



**Minutes of Ordinary Meeting
Held Wednesday 14 November 2018**

*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 M McGoldrick	(Director Corporate and Community Services)
Mr A Johnson	(Director Operations)
Mr P Tabulo	(Director Planning and Development)
Mr G Smith	(Director Finance)
Mrs K Jones	(Director HR and Customer Service)
Mrs S Pitkin	(Minute Secretary)
Ms M Maesele	(Communications and Marketing Manager)

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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 Ogg	Seconded – Cr Whalley
<p>“THAT the Minutes of the Ordinary Meeting held on 24 October 2018 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 -**

17 November John Fogerty Revival – Somerset Civic Centre
18 November Jammin in Esk
23 November Minden Christmas Carnival
24 November Glamorgan Vale Christmas Carnival
24 November Kilcoy Historical Society “20th Birthday Bash”

Congratulations to Lowood and District Swimming Club, Lowood Show Society, Fernvale Rural Fire Brigade and Kirsty’s Bird Sanctuary and Wildlife Rehabilitation which were successful in receiving \$17,990, \$35,000, \$30,908.90 and \$15,000 respectively through the Gambling Community Benefit Fund.

Congratulations also to Coominya State School student Isabella Harley, who was successful in her audition as a Hong Kong Disneyland Parade Performer. Isabella will travel to Hong Kong in December to feature in the Disneyland Christmas Parade.

Expressed commiserations to the victims of the California fires.

Cr Choat - Matters of public interest -

Recently Senior Sergeant Bruce Peel was appointed as the permanent Officer-in-Charge Lowood Police Division. Senior Sergeant Peel has relieved as the Officer-in-Charge during 2018 and is to be congratulated on his appointment.

The Lowood Police Division officers are also to be congratulated on their efforts with a 20% reduction in property crime since November 2017.

Sadly, traffic incidents have increased in 2018 with Senior Sergeant Peel launching a

program to address the situation. I remind all Somerset Residents to slow down and drive safely, particularly as we reach the busy Christmas season.

Cr Brieschke - Matters of public interest -

- 17 November Kilcoy Motor Cycle Club will host the 4th Round SEQ Junior MX Series Glen Rock Stitcher's Annual Christmas Sale, Anglican Church Hall, Esk, 8.30am - 2.30pm.
18 November Exhibition opening at Old Church Gallery, Moore - Works of Merton Chambers.
20 November Lowood District Residents Network meeting, Lowood RSL, 7pm
23 November Lowood Slimmers Dinner, Lowood Show Hall, 6pm RSVP required.

The end of high school starts for the region's Grade 12 students this week with Graduation Ceremonies and Formal evenings. I would like to extend congratulations to all 2018 graduates and wish them the very best for their pursuit in tertiary education or employment choices.

Cr Hall - Matters of public interest -

- 23 November Lowood Slimmers
17 November Kilcoy High School Valedictory Ceremony
26 November Focus on Farmers – Civic Centre

Mayor Lehmann - Matters of public interest -

Mayor Lehmann reminded everyone to be vigilant of fire weed and hyacinth on waterways.

Subject:	Planning and Building Services Monthly Report – October 2018
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 October 2018.

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 continued working on the proposed amendments to the planning scheme.

Planning Development Applications

During the month fifteen (15) Development Applications were received, less than the number of applications during the same month in the previous year. Details form part of the attachments.

Building Development Approvals

A total of forty-six (46) building approvals were issued in the region for September 2018. This is up on the August total of thirty-nine (39). The percentage of 'Council approved' building applications is 36.9% of all building approvals for the month of September.

Building Compliance Matters

The following are non-compliant building activities in this period:

Unapproved building works at Royston, Mount Tarampa, Hazeldean, Minden, Mount Hallen, Mount Beppo, Wivenhoe Pocket, Fernvale and Toogoolