identified in Council's current Operational Plan, it is with pleasure that I provide a synopsis of my activities for the months of December 2016 and January 2017.

NATURAL SOMERSET

- Finalisation of the Lockyer Creek Restoration Project contracted delivery in December 2016, and final report and acquittal provision to funding providers.
- Ongoing maintenance arrangements for the Koala fodder (EHP partnership) and offset plantings at Shines Road and Fielding Road reserves, and investigation of other partnership opportunities.
- Facilitated a successful Land for Wildlife workshop focussed on plant identification at a participant property at Woolmar on 3 December 2016. Approximately 40 Land for Wildlife members enjoyed the presentations and interpretive property walk.
- Undertaking preparations for a Land for Wildlife Native Bee workshop to be held at a participant's property at Atkinson Dam on Saturday 4 March 2017.

- Regular monitoring of the Somerset Flying Fox roosts at Lowood, Atkinsons Dam, Esk, Kilcoy and Linville:
 - Lowood – estimated numbers approx 6000, with primarily Grey Headed and Black Flying Foxes, but also including a small number of Little Red Flying Fox species.
 - Atkinsons Dam – A large number of Little Red Flying Foxes are currently occupying this roost, with a small number of Grey Headed Flying Fox also present. This roost is located on private property in a hoop pine plantation, and accurate Flying Fox numbers are difficult to ascertain.
 - Esk – Approximately 10,000 Grey Headed and Black Flying Foxes are present along the creek adjacent to the Esk Sawmill.
 - Kilcoy – During the month of December 2016 while Kilcoy High School was vacant due to Christmas holidays, the (approximate) 3000 Flying Foxes roosting along Kilcoy Creek adjacent to the school progressively moved their roosting to trees within the school grounds. As a result, the Department of Education, Training and Employment and Kilcoy High School approached Council to discuss long term options to address the potential conflict. After consultation with a Flying Fox expert, a program of strategic tree (roost) removal was determined, to both address the Flying Fox roosting conflict, and address the potential impact/danger the trees posed to School infrastructure. All tree removal works were undertaken under Councils “as of right” provisions under the Nature Conservation Act and subordinate legislation, and overseen by a Flying Fox expert at all times to ensure no Flying Foxes were impacted as the works were delivered. The Flying Foxes have now located back to Kilcoy Creek upon completion of the works program at the school.
 - Linville – currently has two populations of Flying Foxes, with approximately 500 located in the township (around the junction of John and William Streets), and approximately 400 at located Green Hide reserve, the preferred camp location south of the Linville township.

VIBRANT SOMERSET

- Provision of 80 Native Plants to Lowood State School in support of 2017 Australia Day Planting Event/Program.
- Provision of 80 Koala Trees to the community in support of Rail Trail Planting/s and beatification around Lowood Township.
- Continuation of the stage three wetland corridor planting at Yowie Park, Kilcoy in association with Brisbane Valley Kilcoy Landcare, 31 January 2017.

PROSPEROUS SOMERSET

- A successful Koala Free Tree day was held on 14 December at the Council administration in Esk. Approximately 2000 trees were provided to members of the Somerset community thanks to a collaborative partnership with Save Our Waterways Now (SOWN) and the Arthur Gorrie Correctional Centre. A further Koala Free Tree day will be held in Fernvale on 8 February.

WELL PLANNED SOMERSET

- Ongoing conceptual planning for the development of a “Natural Somerset” plan, to guide Council response to Natural Resource Management issues in the region.
- Consideration of options regarding vegetation management in the Somerset Region in respect of existing planning scheme provisions, and the possible inclusion of Matters of Local Environmental Significance (MLES) and any associated local offset program into future review/s.
- Ongoing liaison with SEQ Water to discuss a proposal to support awareness and compliance regarding on-site septic systems, to align with the Catchment Action Plan actions regarding water quality in the Mid Brisbane Catchment. This project is currently being considered as a possible pilot project under the Mid Brisbane Catchment Action Plan, subject to stakeholder approvals.
- Participant in the consideration of DA applications and pre-lodgement enquiries as they pertain to the Natural Resource Management Officer role and expertise.

UNITED SOMERSET

- Ongoing coordination with the Queensland Fire and Emergency Service (QFES) to improve/streamline the approval procedures related to third party burn applications on Council managed lands, and current investigation regarding the use of the State fire application (online web portal) “Redi-Portal” to assess Somerset Region fire risk profile, and develop appropriate response strategies.
- Undertaking preliminary preparations for a Property Fire Management Workshop in association with the SEQ Fire and Biodiversity Consortium, the Rural Fire Service and Healthy Waterways and Catchments. The Workshop invite will target the Mount Kilcoy and Sandy Creek localities, and will be held on 25 February 2017.
- Attended the South East Queensland Land for Wildlife Steering Committee meeting, 13 December 2016.
- Attended the Council of Mayors South East Queensland, Waterways and Environment Committee meeting, 9 December 2016.
- Attended an SEQ Water Investment and Partnership Program property workshop at Pine Mountain in the Mid-Brisbane Catchment on 23 January 2017.

Attachments

Nil

Recommendation

THAT the Natural Resource Management Monthly Report for December 2016 and January 2017 be received and the contents noted.

Decision:

Moved - Cr Whalley

Seconded - Cr Ogg

“THAT the Natural Resource Management Monthly Report for December 2016 and January 2017 be received and the contents noted.”

Carried

Subject:	Planning and Building Services Monthly Report – January 2017
File:	Governance – Reporting - Officer Reports
Action Officer:	DPAD, SP, BS, PI

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 Sections' activities during the month of January 2017.

NATURAL SOMERSET

Nil

VIBRANT SOMERSET

Council's parkland and recreation strategies are progressively implemented as part of the development assessment and delivery process.

WELL PLANNED SOMERSET

During the month officers attended further workshops to better understand the new State Planning legislation, which will be in force from July 2017.

Planning Development Applications

During the month five (5) Development Applications were received, well below the number of applications received during the same month in the previous year. Details form part of the attachments.

Building Development Approvals

A total of twenty-eight (28) building approvals were issued in the region for December 2016. This is down on the November total of fifty-one (51). The percentage of 'Council approved' building applications is 28.5% of all building approvals for the month of December 2016.

Plumbing Compliance Permits and Inspections

The number of plumbing and drainage approvals for January 2017 was 14; this figure is a 30% decrease on the figure of 20 for January 2016.

The number of treatment plants on Councils register is 1696 of which 52 or 3.06% are currently overdue for servicing. Letters have been sent to the owners of these systems to ensure compliance. Penalty infringement notices have been issued to repeat offenders.

UNITED SOMERSET

Information pamphlets, development application kits and website information for most aspects of development continue to be available and updated on a regular basis.

Attachments

Spreadsheets and Graphs

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."

Carried

Subject:	Request to Reduce Development Application Fees – Reconfiguration of a Lot
File Ref:	2016 - 2017 - Advice (Preliminary) - Doc ID: 929072
Action Officer:	PO-MJ

Background/Summary

For a number of years Council's building section have been attempting to rectify an issue of a shed that has been constructed without the relevant approvals on Lot 2 on RP25306 located along Villeneuve Road, Villeneuve.

As part of the investigation into the shed, it was determined that the shed has in fact been constructed straddling the boundary between Lot 2 on RP25306 and the adjoining land described as Lot 2 on RP25308. The issue of unconstructed works and the boundary encroachment had been raised with the previous landowner over a number of years commencing in 2012.

The property was subsequently sold in 2016 without the outstanding issues around the shed being rectified. At the time the current owner purchased the property it appears that a 'full search' including a 'building compliance inspection' was not undertaken and as such, the purchasers were not aware of the building work history, it also appears that an identification survey was not undertaken as a condition of the sale.

The previous and now current landowner has been advised by Council officers that the shed should be removed and if it is intended for the shed to remain, then the appropriate approvals must be obtained. A building approval cannot currently be issued until the matter of the shed straddling the boundary is rectified by way of a boundary realignment.

The current landowner, in an attempt to remedy the issues, has advised that he intends to make an application for a Reconfiguration of a Lot for a boundary realignment and is now seeking relief in the application fees applicable. The relevant application fee for the current financial year is \$1882.

The landowner seeks a reduction in the fee due to financial restrictions as he is a pensioner and the minor nature of the proposed realignment. A plan has not been provided identifying the exact extent of the proposed boundary realignment.

As the matter has been ongoing for quite some time and could be rectified through the removal of the shed it is not considered reasonable to reduce or waive the application fee associated with the proposed reconfiguration of a lot (boundary realignment).

Attachments

Nil

Recommendation

THAT the landowner be advised that the application fee associated with the proposed reconfiguration of a lot (boundary realignment) between Lot 2 on RP25306 and Lot 2 on RP25308 remain at \$1,882 as per Council's fees and charges.

<i>Decision:</i>	Moved - Cr Gaedtko	Seconded - Cr Ogg
<p>“THAT the landowner be advised that the application fee associated with the proposed reconfiguration of a lot (boundary realignment) between Lot 2 on RP25306 and Lot 2 on RP25308 remain at \$1,882 as per Council’s fees and charges.”</p>		
<p style="text-align: right;"><i>Carried</i></p>		

Carried

Subject:	Development Application No 16526 - Application for a Development Permit for a Reconfiguration of a Lot by realigning the boundaries between five properties
File No:	DA16526
Assessment No:	81090-00000-000
Action Officer:	SP

Subject Land

Location	Neurum Road, 47 Kropps Road, Terragon Road and Westvale Road, Mount Archer
Real Property Description	Lot 2 RP87167, Lot 1 RP13719, Lot 2 RP87489, Lot 1 RP13726 and Lot 7 RP187504
Area	166.396 hectares
Current land use	Dwellings and associated outbuildings; and cattle grazing
Easements and Encumbrances	Nil

Somerset Region Planning Scheme 2016

Zone Rural

SEQ Regional Plan 2009-2031

Category	Regional Landscape and Rural Production Area
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Application

Level of Assessment	CODE
Applicant/s	Helisales Pty Ltd c/- ONF Surveyors Attn: Natasha Brooks PO Box 896 Kingaroy Qld 4610

Land Owner/s Stretton Pastoral Company Pty Ltd
1550 Neurum Road
Mount Archer Qld 4514

Date application received	20.01.2017
Date properly made	20.01.2017

Referral Agencies

Concurrence Agencies	NIL
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Attachments

1. Proposal Plan of boundary realignment Drawing Number 6536P1 Rev B sheet 1 of 1
Job No. 6536 dated 19-01-2017 for Helisales Pty Ltd and prepared by ONF Surveyors.

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 Reconfiguring a Lot by rearranging the boundaries between five properties.

An application is required because boundary realignments are code assessable development in the Rural Zone.

2.0 PROPOSAL

The applicant seeks approval to realign the boundaries between Lot 2 RP87167, Lot 1 RP13719, Lot 2 RP87489, Lot 1 RP13726 and Lot 7 RP187504 (*the subject lots*), located along Neurum Road, Kropps Road, Terragon Road and Westvale Road, Mount Archer. The purpose of the proposed realignment is to provide a more practical configuration aligning boundaries to existing features and fence lines and rectifying encroachment between Lot 1 on RP13726 and Lot 2 on RP87489.

The application involves a total area of 166.396 hectares. The proposal plan is provided at Attachment 1 and the configuration is described below:

- Lot 2 RP87167 contains 16.686 hectares, which will increase to 20.5 hectares and become proposed Lot 9.
- Lot 2 RP87489 contains 18.754 hectares, which will increase to 21.3 hectares and become proposed Lot 8.
- Lot 1 RP13719 contains 35.714 hectares, which will reduce to 15.4 hectares and become proposed Lot 10.
- Lot 1 RP13726 contains 10.12 hectares, which will increase to 18.1 hectares and become proposed Lot 11.
- Lot 7 RP187504 contains 85.131 hectares, which will increase to 93.7 hectares and become proposed Lot 12.

3.0 SITE DETAILS

Existing Lot 2 on RP87167 (Proposed Lot 9) contains a dwelling and associated outbuildings. Access to this site is via adjoining Lot 1 CP883023 which the applicant leases from SEQ Water.

Existing Lot 2 on RP87489 (Proposed Lot 8) contains a dwelling and associated outbuildings. The proposed new southern boundary of this lot is to adopt an existing fence line and rectify the encroachment of the existing boundary running through existing structures and features on the site. No changes to the existing access will be required for this proposal.

The southern boundary of Proposed Lot 10 is to adopt an existing fence line extending back to the Neurum Road frontage resulting in a regular shaped lot. Existing access to this site is via a gate in the road reserve adjacent the lot to the east via Neurum Road.

Proposed Lot 11 adopts existing fence lines (northern and southern boundaries) and access is proposed via the end of Terragon Road.

Remnant vegetation in the southern portion of existing Lot 7 RP187504 (Proposed Lot 12) will be wholly contained within the proposed lot and no changes to existing boundaries

through the vegetation is required as part of this proposal.

The site is not known to be prone to slip, subsidence or erosion but has previously experienced inundation. The proposed realignment will not create a worsening affect on previous flooding experienced over the subject land.

4.0 SURROUNDING LAND USES

The surrounding land is rural in nature, and is characterised by similar sized properties. The area has a low population density and a dispersed settlement pattern.

5.0 ASSESSMENT - STATE LEGISLATION

The South East Queensland Regional Plan includes the subject site as part of the *Regional Landscape and Rural Production Area*. The subdivision provisions as defined under Division 3 Section 3.1 of the *SEQRP Regulatory Provisions* do not apply to the extent that the subdivision creates the same number or fewer lots than the number of lots being subdivided. As such, the proposed reconfiguration is exempt from assessment against the regulatory provisions of the SEQRP.

5.1 VEGETATION MANAGEMENT ACT 1999

Remnant vegetation is contained within the southern portion of existing Lot 7 RP187504 and will be wholly contained within proposed Lot 12. The proposed realignment of boundaries will not impact on the location of the remnant vegetation and no clearing of vegetation will occur. Therefore, the application did not trigger referral to the State Assessment Referral Agency within the Department of Infrastructure, Local Government and Planning.

5.2 ENVIRONMENTAL PROTECTION ACT 1994

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

5.3 STATE PLANNING POLICY

The proposed development complies with the SPP April 2016.

6.0 ASSESSMENT - 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 Alternative Solution Provided?
Reconfiguring a Lot code	Yes	Not required
Services, works and infrastructure code	Yes	Not required
Transport, access and parking code	Yes	Not required
Applicable Overlay Code	Performance Outcome Compliance	Is Alternative Solution Provided?
OM1 map - Agricultural Land (class A and B)	Yes	Not required
OM3 map - Biodiversity	Yes	Not required
OM3 map – Koala Conservation (part of southern lot only)	Yes	Not required
OM4 map – Bushfire (areas of medium to high potential southern portion)	Yes	Not required
OM9 map – Flood Hazard (potential flood hazard area – north western portion of site)	Yes	Not required

OM10 map – Landslide Hazard (southern portion of site)	Yes	Not required
OM12 map – Scenic Amenity – area of High Scenic Amenity (southern portion of site)	Yes	Not required

Officer comments

The Planning Scheme Overlay Map OM1 (GQAL) identifies two parts of the northern portion of the site as containing Class A and B Good Quality Agricultural Land. The realignment aims to adopt existing fence lines as the new boundaries. The primary use of the lots is cattle grazing and will continue to be the predominant use of the land. No adverse effects are anticipated to the GQAL as a result of the proposed realignment.

The Planning Scheme Overlay Map OM3 (Biodiversity) identifies an area of Secondary Koala Habitat in the south eastern corner of Lot 7 RP187504. No boundaries within the nominated area are proposed to be realigned. No buildings or structure are located within the habitat areas and the proposed realignment will have no impact on the habitat or vegetation.

The Planning Scheme Overlay Map OM4 (Bushfire) nominates a potential bushfire impact buffer being contained within proposed Lot 12. The proposed new boundary adopts an existing fence line which is located on the northern outer edge of the Potential Impact Buffer. Whilst grazing will continue to be the predominant use of the land, a future dwelling will be able to be located well clear of the potential bushfire hazard area.

Proposed Lots 8 and 9 have experienced previous inundation, as indicated on the Planning Scheme Overlay Map OM7 (Flood Hazard). Notably, these lots contain existing dwellings thereon. Potential house sites for proposed Lots 10, 11 and 12 will be able to be located outside of the indicated flood hazard overlay. The proposed realignment will not create a worsening affect on previous flooding experienced over the subject land.

Proposed Lot 12 is nominated as being affected by the Landslide Hazard Overlay Map OM10. Proposed new boundaries align with existing fence lines and are not anticipated to have any impact on the nominated hazard area. A potential house site is available on proposed Lot 12 outside of the nominated hazard area.

Proposed Lot 12 is nominated as being affected by the Scenic Amenity Overlay Map OM12. The proposed realignment is not anticipated to have any impact on the nominated scenic amenity area. Existing vegetation is to be retained in its current state and the landscape character of the subject area will remain unchanged. No new buildings or structures are proposed as part of this application in the scenic amenity area.

The proposed realignment adopts existing features on the site which physically separate the lots and rectifies an encroachment between Lot 1 on RP13726 and Lot 2 on RP87489. Existing vegetation will remain contained within proposed Lot 12 and the proposal maintains the existing rural amenity of the subject land.

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

7.0 OTHER PLANNING CONSIDERATIONS

7.1 Environment

The proposed development will not lead to environmental degradation and will facilitate the implementation of improved land management practices and will rectify an encroachment between Lot 1 on RP13726 and Lot 2 on RP87489.

7.2 Heritage

There are no known heritage places within or adjoining the site area.

7.3 Infrastructure Charges

As this application involves a realignment of boundaries with no additional lots being created, no infrastructure charges apply.

8.0 STATE AGENCY REFERRALS

There were no State Agencies for this application, in accordance with the *Sustainable Planning Regulations 2009*.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by realigning the boundaries between five properties, described as Lot 2 RP87167, Lot 1 RP13719, Lot 2 RP87489, Lot 1 RP13726 and Lot 7 RP187504 and situated along Neurum Road, Kropps Road, Terragon Road and Westvale Road, Mount Archer, 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 generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval: Proposal Plan of boundary realignment Drawing Number 6536P1 Rev B sheet 1 of 1 Job No. 6536 dated 19-01-2017 for Helisales Pty Ltd and prepared by ONF Surveyors.	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	Prior to Compliance Assessment Request
1.4	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Subdivision Plan and the work must be certified in writing.	Prior to Compliance Assessment Request
SCHEDULE 2 – Engineering Assessment Manager		
No	Condition	Timing
2.1	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Compliance Assessment Request
2.2	All works are to be designed and constructed in accordance with the requirements of the Somerset Regional Council Development Manual and Standard Drawings.	Prior to Compliance Assessment Request
	VEHICLE ACCESS	
2.3	All vehicle access for new allotments shall provide	Prior to Compliance

	convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	Assessment Request
2.4	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
	STORMWATER DRAINAGE	
2.5	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream or downstream landholders.	At all times
SCHEDULE 3 – ADVISORY NOTES		
This approval has effect in accordance with the provisions of <i>Division 5 Section 339</i> of the <i>Sustainable Planning Act 2009</i> . <i>[A copy of Section 339 will be enclosed with the Decision Notice]</i> .		
<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>		
This approval requires 'Compliance Assessment' by Somerset Regional Council as the 'Compliance Assessor – the nominated entity', pursuant to Part 10, Section 398 of the <i>Sustainable Planning Act 2009</i> .		
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> .		
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>		
The applicant is advised that gates and grids on Council road reserve are to be applied for to Council for approval.		

Attachments for the Decision Notice include:

Proposal Plan of boundary realignment Drawing Number 6536P1 Rev B sheet 1 of 1 Job No.

6536 dated 19-01-2017 for Helisales Pty Ltd and prepared by ONF Surveyors.

Decision: Moved - Cr Gaedtke Seconded - Cr Ogg		
<p>“THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by realigning the boundaries between five properties, described as Lot 2 RP87167, Lot 1 RP13719, Lot 2 RP87489, Lot 1 RP13726 and Lot 7 RP187504 and situated along Neurum Road, Kropps Road, Terragon Road and Westvale Road, Mount Archer, 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 generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval: Proposal Plan of boundary realignment Drawing Number 6536P1 Rev B sheet 1 of 1 Job No. 6536 dated 19-01-2017 for Helisales Pty Ltd and prepared by ONF Surveyors.	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	Prior to Compliance Assessment Request
1.4	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Subdivision Plan and the work must be certified in writing.	Prior to Compliance Assessment Request
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
No	Condition	Timing
2.1	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Compliance Assessment Request
2.2	All works are to be designed and constructed in accordance with the requirements of the Somerset Regional Council Development Manual and Standard Drawings.	Prior to Compliance Assessment Request
VEHICLE ACCESS		
2.3	All vehicle access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	Prior to Compliance Assessment Request
2.4	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with	At all times

	Council's Policy and Standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	
	STORMWATER DRAINAGE	
2.5	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream or downstream landholders.	At all times
SCHEDULE 3 – ADVISORY NOTES		
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 –		
(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.		
This approval requires 'Compliance Assessment' by Somerset Regional Council as the 'Compliance Assessor – the nominated entity', pursuant to Part 10, Section 398 of the <i>Sustainable Planning Act 2009</i> .		
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. [A copy of Form 32 will be enclosed with the Decision Notice].		
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'. [A copy of the Right of Appeal will be enclosed with the Decision Notice]		
The applicant is advised that gates and grids on Council road reserve are to be applied for to Council for approval."		
<u>Carried</u>		

Subject:	Development Application No 15912 - Application for a Development Permit for a Material Change of Use – Child Care Centre and Operational Works for an Advertising Device
File No:	DA15912
Assessment No:	35311-00000-000
Action Officer:	PO-MJ

Subject Land

Location	1509 Pine Mountain Road, Wanora
Real Property Description	Lot 230 on RP868809
Area	63.036 hectares
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	IMPACT
Applicant/s	Lockyer Drafting Designs
Applicants contact details	PO Box 492 Gatton QLD 4343
Land Owner/s	Sharon Kneen
Date properly made	15 April 2016

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil
Third Party Advice Agencies	Seqwater

Notification Stage

Compliance received	9 January 2017
Submissions received	Nil
Submissions properly made	Nil

Attachments

1. Site Plan – Reference No. 1675-02 A – prepared by Lockyer Drafting Designs – dated 9 November 2015
2. Driveway, Carpark and Site Plan – Reference No. 1675-02 B – prepared by Lockyer Drafting Designs – dated 11 January 2016
3. Floor Plan – Reference No. 1675-03 C – prepared by Lockyer Drafting Designs – dated 23 June 2016
4. Elevations – Reference No. 1675-04 A – prepared by Lockyer Drafting Designs – dated 29 January 2016
5. Proposed sign – Reference No. 1675S-01 A – prepared by Lockyer Drafting Designs – dated October 2016

RECOMMENDED DECISION

THAT Council 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 Child Care Centre and Operational Works for an Advertising Device.

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

- Impact Assessable

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

An application is required because a Child Care Centre and an Advertising Device within the Rural Zone triggers assessable development.

2.0 PROPOSAL

The proposed development will involve the establishment of a Child Care Centre in the existing dwelling house on the subject land. The proposal includes the existing 176m² building plus an extension of approximately 66m², totalling 242.60m². The existing building is a timber clad colonial style structure on stumps and the proposed extension will be of a similar construction to ensure the character of the area is maintained.

The development will incorporate a ground level play area of 562m² and an indoor play area of 118.4m², 36.3m² of screened verandah area and 82.1m² of internal area.

The development proposes to provide 9 car parking spaces. Additional overflow and staff parking is available in unsealed areas throughout the site. Access and manoeuvring arrangements for an SRV class vehicle area proposed. The building is setback about 375 metres from the Pine Mountain Road frontage. The site is connected to power and telecommunication but reticulated water and sewerage are not available. Onsite effluent disposal and water storage is proposed.

The centre is to cater for a maximum of 25 children in both long day care and outside school hours care and will have 4 staff. Typically the centre will be open from 6:30am and 6:30pm.

The application also includes a billboard sign which is proposed to be located at the entrance to the site. The billboard has sign face dimensions of 3m x 1.5m, with an area of 4.5m² and is to have a maximum height of 3m above ground level.

3.0 SITE DETAILS

The subject land has frontage to Pine Mountain Road and contains an area of about 63 hectares. The site contains an existing dwelling and has limited vegetation.

4.0 SURROUNDING LAND USES

The surrounding land is rural in nature, and is characterised by similar sized properties. The area has a low population density and a dispersed settlement pattern.

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 use does not require assessment against the SEQRP Regulatory Provisions as it is compliant with the size limitations identified in the plan and as such the application did not require referral to the Department of Infrastructure, Local Government and Planning (DILGP).

5.1 VEGETATION MANAGEMENT ACT 1999

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

5.2 ENVIRONMENTAL PROTECTION ACT 1994

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

5.3 STATE PLANNING POLICY APRIL 2016

The relevant components of the State Planning Policy (SPP) April 2016 have been incorporated into the Somerset Region Planning Scheme and as such in this instance a separate assessment was not required.

6.0 ASSESSMENT - 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 specific 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 Alternative Solution Provided?
Rural zone code	Yes	Not required
Community activities code	Yes	Yes
Services, works and infrastructure code	Yes	Not required
Transport, access and parking code	Yes	Not required
Advertising devices code	No	Yes
Applicable Overlay Code	Specific Outcome Compliance	Is Alternative Solution Provided?
Air Transport overlay code	Yes	Not required
Biodiversity overlay code	Yes	Not required
Extractive resources overlay code	Yes	Not required

Community activity code

Location	
Performance outcome	Acceptable outcome
PO1 The development is: <ul style="list-style-type: none"> (a) highly accessible to the intended catchment; (b) in proximity to other community or recreational activities, where practicable; and (c) located to avoid conflict with potentially incompatible land uses. 	AO1.1 Community activities are co-located with other community activities or community focal points such as shopping centres, educational establishments, or recreational activities.
Applicants' Alternative Solution	
The proposed Child care centre is located on highly accessible position in drivable proximity to a large catchment area requiring Child care services. The centre is located where it will not conflict with any other use, but will blend in with the current land use and surrounding land uses.	

Planning Comments
The Child care centre is not proposed to be located in a typical location due to the nature based program offered at the centre. Notwithstanding this, it is considered that the centre will be highly accessible to the intended cliental and given the size of the subject land it is unlikely that conflict will be caused with neighbouring properties.

Advertising devices code

Location	
Performance outcome	Acceptable outcome
PO1 <i>Billboards</i> are limited to the following urban zones: (a) Centre zone; or an (b) Industrial zone. Note - Billboards are undesirable and not compatible with open space, urban residential, semi-rural or rural character and associated scenic amenity values.	AO1.1 <i>Billboards</i> are not located in the: (a) Community facilities zone; (b) Emerging community zone; (c) General residential zone including the Park residential precinct; (d) Recreation and open space zone; (e) Rural residential zone; (f) Rural zone including the Extractive industry precinct; or (g) Township zone.
Applicants' Alternative Solution	
The subject land is located in the Rural zone.	
Planning Comments	
The billboard sign proposed is to advertise the locality of the child care centre. While the sign is not consistent with the outcomes sought for the Rural zone it is considered in this instance acceptable to allow advertising to occur on the same land as the business. Should the application be approved, it is suggested that a condition be included requiring the billboard sign to be used to advertise the child care centre only and if the centre ceases activity on the site that the sign be removed.	

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 and Sewerage Supply

The subject land is not serviced by reticulated water and sewerage. On site storage of potable water and effluent disposal will be required.

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.

Environment

The proposed development will not result in environmental degradation.

Infrastructure Charges

Council's Charges Resolution (No 2) 2016 identifies that Child care centres are considered Education facilities. The only applicable charge identified for Education facilities is the Stormwater network, as the development is located outside the Urban Footprint it is not reasonable for stormwater charges to be applied as there is no stormwater network within the rural area.

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.

Advice Agencies

There are no Advice Agencies relating to this application.

THIRD PARTY ADVICE AGENCIES

Third Party Advice Agency

South East Queensland Water (Seqwater)

Seqwater have reviewed the information provided as part of the application and also the response to Council's information request and have requested that if the development is approved that Council include conditions requiring any wastewater disposal systems be as per Seqwater's Development Guidelines.

9.0 PUBLIC NOTIFICATION

Public notification of the application was carried out in accordance with the provisions of the Sustainable Planning Act 2009 (SPA). Council has received the 'Notice of Compliance' in accordance with the requirements of the 'Act'.

During the notification period Council received no submissions.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Material Change of Use for a Development Permit for a Child Care Centre and Operational Works for a Development Permit for an Advertising Device on land described as Lot 230 on RP868809 and situated at 1509 Pine Mountain Road, 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 – Reference No. 1675-02 A – prepared by Lockyer Drafting Designs – dated 9 November 2015 	At all times

	<ul style="list-style-type: none"> • Driveway, Carpark and Site Plan – Reference No. 1675-02 B – prepared by Lockyer Drafting Designs – dated 11 January 2016 • Floor Plan – Reference No. 1675-03 C – prepared by Lockyer Drafting Designs – dated 23 June 2016 • Elevations – Reference No. 1675-04 A – prepared by Lockyer Drafting Designs – dated 29 January 2016 • Proposed sign – Reference No. 1675S-01 A – prepared by Lockyer Drafting Designs – dated October 2016 	
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.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to commencement of use
1.5	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before any demolition works
1.6	The total number of enrolled students for the Child Care Centre must not exceed 25.	At all times
1.7	The hours of operation are limited to Monday to Friday between the hours of 6am and 6:30pm.	At all times
1.8	<p>During construction phases:</p> <p>(a) measures are taken in construction practices to not increase the risk of death or injury to koalas; and</p> <p>(b) native vegetation that is cleared and in an area intended to be retained for safe koala movement opportunities is progressively restored and rehabilitated.</p>	At all times
1.9	The provision of any new or upgraded on-site waste water treatment system shall be designed and located in accordance with the <i>Seqwater Guidelines for Water Quality in Drinking Water Catchments 2012</i> . The system shall receive and treat both grey and black water from the new use. A wastewater design report shall be prepared by a suitably qualified wastewater consultant and submitted to Seqwater for review and endorsement prior to installation. The report shall have regard to Table 3 and Element 1 of the Guidelines. Should the existing system be retained and utilised for the new use, a signed certification from a suitably qualified wastewater consultant shall be submitted to Seqwater, stating that the system is in good working order and of sufficient capacity and	Prior to commencement of use

	lifespan to adequately service the new use. Additionally, no greywater is to be discharged to land without prior treatment by way of the on-site wastewater treatment system or a purpose built greywater treatment system. All details are to be submitted to Seqwater for review and endorsement prior to commencement of the use.	
	ADVERTISING DEVICE	
1.9	The billboard sign is to be used to advertise the Child care centre only.	At all times
1.10	If the Child care centre ceases activity on the site the billboard sign is to be removed.	Within one month of the activity ceasing operation.
1.11	The billboard is not to obscure traffic signs or street signs.	At all times
1.12	If the billboard is illuminated the lighting is to comply with <i>AS4282 Control of the Obtrusive Effects of Outdoor Lighting</i> .	At all times
1.13	The billboard is to be wholly located within Lot 230 on RP868809 and is not protrude onto the road reserve.	At all times
1.14	The billboard is to be maintained in a high standard.	At all times
SCHEDULE 2 - ENGINEERING		
No.	Condition	Timing
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> .	At all times
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 commencement of use
	VEHICLE ACCESS	
2.3	All vehicular access 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 commencement of use and maintenance at all times.
2.4	The landowner is responsible for construction and maintenance of all vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	Prior to commencement of use and maintenance at all times.
2.5	The Applicant is to maintain vehicle access in accordance with Council's standard drawing SRC-ROAD-016. The access is to be sealed with a minimum of a two-coat bitumen seal to the property boundary.	Prior to commencement of use and maintenance at all times.
	CAR PARKING	

2.6	<p>Provide on-site car parking for five (5) vehicles, including one (1) space for disabled persons in accordance with Council Planning Scheme.</p> <p>All car parking and circulation areas to be designed in accordance with AS2890 and <i>Somerset Regional Council Development Manual</i>. Further, all surfaces must achieve minimum longitudinal gradients and minimum crossfall in accordance with AS2890.</p>	As part of Operational Works and maintained at all times.
2.7	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or gravel in accordance with Australian Standards.	As part of Operational Works and maintained at all times.
INDOOR AND OUTDOOR LIGHTING		
2.8	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances/exits of the building/s. • Throughout car parking areas. 	At all times
STORMWATER		
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
EROSION AND SEDIMENT CONTROL		
2.10	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times
SCHEDULE 3 – Environmental		
No.	Condition	Timing
3.1	<p>All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained –</p> <ul style="list-style-type: none"> ▪ In a serviceable condition; and ▪ In a state of good repair and efficient action; and ▪ In a clean, sanitary condition; and ▪ Free of accumulated disused materials; and ▪ Free of vermin and pest infestations. 	At all times
3.2	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.	Before the change happens

3.3	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
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.5	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	Before the Certificate of Classification for the building work is issued
SCHEDULE 4 – ENVIRONMENTAL HEALTH		
No.	Condition	Timing
4.1	All water supplied as part of the operation of the approved activity, with the exception of water utilised for the flushing of toilets, is to be potable water and comply with the National Health and Medical Research Council - Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time.	At all times
4.2	Install a water treatment system to treat water supplied for the operation of the approved activity that is capable of treating water to a standard where it is considered potable water and complies with the Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time.	Prior to the commencement of the use
4.3	Any treatment system installed in accordance with condition 2 of this approval is to be approved by Council prior to installation.	Prior to the commencement of the use
4.4	Undertake sampling and analysis of the water supply utilised for the operation of the activity to ensure that the supply is potable, and compliant with the Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time. The analysis must be conducted in a NATA accredited laboratory and the results provided to Council on request by an authorised officer. Results must be kept for a period of three (3) years.	Annually or more frequently where required by Council

4.5	All potentially hazardous food supplied by clients for consumption is to be stored under temperature control as defined by the Australian New Zealand Food Authority – Food Safety Standards, or any superseding document as published from time to time.	At all times
4.6	No licensable food preparation activities are permitted under this approval unless the operator holds a current food business licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.	At all times
4.7	All general waste produced as part of the operation must be disposed of through either: a. The number of standard waste services as determined by Council; or b. A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	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].		
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .		
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.		

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

All building work is to comply with the provisions contained in the *Building Act*; the *Building Regulation*, the *Building Code of Australia*, the *Queensland Development Code* and relevant *Australian Standards*.

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.

Attachments for the Decision Notice include:

- Site Plan – Reference No. 1675-02 A – prepared by Lockyer Drafting Designs – dated 9 November 2015
- Driveway, Carpark and Site Plan – Reference No. 1675-02 B – prepared by Lockyer Drafting Designs – dated 11 January 2016
- Floor Plan – Reference No. 1675-03 C – prepared by Lockyer Drafting Designs – dated 23 June 2016
- Elevations – Reference No. 1675-04 A – prepared by Lockyer Drafting Designs – dated 29 January 2016
- Proposed sign – Reference No. 1675S-01 A – prepared by Lockyer Drafting Designs – dated October 2016

Decision:	Moved - Cr Hall	Seconded - Cr Brieschke
<p>“THAT Council approve the Development Application for a Material Change of Use for a Development Permit for a Child Care Centre and Operational Works for a Development Permit for an Advertising Device on land described as Lot 230 on RP868809 and situated at 1509 Pine Mountain Road, Wanora subject to the requirements and conditions contained in the Schedules and Attachments.</p>		

SCHEDULE 1 – GENERAL CONDITIONS

No	Condition	Timing
1.1	<p>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.</p> <ul style="list-style-type: none"> • Site Plan – Reference No. 1675-02 A – prepared by 	At all times

	<p>Lockyer Drafting Designs – dated 9 November 2015</p> <ul style="list-style-type: none"> • Driveway, Carpark and Site Plan – Reference No. 1675-02 B – prepared by Lockyer Drafting Designs – dated 11 January 2016 • Floor Plan – Reference No. 1675-03 C – prepared by Lockyer Drafting Designs – dated 23 June 2016 • Elevations – Reference No. 1675-04 A – prepared by Lockyer Drafting Designs – dated 29 January 2016 • Proposed sign – Reference No. 1675S-01 A – prepared by Lockyer Drafting Designs – dated October 2016 	
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.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Prior to commencement of use
1.5	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before any demolition works
1.6	The total number of enrolled students for the Child Care Centre must not exceed 25.	At all times
1.7	The hours of operation are limited to Monday to Friday between the hours of 6am and 6:30pm.	At all times
1.8	<p>During construction phases:</p> <ul style="list-style-type: none"> (a) measures are taken in construction practices to not increase the risk of death or injury to koalas; and (b) native vegetation that is cleared and in an area intended to be retained for safe koala movement opportunities is progressively restored and rehabilitated. 	At all times
1.9	The provision of any new or upgraded on-site waste water treatment system shall be designed and located in accordance with the <i>Seqwater Guidelines for Water Quality in Drinking Water Catchments 2012</i> . The system shall receive and treat both grey and black water from the new use. A wastewater design report shall be prepared by a suitably qualified wastewater consultant and submitted to Seqwater for review and endorsement prior to installation. The report shall have regard to Table 3 and Element 1 of the Guidelines. Should the existing system be retained and utilised for the new use, a signed certification from a suitably qualified wastewater consultant shall be submitted to Seqwater, stating that the	Prior to commencement of use

	system is in good working order and of sufficient capacity and lifespan to adequately service the new use. Additionally, no greywater is to be discharged to land without prior treatment by way of the on-site wastewater treatment system or a purpose built greywater treatment system. All details are to be submitted to Seqwater for review and endorsement prior to commencement of the use.	
	ADVERTISING DEVICE	
1.9	The billboard sign is to be used to advertise the Child care centre only.	At all times
1.10	If the Child care centre ceases activity on the site the billboard sign is to be removed.	Within one month of the activity ceasing operation.
1.11	The billboard is not to obscure traffic signs or street signs.	At all times
1.12	If the billboard is illuminated the lighting is to comply with <i>AS4282 Control of the Obtrusive Effects of Outdoor Lighting</i> .	At all times
1.13	The billboard is to be wholly located within Lot 230 on RP868809 and is not protrude onto the road reserve.	At all times
1.14	The billboard is to be maintained in a high standard.	At all times
SCHEDULE 2 - ENGINEERING		
No.	Condition	Timing
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> .	At all times
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 commencement of use
	VEHICLE ACCESS	
2.3	All vehicular access 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 commencement of use and maintenance at all times.
2.4	The landowner is responsible for construction and maintenance of all vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	Prior to commencement of use and maintenance at all times.
2.5	The Applicant is to maintain vehicle access in accordance with Council's standard drawing SRC-ROAD-016. The access is to be sealed with a minimum of a two-coat bitumen seal to the property boundary.	Prior to commencement of use and maintenance at all times.

	CAR PARKING	
2.6	Provide on-site car parking for five (5) vehicles, including one (1) space for disabled persons in accordance with Council Planning Scheme. All car parking and circulation areas to be designed in accordance with AS2890 and <i>Somerset Regional Council Development Manual</i> . Further, all surfaces must achieve minimum longitudinal gradients and minimum crossfall in accordance with AS2890.	As part of Operational Works and maintained at all times.
2.7	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or gravel in accordance with Australian Standards.	As part of Operational Works and maintained at all times.
	INDOOR AND OUTDOOR LIGHTING	
2.8	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances/exits of the building/s. • Throughout car parking areas. 	At all times
	STORMWATER	
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	EROSION AND SEDIMENT CONTROL	
2.10	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 Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times
SCHEDULE 3 – Environmental		
No.	Condition	Timing
3.1	All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained – <ul style="list-style-type: none"> ▪ In a serviceable condition; and ▪ In a state of good repair and efficient action; and ▪ In a clean, sanitary condition; and ▪ Free of accumulated disused materials; and ▪ Free of vermin and pest infestations. 	At all times
3.2	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.	Before the change happens

3.3	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
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.5	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	Before the Certificate of Classification for the building work is issued
SCHEDULE 4 – ENVIRONMENTAL HEALTH		
No.	Condition	Timing
4.1	All water supplied as part of the operation of the approved activity, with the exception of water utilised for the flushing of toilets, is to be potable water and comply with the National Health and Medical Research Council - Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time.	At all times
4.2	Install a water treatment system to treat water supplied for the operation of the approved activity that is capable of treating water to a standard where it is considered potable water and complies with the Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time.	Prior to the commencement of the use
4.3	Any treatment system installed in accordance with condition 2 of this approval is to be approved by Council prior to installation.	Prior to the commencement of the use
4.4	Undertake sampling and analysis of the water supply utilised for the operation of the activity to ensure that the supply is potable, and compliant with the Australian Drinking Water Guidelines 2011 or any superseding document as published from time to time. The analysis must be conducted in a NATA accredited laboratory and the results provided to Council on request by an authorised officer. Results must be kept for a period of three (3) years.	Annually or more frequently where required by Council

4.5	All potentially hazardous food supplied by clients for consumption is to be stored under temperature control as defined by the Australian New Zealand Food Authority – Food Safety Standards, or any superseding document as published from time to time.	At all times
4.6	No licensable food preparation activities are permitted under this approval unless the operator holds a current food business licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.	At all times
4.7	All general waste produced as part of the operation must be disposed of through either: a. The number of standard waste services as determined by Council; or b. A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	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].		
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .		
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.		

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

All building work is to comply with the provisions contained in the *Building Act*; the *Building Regulation*, the *Building Code of Australia*, the *Queensland Development Code* and relevant *Australian Standards*.

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit."

Carried

Subject:	Development Application No 16157 - Representations about conditions and other matters during the Applicant's Appeal Period in accordance with Section 361 of the SPA
File No:	DA16157
Assessment No:	05521-00000-000
Action Officer:	PO-MJ

Previous approval – DA16157 – Material Change of Use for an expansion to a Tourist Park

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

Somerset Region Planning Scheme 2016

Zone	Rural
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SEQ Regional Plan 2009-2031

Designation	Regional Landscape and Rural Production area
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Application

Level of Initial Assessment	CODE
Applicant	Lions Camp Duckadang
	C/- Peter Boge
Who is making the request?	Peter Boge

Land Owner Lions Camp Duckadang

Referrals

Concurrence	Nil
Advice	Nil
Third Party Advice	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

RECOMMENDATION

Agree with the representations made and issue a “Negotiated Decision Notice” for Development Application DA16157 subject to the amended conditions and requirements contained in the Schedules.

1. BACKGROUND

As Councillors would be aware a Material change of use development application for an expansion to a Tourist park (Lions Camp Duckadang) was recently considered at an Ordinary Council meeting. Since the Development Permit was issued on 28 October 2016 the applicant has made representations regarding one of the conditions of approval.

2. APPLICANTS REPRESENTATIONS

The applicant has made the following representations:

REQUESTED CHANGE

The Board of Directors of Lions Camp Duckadang have requested the deletion of Condition 1.5 which reads as follows:

Condition 1.5 - The caravan and camping component of the tourist park is only to be operated when Lions Camp Duckadang is not in operation’

REPRESENTATION NO: 1

- The application for approval as a Tourist Park (IDAS Form 1 – Section 1, Table A (c)) clearly applied for an increase in bed accommodation, tents and caravan sites in times of low occupancy – caravans on a short term basis.

This distinction is important as we did not say ‘at times of nil occupancy’.

- Our historical records show that camp occupancy is normally 32% to 50%. Only rarely, do larger groups come so that occupancy is closer to 100%.
- Even with caravans and another interest group on site, occupancy would be unlikely to exceed 60%.
- If another interest group was in camp at the same time as caravans in their allotted areas, management would be easy, as the plans attached to the approval show toilets and showers etc in buildings which would enable caravanners and another group to be kept apart.
- We envisage that short term caravan stays would be mainly during the week, Monday to Thursday or during school holidays when occupancy was low.

- Our Managers would determine when caravans could come and would manage bookings.
- We feel that restricting caravans to times when they had sole occupancy would be very restrictive and accepting say just a couple of caravans would not be worth the effort, as it would generate very little income.
- There is considerable interest from caravan groups in visiting the Camp and other points of interest in the Somerset Region.
- This in turn brings income to local businesses.

3. PLANNING COMMENTS

Condition 1.5 was initially included as the existing onsite effluent disposal system servicing Camp Duckadang can only service a maximum of about 100 people and as no specific details had been provided about how the camping and caravan park component was to be managed to ensure the maximum number was not exceeded, the condition was included. A further condition (condition 1.14) was also included to ensure that the development was operated on an appropriate scale and to make certain the disposal system was not compromised, condition 1.14 states as follows:

Condition 1.14 - The maximum number of people to be accommodated within the Tourist Park (Lions Camp Duckadang) is 100 plus caretakers.

It is considered that if Condition 1.5 is removed there are sufficient conditions maintained within the approval to ensure that the number of people on site does not exceed the limitations of the disposal system and the guest numbers can be managed. The management of the multiple users of the site will be the responsibility of the operators as it is not a consideration of the planning scheme.

4. RECOMMENDATION

THAT Council issue a "Negotiated Decision Notice" for Development Application No: 16157 for a Development Permit for a Material Change of Use for an expansion to a Tourist Park from Lot 1 on RP144325, 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	At all times

	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.	
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
4.6 1.5	Each caravan sites are to be provided with a minimum site area of 70m ² .	At all times
4.7 1.6	Each camping (tent) site is to be provided with a minimum site area of 40m ² .	At all times
4.8 1.7	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
4.9 1.8	Caravan sites are to be located a minimum of 1.5 metres from any internal roads/driveways.	At all times
4.10 1.9	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
4.11 1.10	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
4.12 1.11	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
4.13 1.12	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
4.14 1.13	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 Assessment Manager		
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	<p>The approval holder must provide the number of fixtures listed in the table below for the exclusive use of residents of the tourist park:</p> <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
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2.3	<p>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 -</p> <p>(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</p> <p>(b) For other solid waste; at an appropriately licensed waste disposal facility.</p>	At all times																					
2.4	<p>The premises, including all buildings, structures, facilities, equipment and fixtures must be maintained in –</p> <p>(a) Good working order and condition; and</p> <p>(b) A clean, hygienic, safe and tidy condition.</p>	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																					
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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>Austroroads</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 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. 	At all times
	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 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].

Decision:

Moved - Cr Whalley

Seconded - Cr Brieschke

"THAT Council issue a "Negotiated Decision Notice" for Development Application No: 16157 for a Development Permit for a Material Change of Use for an expansion to a Tourist Park from Lot 1 on RP144325, 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	Each caravan sites are to be provided with a minimum site area of 70m ² .	At all times
1.6	Each camping (tent) site is to be provided with a minimum site area of 40m ² .	At all times
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SCHEDULE 3 – Engineering		
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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.
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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. 	At all times

	<ul style="list-style-type: none"> • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
3.8	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
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<u>Carried</u>		

Subject:	Financial reports
File Ref:	Financial management - meetings - monthly financial statements
Action Officer:	DFIN

Background/Summary

Financial reports

Monthly financial reports for the period 1 July 2016 to 27 January 2017 are attached in accordance with section 204 of the Local Government Regulation 2012 including comments in respect of performance against budget.

Grants

Council officers are working on grant applications under the following Australian Government programs:

- Bridges Renewal Programme round 3 (various sites)
- Building Better Regions Fund (Brisbane Valley Rail Trail) (closing 28 February 2017)
- Heavy Vehicle Safety and Productivity Programme (further Gregors Creek Road upgrades)

An expression of interest under the Department of State Development's Building Our Regions round 3 will also be submitted in respect of the Brisbane Valley Rail Trail (closing 24 February 2017).

Rates

Rates are issued in six monthly cycles. Overdue rates have been contained as follows:

- \$1.28 million – 31 July 2016
- \$1.37 million – 27 January 2017

Council issued 24 notices of intention to sell land for overdue rates or charges totalling \$162,824 on 27 October 2016.

As of 23 December 2016, 14 of these matters remained unresolved with a total of \$100,708 outstanding.

Contract matters

To assist compliance with section 237 of the Local Government Regulation 2012, Council has potentially entered into purchase contracts for a value greater than \$200,000 as indicated in the attached payments listing including as follows:

- A and M Civil Contracting Pty Ltd - \$762,672 - Contract Road, Bridge And Park Construction And Maintenance Services/ Materials - payment 33905

Councillors have previously requested a full listing of payments made by Council since the previous report. This information is not provided pursuant to any legal requirement.

Road maintenance detail

Councillors have previously requested additional information about road maintenance:

	Rural (\$000's)	Urban (\$000's)	Total (\$000's)
Bitumen road maintenance	295	58	353
Gravel road maintenance	884	60	944

Roadside drainage	152	65	217
Culvert maintenance	85	-	85
Vegetation maintenance	178	105	283
Traffic furniture	86	48	134
Linemarking	-	2	2
Total actual year to date	1,680	338	2,018
Expected pro-rata budget year to date	2,311	305	2,616

Council's 20 most costly road segments for ordinary maintenance this financial year are:

Rasmussen Rd (Mt Archer) (gravel) Ch0-Ch1850	\$ 97,830 (inc polymer material test)
Esk Crows Nest (gravel) Ch26120-Ch34090	\$ 41,262
Mt Mulgowie Rd (gravel) Ch840-Ch3100	\$ 32,213
Gregors Creek Rd (bitumen) Ch5530-Ch6810	\$ 30,466
Cedarvale Rd Culv Ch1.95	\$ 29,413
Rifle Range Rd (gravel) Ch2770-Ch3800	\$ 26,367
Westvale Rd (gravel) Ch1340-Ch13550	\$ 24,760
Mahons Rd (bitumen) Ch0-Ch7480	\$ 23,621
Diaper Rd (gravel) Ch3000-Ch6200	\$ 22,998
Lehmanns Rd (gravel) Ch1920-Ch2840	\$ 22,988
Wanora Rd (gravel) Ch1200-Ch3160	\$ 19,971
Bischoffs Rd (gravel) Ch7510-Ch8160	\$ 18,667
Black Jack Creek Rd (gravel) Ch730-Ch3640	\$ 18,590
Kimbala Rd (gravel) Ch0-Ch5680	\$ 18,211
Lowood Minden (bitumen) Ch10530-Ch10890	\$ 17,288
Banffs La (gravel) Ch0-Ch3050	\$ 16,745
Prenzlau Rd (bitumen) Ch1350-Ch3360	\$ 16,724
Diaper Rd (gravel) Ch0-Ch3000	\$ 16,284
Glenhowden Rd (gravel) Ch30-Ch1580	\$ 15,925
Braemore La (gravel) Ch1050-Ch3050	\$ 15,843
Subtotal most costly 20 road segments	\$526,166

Attachments

Operating reports, statement of balances, cash flows and equity movements, capital works report, summary of largest 70 payments to payees and detailed listing of payments

Recommendation

THAT the reports including payments presented totalling \$25,389,194.69 be received.

Decision:	Moved - Cr Whalley	Seconded - Cr Ogg
	"THAT the reports including payments presented totalling \$25,389,194.69 be received."	
		<u>Carried</u>

Subject:	Request to renew lease agreement for Kilcoy Motorcycle Club Inc – Lots 1 and 2 SP134321
File Ref:	Council Land and Buildings, AG650 Doc Id 736521, 925232, 926032
Action Officer:	DCORP

Background/Summary

A request has been received from Kilcoy Motorcycle Club Inc to renew the lease over Lots 1

and 2 on SP134321. The current lease agreement is due to expire on 30 June 2018. The Kilcoy Motorcycle are requesting a lease for a five (5) year period.

Lots 1 and 2 on SP134321 contain an area of 9.147ha. Both parcels are Reserves of land for recreation purposes, which Council is Trustee of. The use of the reserve for a motor cycle track is consistent with the reserve purposes.

All buildings located on the site are owned by Kilcoy Motorcycle Club Inc.

Kilcoy Motorcycle club have occupied Lot 1 since 2002 with Lot 2 being added in 2007.

The site is used as a Motor cross facility with numerous race days, State motor cycle championships and training days being held across the year. Council endorses a management plan and events calendar for the club annually, which alleviates complaints that may arise as a result of use of the facility.

As the proposed lease is to a community organisation, no tender for dealing with land is required in accordance with s236(b)(ii) of the Local Government Regulation 2012.

Attachments

Nil

Recommendation

THAT Council advise Kilcoy Motorcycle Club Inc that:

- (i) there is no objection to the granting of a five (5) year lease over Lots 1 and 2 on SP134321 at an annual rental of \$2116.67 per annum payable on demand to be reviewed annually and shall be increased by the Consumer Price Index number; and
- (ii) general rates will be exempt, but any additional services eg garbage collection, water, electricity, etc will be at the cost of the Kilcoy Motorcycle Club Inc.

Decision:

Moved - Cr Hall

Seconded - Cr Gaedtke

“THAT Council advise Kilcoy Motorcycle Club Inc that:

- (i) there is no objection to the granting of a five (5) year lease over Lots 1 and 2 on SP134321 at an annual rental of \$2116.67 per annum payable on demand to be reviewed annually and shall be increased by the Consumer Price Index number; and
- (ii) general rates will be exempt, but any additional services eg garbage collection, water, electricity, etc will be at the cost of the Kilcoy Motorcycle Club Inc.”

Carried

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

Background/Summary

Council at its meeting of 26 October 2016 resolved to propose to make each of:

- i) Animal Management (Amendment) Subordinate Local Law (No 1) 2016
- ii) Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016
- iii) Parking (Amendment) Subordinate Local Law (No 1) 2016

Council also delegated to the Chief Executive Officer the responsibility to conduct a public interest test for any anti-competitive provisions proposed by the amendments.

Consultation

The proposed amendments were publicly available for the period 26 November 2016 to 19 December 2016, inclusive inviting people to make submissions. Advertisements appeared in local newspapers, and the matter was included in Council's quarterly newsletter.

In relation to the public interest test, correspondence was forwarded to each property owner who currently holds a kennel permit under Council's planning scheme. Correspondence was also forwarded to Dogs Queensland as a representative body for dog breeders.

During the public consultation period all of this information was available at each of Council's offices and on the website.

Submissions

During the consultation period Council received 68 submissions and one petition with respect to the Animal Management and Animal Keeping amendments. No submissions were received regarding the Parking amendment.

Of the submissions received, 54 support the proposed changes, whilst 15 including the petition object to the proposals.

In accordance with Council's local law making policy,

- Council is required to accept and consider each of the properly made submissions
- By resolution, decide whether to
 - a) Proceed with the making of the proposed subordinate local law as advertised, or
 - b) Proceed with the making of the proposed subordinate local law with amendments, or
 - c) Not proceed with the making of the proposed subordinate local law.

If Council resolves to proceed with the making of the subordinate local law with amendments, and the amendments are substantial, public consultation would need to recommence.

The matters raised in submissions need to be considered by Council. To assist in this, the matters have been summarised having regard to the support/objection for the proposed amendments.

Issues from Objections

- Amendments will create an increase in neighbourhood issues (odour, barking, dog attacks, objections to permits)
- Amendments will create a need for additional resources to ensure effective enforcement action
- No compassionate grounds should be considered as this may be open to abuse
- Additional dog numbers should be only available to accredited breeders

- If not an accredited breeder, dogs should be desexed.
- Significant penalties to apply to unregistered backyard breeders (puppy farms)
- No permits to be issued in Koala areas

The petition (including 461 signatures) proposes that the existing local law be amended to enable three dogs to be kept on properties of one acre or less, with all dogs being micro chipped and desexed.

Issues from Supporters

- Application fee is excessive, and should be refundable, in part, if the application is not approved.
- Designated area is not defined. (Definition is contained in existing Subordinate Local law 2 – Animal Management).
- The 100m radius is measured from each property boundary, not from the structure(based on existing definition of premises).
- Compassionate grounds needs to be clearly defined and strictly applied.
- Other than accredited breeders, dogs need to be desexed.
- Ability to keep more than four (4) dogs should not be limited to accredited breeders.
- Resourcing for the assessment of applications and enforcement of conditions of approval (proposed inspection program to deal with animal welfare issues).
- Permit system to also apply to working dogs, including police and service dogs.
- Accredited breeder not defined (amendment calls up the definition proposed in the *Animal Management (Cats and Dogs) Act*).
- Some confusion exists over proposed areas as some supporters have insufficient land for the amendments to apply.
- What are the criteria for assessment of applications and is there a right of appeal. (Local Law – Administration deals with this process).
- Need to exclude permits that include restricted/regulated dogs.
- Notification to new property owners of existing permit holders
- No separation defined for multiple permits within the same neighbourhood.

Having considered the submissions, it appears that the following issues may require further amendments to be made.

1. Keeping of more than two (2) dogs on an allotment less than 10000m².

The amendments proposed the keeping of a third dog, on compassionate grounds, on an allotment less than 10000m², or within the designated area. The petition, also, reflects a view to allow the keeping of more dogs on smaller lots.

Other submissions indicate that such an increase would potentially create more neighbourhood issues, even if limited to compassionate grounds. Other submissions are concerned with how compassionate grounds would be defined /applied and suggest that this may be difficult to administer. Further concerns were raised regarding the level of resources available to deal with neighbourhood issues and applications.

On balance, it is suggested that the proposed amendments be amended further to prohibit the keeping of 3 or more dogs on an allotment of less than 10000m² or within the designated area ie. For these allotments, the current law would remain unchanged.

2. Permits to be limited to responsible dog owners

The amendments proposed that the keeping of more than four (4) dogs be limited to accredited breeders (based in a definition to be included in the Animal Management (Cats

and Dogs) Act). Submissions suggested that similar requirements be made for applications to keep up to four (4) dogs. It is considered that limiting the keeping of more than 2 dogs to only accredited breeders would be overly restrictive. Submitters were also concerned that approvals be limited to responsible dog owners. Although much comment was made about what may constitute responsible dog ownership, a common theme was membership of an organisation with such values. An accredited breeder (as proposed) must be a member of an approved entity. It is suggested that this membership requirement be extended to other applications as well.

A further amendment is proposed that would prevent Council from granting an approval to keeping additional dogs if a regulated dog is kept on the allotment.

Each of these amendments would require a further public consultation, including on the possible anti-competitive provisions. Amended subordinate local laws are attached for Council's consideration.

Attachments

Animal Management (Amendment) Subordinate Local Law (No 1) 2017 (formerly Animal Management (Amendment) Subordinate Local Law (No 1) 2016)

Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2017 (formerly Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016).

Recommendation

THAT –

1. The petition to keep three (3) dogs on smaller properties be received and Council resolve to take no further action on that matter, and
2. Council resolves to proceed with the subordinate local law making process in respect of each of:
 - a. Animal Management (Amendment) Subordinate Local Law (No 1) 2017 (formerly Animal Management (Amendment) Subordinate Local Law (No 1) 2016) in the form attached to this report to Council; and
 - b. Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2017 (formerly Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016) in the form attached to this report to Council.
3. 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) 2017 (formerly

Animal Management (Amendment) Subordinate Local Law (No 1) 2016).

2. Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2017 (formerly Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016).

Decision:

Moved - Cr Whalley

Seconded - Cr Choat

“THAT –

1. The petition to keep three (3) dogs on smaller properties be received and Council resolve to take no further action on that matter, and
2. Council resolves to proceed with the subordinate local law making process in respect of each of:
 - a. Animal Management (Amendment) Subordinate Local Law (No 1) 2017 (formerly Animal Management (Amendment) Subordinate Local Law (No 1) 2016) in the form attached to this report to Council; and
 - b. Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2017 (formerly Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016) in the form attached to this report to Council.
3. 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 attached **Appendix A** to these minutes 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 attached **Appendix A** to these minutes 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) 2017 (formerly Animal Management (Amendment) Subordinate Local Law (No 1) 2016).
2. Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2017 (formerly Keeping of Animals (Amendment) Subordinate Local Law (No 1) 2016)."

Carried

Subject:	Vandalism - January 2017
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.

There were no incidents reported during January 2017.

The Vandalism Repair Costs until 31 January 2017 are attached. There were no Insurance Claims relating to Vandalism for the month of January 2017.

Attachments

Table – Vandalism Repair Costs until 31 January 2017.

Recommendation

THAT the report be received and the contents noted.

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

Adjournment of meeting

The meeting adjourned at 10am for morning tea, resuming at 10:17am.

Subject:	Renewal of Term Lease to Freehold over Lot 8 CG3953, Woolmar
File Ref:	Rates and Government Valuations \ Notifications \ Leases (Road Licence - Permit to Occupy - Stock Grazing Permit) (932929)
Action Officer:	TO

Background/Summary

An email has been received from the Department of Natural Resources and Mines, seeking Council's views on the conversion of the lease to freehold over Lot 8 CG3953, locality Woolmar.

The land is presently leased for grazing purpose and it is zoned Community Facilities.

This parcel of land might be required in the future because of possible extension of showground.

In answer to the Department's questions the following advice is offered:-

- Based on possible extension of the Show Ground, Council objects to the conversion of the lease to freehold over Lot 8 CG3953 as this parcel of land might be required in the future.

Attachments

Smart Map

Recommendation

THAT Council advise the Department of Natural Resources and Mines in relation to their query the following,

- Based on possible extension of the Show Ground, Council objects to the conversion of the lease to freehold over Lot 8 CG3953 as this parcel of land might be required in the future.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Hall

“THAT Council advise the Department of Natural Resources and Mines in relation to their query the following,

- Based on possible extension of the Show Ground, Council objects to the conversion of the lease to freehold over Lot 8 CG3953 as this parcel of land might be required in the future.”

Carried

Subject:	Street Lighting – Kleinhans Court, Lowood
File Ref:	Roads - Design and Construction - Street Lighting
Action Officer:	RH

Background/Summary

Council officers received a service request (Doc Id 930903) to investigate the lighting condition at Kleinhans Court, Lowood due to insufficient illumination.

Council officers undertook an inspection of the area to see if there were any suitable locations where a streetlight might be installed and how these locations fit within Council's previous direction of the location of street lights. On inspection of the area, it was noted that there was an existing street light at the intersection of Kleinhans Court and Noland Street. Also there were some existing power poles in the vicinity that were carrying low voltage power supply.

According to Somerset Regional Council's Development Manual clause 8.2.10, the gap between lights along streets is generally 90m in the residential and industrial zonings. Therefore, the best suitable location to install a light would be at Pole No P171934 shown in the attached image.

Options available to Council include:

- Do not provide a streetlight at this location
- A light be installed by Energex on pole P171934

Attachments

Sketch – Kleinhans Court, Lowood

Recommendation

THAT Council approves the provision of a streetlight on pole P171934.

Decision:	Moved - Cr Whalley	Seconded - Cr Ogg
	"THAT Council approves the provision of a streetlight on pole P171934."	
	<i><u>Carried</u></i>	

Subject:	Brisbane Sporting Car Club Limited – Request to Temporarily Close a Section of Western Branch Road for a Car Rally
File Ref:	Roads / road closures / temporary (927928)
Action Officer:	CSSA

Background/Summary

A request has been received from Brisbane Sporting Car Club Limited seeking permission to close a section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River Road on Saturday, 1 April 2017. Refer to attached correspondence and maps showing affected section of Western Branch Road. It is noted that this section of Western Branch Road was closed temporarily to hold this rally in April 2016 with no complaints being received by Council concerning this closure.

The rally is the first round of the 2017 Queensland Rally Championship and will be contested by teams from CAMS affiliated car clubs in the South East Queensland and Central Queensland regions. It will be based at the Manumbar Campdraft Association grounds at Manumbar and the majority of the rally will be conducted on closed Forestry roads within Gallangowan and Elgin Vale State Forest. There is only one stage of the rally being held on a section of Western Branch Road.

It is noted that the car club have advised:

- That public notices will be placed in the Kilcoy Sentinel two weeks prior to the rally.
- That road closure notification boards will be placed on affected roads within the State Forest four weeks prior to the rally.
- Those lessees of forestry land have been advised of the date and times for the conduct of this event.

Should Council consider the closure of this section of road to be acceptable the following conditions may be considered appropriate to include in an approval:

- The section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River road must only be closed from 0900 hours to 2100 hours on Saturday, 1 April 2017.
- All work on Council controlled roads must be carried out in accordance with the Manual of Uniform Traffic control Devices and any other relevant state standards, regulations or laws.
- Traffic Management Plan including a Traffic Guidance Scheme to be forwarded to Council in advance of the event for approval.
- Provide to Council a copy of the permit issued by Queensland Police Service for the temporary closure of this section of Western Branch Road.

- Provide to Council a copy of the public liability insurance to the value of \$10,000,000.
- A letter drop to all neighbouring/affected properties advising them of the road closure.
- Set up a detour to traffic through River Road as per the Manual of Uniform Traffic Control Devices.

Attachments

Correspondence dated 20 December 2016

Maps showing affected section of Western Branch Road

Recommendation

THAT approval be given to Brisbane Sporting Car Club Limited to temporarily close the section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River Road on Saturday, 1 April 2017 to hold their rally subject to the following conditions:

- The section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River road must only be closed from 0900 hours to 2100 hours on Saturday, 1 April 2017.
- All work on Council controlled roads must be carried out in accordance with the Manual of Uniform Traffic control Devices and any other relevant state standards, regulations or laws.
- Traffic Management Plan including a Traffic Guidance Scheme to be forwarded to Council in advance of the event for approval.
- Provide to Council a copy of the permit issued by Queensland Police Service for the temporary closure of this section of Western Branch Road.
- Provide to Council a copy of the public liability insurance to the value of \$10,000,000.
- A letter drop to all neighbouring/affected properties advising them of the road closure.
- Set up a detour to traffic through River Road as per the Manual of Uniform Traffic Control Devices.

Decision:

Moved - Cr Whalley

Seconded - Cr Hall

"THAT approval be given to Brisbane Sporting Car Club Limited to temporarily close the section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River Road on Saturday, 1 April 2017 to hold their rally subject to the following conditions:

- The section of Western Branch Road from the intersection of Linville Forestry Road to the intersection of River road must only be closed from 0900 hours to 2100 hours on Saturday, 1 April 2017.
- All work on Council controlled roads must be carried out in accordance with the Manual of Uniform Traffic control Devices and any other relevant state standards, regulations or laws.

- Traffic Management Plan including a Traffic Guidance Scheme to be forwarded to Council in advance of the event for approval.
- Provide to Council a copy of the permit issued by Queensland Police Service for the temporary closure of this section of Western Branch Road.
- Provide to Council a copy of the public liability insurance to the value of \$10,000,000.
- A letter drop to all neighbouring/affected properties advising them of the road closure.
- Set up a detour to traffic through River Road as per the Manual of Uniform Traffic Control Devices.”

Carried

Subject:	Proposed Mount Tarampa Road Culvert Modification
File Ref:	Customer service / public reaction / 201-2017 – request for service (926037)
Action Officer:	DDM

Background/Summary

Council officers have been liaising with a property owner in the Mt Tarampa area over stormwater drainage concerns. The owner has recently purchased an adjacent property at the corner of Forest Hill Fernvale Road and Mount Tarampa Road Lot 10 on RP135671 and Lot 9 on RP135671.

The property owner is now farming the property and has issues with getting the property to drain. Stormwater may be flowing to properties to the west and could cause additional issues with the neighbouring properties. This is typically a matter between property owners, but he is seeking assistance from Council to lower a culvert on Mount Tarampa Road. The owner has proposed to lower a culvert along Mount Tarampa Road to which he would reshape drains on the upstream property to and would utilize an existing downstream drain within a property that he also owns.

Council officers inspected the property and surveyed the area to evaluate the proposal. The attached map shows the proposed works. The area of Mount Tarampa is very flat and is subject to flooding. The proposed works would be considered to be beneficial to properties to the west during low flow rainfall events, but would not alleviate issues during flooding events. The downstream property already has an existing drain that has sufficient fall 50m from the culvert to allow for it to be lowered by about 500mm. This should allow most drainage from the upstream property to be directed away from those to the west. Properties to the west at 52 and 85 Mount Tarampa Road have no objections to the proposed works and the property at 85 Mount Tarampa Road has provided a letter of support.

Concerns include:

- The downstream drain does not have a drainage easement over it and there would be concern about making sure that this can be maintained. The property owner has agreed to Council having a drainage easement over the drain to the property

boundary. Estimated cost \$5,000.

- The drain through the upstream property will continue to be used as a farming block and may require adjustment over time to suit. The property owner has agreed that a drain would remain through the property and that he would construct and maintain the drain at no cost to Council.
- The proposed works would be considered a capital improvement project and that Council considers placing the proposed lowering of the culvert on Council's Forward Works list for consideration in the 2017-18 budget. Estimated cost \$20,000.

Attachments

Map of Mt Tarampa proposed drainage works

Recommendation

THAT Council fund the establishment of a drainage easement on the downstream property Lot 2 on RP85025 in preparation of a possible future drainage upgrade;

THAT Council place the drainage upgrade on Mt Tarampa Road on Councils Forward Works list for future budget consideration.

Decision:	Moved - Cr Hall	Seconded - Cr Whalley
	<p>"THAT Council fund the establishment of a drainage easement on the downstream property Lot 2 on RP85025 in preparation of a possible future drainage upgrade;</p> <p>THAT Council place the drainage upgrade on Mt Tarampa Road on Councils Forward Works list for future budget consideration."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Allocation of reservation in title Lot 461 and on C311605, Sheep Station Creek
File Ref:	Rates and Government Valuations - Notifications - Leases (Road Licence - Permit to Occupy - Stock Grazing Permit) (932215)
Action Officer:	TO

Background/Summary

An email has been received from the Department of Natural Resources and Mines, reference 2017/000020, seeking Council's views on the allocation of floating road reservation contained within Lot 461 on C311605, Sheep Station Creek.

The allocation of the floating public purpose reservation for road purposes is required for proposed boundary realignment.

The proposal is to allocate the reservation in title from Lot 461 on C311605 to proposed Lot 109 on (unregistered) SP294641.

In answer to the Department's questions the following advice is offered:

- Council has no objection to allocate the road reservation in title from Lot 461 on C311605 to proposed Lot 109 on (unregistered) SP294641 as the reserve may at sometime in the future still be required to open a road.

Attachments

- Unregistered Plan of SP294641
- Smart Map

Recommendation

THAT Council advise the Department of Natural Resources and Mines in relation to their reference 2017/000020 the following –

- Council has no objection to allocate the road reservation in title from Lot 461 on C311605 to proposed Lot 109 on (unregistered) SP294641 as the reserve may at sometime in the future still be required to open a road.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Hall
	<p>“THAT Council advise the Department of Natural Resources and Mines in relation to their reference 2017/000020 the following –</p> <ul style="list-style-type: none"> • Council has no objection to allocate the road reservation in title from Lot 461 on C311605 to proposed Lot 109 on (unregistered) SP294641 as the reserve may at sometime in the future still be required to open a road.” <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Somerset Rail Trail Fun Run Beneficiary
File Ref:	Officers Reports
Action Officer:	CMM

Background/Summary

Somerset Regional Council will host the fifteenth annual Somerset Rail Trail Fun Run on Sunday, 9 July.

Last year Council appointed the Lowood Lions Club and Fernvale Lions Club as the 2016 race beneficiaries. The arrangement, as per previous years, was that Council donated \$2 from every race entry to the event beneficiary (last year this amount was evenly divided between the two clubs).

For the four years preceding that Council partnered with Diabetes Queensland (DQ) and made them the beneficiary of the Somerset Rail Trail Fun Run.

The aim of the Somerset Rail Trail Fun Run is to promote active and healthy lifestyles.

The SRTFR organising committee felt it appropriate to consider the Brisbane Valley Rail Trail Users Association as the beneficiary for the 2017 event.

Council recognises the contribution of this group in its promotion and activities around the Brisbane Valley Rail Trail. The fun run is held on the rail trail and in 2017 Council will introduce a bicycle component to the event.

The Brisbane Valley Rail Trail Users Association is dedicated to promoting the greater use of the Brisbane Valley Rail Trail. The objectives of the association are:

- (a) To promote the use of Brisbane Valley Rail Trail;

- (b) To promote tourism and related economic development based on the Brisbane Valley Rail Trail;
- (c) To co-ordinate, organise and encourage events and activities on the Brisbane Valley Rail Trail;
- (d) To obtain public liability insurance;
- (e) To liaise with like-minded organisations whose members share an interest in the recreational and tourism use of the Brisbane Valley Rail Trail;
- (f) To work with State and Local Governments whose jurisdiction includes the management of the Brisbane Valley Rail Trail for the betterment of the Brisbane Valley Rail Trail for all legitimate users including cyclists, equestrians and hikers.

In light of the ongoing valuable contribution that the Brisbane Valley Rail Trail Users Association makes, Council sees it fitting to appoint them as the 2017 race beneficiaries.

Attachments

Nil

Recommendation

THAT Council make the Brisbane Valley Rail Trail Users Association the beneficiary of the 2017 Somerset Rail Trail Fun Run and donate \$2 from every race entry received to the Brisbane Valley Rail Trail Users Association.

Decision:

Moved - Cr Brieschke

Seconded - Cr Ogg

“THAT Council make the Brisbane Valley Rail Trail Users Association the beneficiary of the 2017 Somerset Rail Trail Fun Run and donate \$2 from every race entry received to the Brisbane Valley Rail Trail Users Association.”

Carried

Subject: Tourism Monthly Report - January 2017
File Ref: Tourism - promotions
Action Officer: Tourism Promotions Officer (TPO)

Background

The following is the end of monthly summary of activities relating to promotions, tourism and the visitor information centres in January 2017.

VISITOR INFORMATION CENTRES

Sale of permits

The three visitor information centres manage the sales of boating permits (on behalf of Seqwater) and fishing permits (on behalf of DAFF). Below is a breakdown of all Seqwater boating permits sold.

Seqwater Boating Permits	No. Permits Sold	Gross Sales
Esk Visitor Information Centre	11	\$303

Fernvale Futures Complex	24	\$636
Kilcoy Information Centre	29	\$803

The online process does not allow Council to track the number of Stocked Impoundment Permit Scheme (fishing permits) sold or the dollar value of the sales each month.

Sale of Council merchandise:

Below is a breakdown of all Council merchandise and room hire sold across the three VIC's.

	Postcards	Magnets	Water Bottles	Room Hire	Total Sales
Esk VIC	\$5	\$1			\$6
Fernvale VIC	\$1	\$3 (3)		\$1314	\$1318
Kilcoy VIC	\$4	-	\$8	\$80	\$92

Visitor Statistics

	Total visitors	Local to Somerset	From the greater Brisbane area	All SEQ locations
Esk VIC	479	52	108	142
Kilcoy VIC	583	103	146	216
Fernvale VIC	470	189	202	36
Somerset Regional Art Gallery - The Condensery	221	105	45	50

Full breakdown of visitor statistics for each centre – **Appendix B** to these minutes.

Volunteers

- As at 31 January, there are 59 active volunteers across the four centres.
- The 2017 volunteer welfare and training program is currently being developed and will include famils, team meetings and operator talks.

Esk Visitor Information Centre

- Esk Visitor Information Centre has 16 active volunteers. One volunteer has notified she will be moving away from the area. Volunteer rosters have been kept up to date and volunteers covering spare shifts.
- Esk Visitor Information Centre had no room hires or bookings for January.
- Brochures have been updated to all 2017 versions of guides have been received.
- Old Somerset guides have been given out to volunteers, if the remaining brochures do not get taken over the next week the brochures will be offered to the schools for arts and crafts.

Kilcoy Information Centre

- There are currently 12 volunteers on the roster. Two volunteers remain inactive (due to return in March 2017).
- Next volunteer team meeting to be held at the end of February 2017.
- Yarraman bus group visited on Wednesday, 18 January for the environmental centre and to watch Waste Not in the theatre.
- All room hire bookings for January were associated with SEQ Catchments and the green army.

Fernvale Visitor Information Centre

- No major events occurred in this month at Fernvale Futures Complex.
- Regular hirers from 2016 have returned after the Christmas break most commencing mid January.
- West Moreton Health and Hospital Service have removed their items that were stored in the cupboards in the training room.
- No major events have occurred at Col Powell Park and Reserve.

Somerset Regional Art Gallery - The Condensery

- The gallery was closed on Sunday, 1 January due to the New Years day public holiday.
- Council at their meeting of 11 January 2017 adopted to change the opening hours at the Somerset Regional Art Gallery – The Condensery. The gallery will operate with amended opening hours from 1 February 2017. New hours of operations are:

9am to 5pm Wednesday, Thursday and Friday

10am to 4pm Saturday and Sunday

The gallery will remain closed on Monday and Tuesday

- Kilcoy Art Society Inc exhibition has been popular, particularly with Somerset residents. KASi members have been volunteering at the gallery throughout January as a point of contact for the exhibition. This has been well received by the gallery volunteer team. Five artworks have sold since December.
- The next exhibition to be displayed at the gallery is Bimblebox – art – science – nature, an exhibition through Museums and Galleries QLD. This exhibition will be installed the week starting Monday, 6 February 2017.
- The DL promotional flyer for the Somerset Regional Art Gallery – The Condensery was completed on Wednesday, 25 January 2017. Flyers will be circulated in February.

TRADE SHOWS

- 10,000 tourism branded tote bags have been purchased for use at the 2017 trade shows
- Synthetic turf has been purchased for the stand fit out at trade shows.
- The trade show displays by Portable creations are being designed. Tourism and promotions officer is progressing this.
- Operators to be contacted in February for expressions of interest to participate in the below trade shows.

Somerset Tourism will be attending the following trade shows in 2017.

South Queensland Caravan, Camping, Boating and Fishing Expo

21 - 23 April 2017

Nambour Showgrounds

- This is Somerset tourism's first time attending this expo and has been included on the calendar to promote Experience Somerset to the Sunshine Coast market.
- Site confirmed for this expo (powered site at the entrance to the pavilion)
- Contract signed and returned
- Event listing has been submitted
- Accommodation quotes are being sourced.

Queensland Outdoor Adventure and Motoring Expo

4 - 6 August 2017

Toowoomba Showgrounds

- Site has been confirmed – same site as previous years at the entrance to the pavilion.
- Event listing to be completed.

Waiting on registrations to open for the Queensland Caravan, Camping and Touring Supershow (June 2017).

Prices are being sourced for a tourism stall at the Brisbane Royal Exhibition (Ekka) for information purposes only and consideration for future years.

EVENTS**Australia Day Awards and Breakfast**

Thursday, 26 January 2017

- Australia day award nominations were advertised across the region from October.
- A total of 34 entries were submitted into the six award categories. A panel of three judges met on Monday, 9 January, 2017 to judge the Australia Day Awards nominations. Finalists were approved by Council on Wednesday, 11 January.
- Breakfast reservations opened on Tuesday, 3 January and closed Friday, 6 January as capacity was reached - 256 reservations.
- Breakfast was provided by Colonial Catering and consisted of a hot and cold buffet and coffee was provided by Yowie Coffee.
- The Australia Day Ambassador was Lakeisha Patterson - a 2016 Rio Paralympian. Lucky and her family attended the breakfast, were involved in the ceremony and then attended the pools throughout the afternoon.
- Pool activities were coordinated by the sport and recreation officer.

PROMOTIONS**Experience Somerset website**

Development of the tourism website – experiencesomerset.com.au – is near completion with the site requiring minor changes before being shown to the tourism advisory committee in February. The site will compliment the regional visitor guide that was launched in December 2016 and also the Experience Somerset social media sites. The tourism video will be integrated into the new website and rolled out across the region from February.

Brisbane Marketing - Integrating and Managing Social Media

Planning towards the 2016/17 Brisbane Marketing Integrating and Managing Social Media campaign has started.

The program is based on one half day workshop with basic instruction on social media platforms (we can help develop this based on our understanding of the operator needs). Following this will be one-on-one mentoring sessions with operators (90 minutes) that will involve helping operators set up social media accounts to get them active on social media platforms.

Based on the funding secured, the program can host up to 42 people at the workshop and 12 operators can access the one-on-one mentoring. The workshop will be hosted on Monday, 27 February with the mentoring to follow.

Australian Tourism Data Warehouse

The team are working towards improving Somerset's presence on ATDW. This includes events, free listings and operator listings. This will work in conjunction with the Brisbane Marketing Integrating and Managing Social Media campaign to encourage more operators to use the platform so that in time, the Somerset tourism website can be completely generated through ATDW.

Social Media: Experience Somerset Facebook

- Current page likes as at 31 January: 1625

Date	Page Visits	Page likes	Total Reach	People Engaged	Total Page Likes
1-8 January 2017	27	1	1540	54	1620
8-15 January	25	2	1585	76	1621
15-22 January	46	3	2861	351	1622
22-29 January	34	3	2251	84	1625
1-8 January 2017	27	1	1540	54	1620

Social Media: Instagram

- Current followers as at 31 January: 402

MEETINGS / ADVOCACY

Council's tourism, promotion and event functions continue to be represented by the tourism and promotions officer and visitor information services officers at the following groups and organisations:

- Brisbane Marketing
- Tourism Events Queensland
- Queensland Information Centre Association
- Brisbane Valley Heritage Trails
- Somerset Art Society Inc.

The tourism and promotions officer continues to maintain relationships within the region and with counterparts in nearby regions.

Attachments

Visitor statistics – Somerset Regional Art Gallery – December 2016

Recommendations

THAT the report be received and the contents noted.

Decision: Moved - Cr Gaedtke Seconded - Cr Whalley

"THAT the report be received and the contents noted."

Carried

Meetings authorised by Council

Nil

Mayor's and Councillors' Reports**Cr Gaedtke – Councillor Report****Meetings/Functions attended**

26 January Australia Day Celebrations – Somerset Civic Centre
30 January Meeting with Ten Mile Rural Fire Brigade
2 February Meetings at Esk Office
6 February Brisbane Valley Kilcoy Landcare Group Meeting
6 February Meeting with rural residents
6 February Kilcoy Dance Group AGM

Australia Day Celebrations – Somerset Civic Centre

On a lovely, but warm morning the Australia Day Awards Presentation and Citizenship Ceremony was held at the spacious Somerset Civic Centre. Breakfast was very tasty and consisted of lots of choices. Congratulations to all involved with organising this fantastic celebration. There was lots of laughter, and it was a time for locals to meet up and chat about things since they last saw one another. Being nominated for these prestigious awards and the associated recognition is truly an honour and privilege. This accomplishment alone is an unforgettable milestone. I offer my congratulations to all nominees and offer special congratulations to the winning nomination of each award category. The Australia Day Ambassador, Lakeisha Patterson presented a thought provoking speech. I can hardly wait for next year's event, to enjoy yet another professionally administered and heart warming event.

Ten Mile Rural Fire Brigade

Three members of the Ten Mile Rural Fire Brigade met with me to discuss current Department of Transport & Main Roads' procedures with burning off vegetation from TMR's road reserves network. After discussing legal liability responsibilities with matters such as; feeding cattle on TMR's roadsides, fencing of TRM's roadsides, landowners slashing TMR road reserves and identification of hot spots on TMR road reserves, it was agreed that the Ten Mile Rural Fire Brigade would consult further with TMR about such issues for further clarification.

ABC Landline Broadcast

Landline aired "Window On China", a special program analysing the economic powerhouse that is Australia's biggest trading partner. The program recorded business interests from premium beef to high fashion, and offered the pitfalls and success stories of doing business in modern China. Two hundred and twenty local government and business representatives from Toowoomba made the trip from Wellcamp Airport to Beijing, China to discuss and learn more about future free trade incentives. Initiatives included clean and green, paddock to plate, E-Commerce with a platform of millions of clients. New Hope Group and its current business ventures were documented, with a very informative visual and oral presentation of Kilcoy and Kilcoy Pastoral Company. Local business identity, Duncan Brown was also interviewed.

Local Government News of Interest

As part of its Submission to the 2016 – 2017 Federal Budget, the Australian Local Government Association (ALGA), has asked for certainty the indexation of Financial Assistance Grants (FAGs) will be restored.

The 2016-17 Budget should include a commitment to:

- Immediately restore the indexation of the Financial Assistance Grants.

Beyond 2016-17, the Federal Government should commit to:

- Increase the quantum of the base and reform the indexation methodology of the Financial Assistance Grants; and
- Provide appropriate resources to aid in the prevention of cost shifting, including working towards a renewed Inter-governmental agreement.

Cr Whalley – Councillor Report

Cr Whalley attended the Lowood Recreation Reserve meeting last week, noting that there were still some concerns regarding the running of the facility. Cr Whalley informed the meeting that the LRC committee are moving forward with addressing these concerns.

Cr Choat – Councillor Report

Australia Day 2017

Cr Choat commented on Council's Australia Day event held at the Somerset Civic Centre. Congratulations to all Council staff who worked so hard to make the event a great success. Many residents have commented on the event, including the caterers who did a marvellous job.

Congratulations to all category winners and nominees. Most notably I would like to congratulate Andrew Rose as our Somerset Citizen of the Year and Matt Heck as our Young Citizen of the Year, two very deserving winners who bring pride to our community.

Cr Brieschke – Councillor Report

At the Toogoolawah Local Ambulance Committee meeting on Monday night three members were congratulated on attaining their CPR Training certificates. These members will now be able to assist the Officer in Charge with CPR Awareness and training workshops.

The committee are working towards purchasing a community defibrillator and hope to achieve the project this year.

Cr Hall – Councillor Report

Cr Hall congratulated all of the nominees and award winners at the 2017 Australia Day event at the Somerset Civic Centre.

Decision:	Moved - Cr Ogg	Seconded - Cr Whalley
	"THAT written and verbal reports of Crs Gaedtke, Whalley, Choat, Brieschke and Hall be received and the contents noted."	
		<u><i>Carried</i></u>

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings**Kilcoy Indoor Sports and Gym Centre – Report on Refurbishment Costs**

Cr Gaedtke requested an officer's report outlining the work that needs to be carried out at the Kilcoy Indoor Sports and Gym Centre to refurbish the centre, and provide an associated budget required to complete the work at Centre.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Whalley

"THAT an officer's report outlining the work that needs to be carried out at the Kilcoy Indoor Sports and Gym Centre to refurbish the centre, and provide an associated budget required to complete the work at the Centre."

Carried**Closure of Meeting****Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.30am.

APPENDIX A**Somerset Regional Council****Animal Management (Amendment) Subordinate Local Law (No. 1) 2017**Contents

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2017*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No 2 (Animal Management) 2011*.

Part 2 Amendments to subordinate local law

3 Amendment of sch1 (Prohibition on keeping animals)

- (1) Schedule 1, item 1, column 1, after ‘excluding’—
insert—

‘an assistance dog, a guide dog, a hearing dog and’.

- (2) Schedule 1, item 1, column 2 —
omit, insert—

‘(a) 3 or more dogs over the age of 3 months 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;

(b) 5 or more dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m² or more;

(c) 7 or more dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m² or more.’.

4 Amendment of sch2 (Requirement for approval to keep animal)

Schedule 2, ‘No species or breed of animal mentioned’—

omit, insert—

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval¹
1	Dog (but excluding	(a) 4 dogs over the age of 3 months on an allotment which

¹ See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

	an assistance dog, a guide dog, a hearing dog and a working dog)	is located outside a designated area and has an area of 10,000m ² or more;
	(b)	6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m ² or more.

5 Amendment of sch4 (Minimum standards for keeping animals generally)

(1) Schedule 4, section 1(h), ‘.’—
omit, insert—
‘; and’.

(2) Schedule 4, after section 1(h)—
insert—

- ‘(i) if the animal is a dog and the dog is required to be registered by the person in the local government area of the local government — comply with section 46 of the Animal Management Act to register the dog in the local government area as required by section 44 of the Animal Management Act; and
- (j) if the animal is a dog that is not implanted with a PPID and section 14 of the Animal Management Act applies — ensure that the dog is implanted with a PPID as required by section 14 of the Animal Management Act.’.

6 Amendment of sch13 (Dictionary)

Schedule 13—
insert—

‘assistance dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

guide dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

hearing dog has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

PPID has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.’.

This and the preceding 3 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2017* made in accordance with the provisions of the *Local Government Act 2009* by Somerset Regional Council by resolution dated the
day of 2017.

.....
Chief Executive Officer

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Somerset Regional Council
Keeping of Animals (Amendment) Subordinate Local Law
(No. 1) 2017

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4 Amendment of sch3 (Dictionary)	70

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2017*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011*.

Part 2 Amendments to subordinate local law

3 Amendment of sch1 (Keeping of animals)

- (1) Schedule 1, section 2, from ‘The’ to ‘sanctuary.’—

renumber as subsection (1).

- (2) Schedule 1, after section 2(1)—

insert—

‘(2) The keeping of 2 dogs on an allotment.’

- (3) Schedule 1, after section 3(6)—

insert—

‘(7) If an animal the subject of the application is a dog—written confirmation that the applicant has given written notice to each occupier of premises located within a 100m radius of the premises on which the dogs are proposed to be kept advising the following—

- (a) the name and address of the applicant; and
- (b) if the applicant is not the owner of the premises on which the dogs are proposed to be kept — the name and address of the owner of the premises; and
- (c) the street address and real property description of the premises where the dogs are proposed to be kept; and
- (d) the number and breed of dogs proposed to be kept on the premises; and
- (e) a description of the type and location of the structure in which the dogs are proposed to be housed on the premises; and
- (f) that the recipient of the written notice may, within 14 days of receipt of the written notice, deliver a written objection to the local government stating in full the grounds of objection of the recipient to the proposed keeping of the dogs on the premises.

- (8) If an animal the subject of the application is a dog and the application relates to the keeping of 4 dogs on an allotment which is located outside a designated area and has an area of 10,000m² or more—evidence that the applicant for the

approval is a current member of an approved entity.
Somerset Regional Council
Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2017

- (9) If an animal the subject of the application is a dog and the application relates to the keeping of 6 dogs on an allotment which is located outside a designated area and has an area of 20,000m² or more — evidence that the applicant for the approval is an accredited breeder.’.
- (4) Schedule 1, after section 4(13) —
- insert—*
- ‘(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.
- (15) If the application relates to the keeping of 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m² or more—whether the applicant for the approval is a current member of an approved entity.
- (16) If the application relates to the keeping of 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m² or more—whether the applicant for the approval is an accredited breeder.’.

4 Amendment of sch3 (Dictionary)

Schedule 3—

insert—

‘**accredited breeder**, of an approved entity —

- (a) has the meaning given in the Animal Management Act; but
- (b) includes a person who—
- (i) is accredited by the approved entity to breed dogs under an accreditation scheme conducted by the approved entity; and
- (ii) is given a unique identifying number by the approved entity.

allotment has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

approved entity—

- (a) has the meaning given in the *Animal Management Act*; but
- (b) includes an entity that—
- (i) conducts an accreditation scheme for persons who breed dogs; and
- (ii) gives a unique identifying number to each person accredited under the accreditation scheme; and
- (iii) is recognised for this definition by the local government.

Example—

*Somerset Regional Council
Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2017*

Canine Control Council (Queensland) Limited (trading as Dogs Queensland) or another entity which—

- *has objects similar to the Canine Control Council (Queensland) Limited; and*
- *undertakes the activities referred to in paragraph (b)(i) and (ii).*

designated area has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

regulated dog has the meaning given in the *Animal Management Act*.

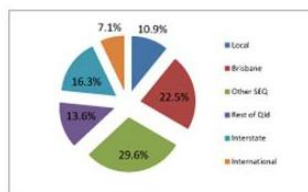
This and the preceding 3 pages bearing my initials is a certified copy of *Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2017* made in accordance with the provisions of the *Local Government Act 2009* by Somerset Regional Council by resolution dated the
day of 2017.

.....
Chief Executive Officer

Appendix B

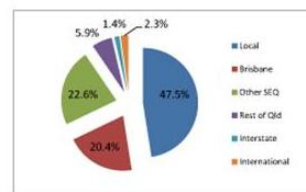
Visitor Statistics Esk Visitor Information Centre Month Ending Jan 2017

Segment	Visitors	%
Local	52	10.9%
Brisbane	108	22.5%
Other SEQ	142	29.6%
Rest of Qld	65	13.6%
Interstate	78	16.3%
International	34	7.1%
Total	479	
All Sth East Qld	302	63.0%
Telephone Calls	24	

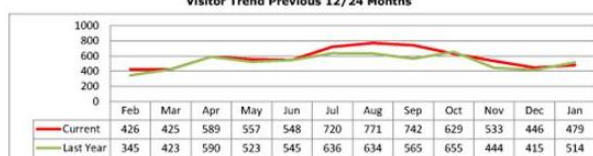


Visitor Statistics Somerset Regional Art Gallery Month Ending Jan 2017

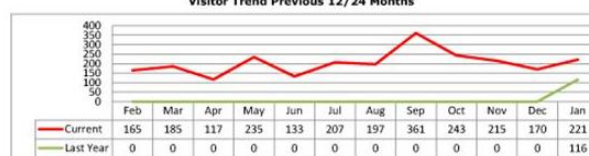
Segment	Visitors	%
Local	105	47.5%
Brisbane	45	20.4%
Other SEQ	50	22.6%
Rest of Qld	13	5.9%
Interstate	3	1.4%
International	5	2.3%
Total	221	
All Sth East Qld	200	90.5%
Telephone Calls	4	



Visitor Trend Previous 12/24 Months

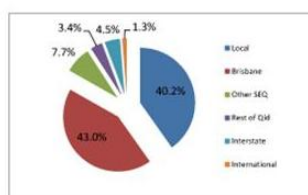


Visitor Trend Previous 12/24 Months



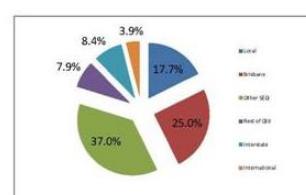
Visitor Statistics Fernvale Futures Complex Month Ending Jan 2017

Segment	Visitors	%
Local	189	40.2%
Brisbane	202	43.0%
Other SEQ	36	7.7%
Rest of Qld	16	3.4%
Interstate	21	4.5%
International	6	1.3%
Total	470	
All Sth East Qld	427	90.9%
Telephone Calls	78	

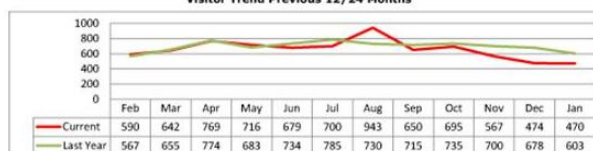


Visitor Statistics Kilcoy Information Centre Month Ending Jan 2017

Segment	Visitors	%
Local	103	17.7%
Brisbane	146	25.0%
Other SEQ	216	37.0%
Rest of Qld	46	7.9%
Interstate	49	8.4%
International	23	3.9%
Total	583	
All Sth East Qld	465	79.8%
Telephone Calls	75	



Visitor Trend Previous 12/24 Months



Visitor Trend Previous 12/24 Months

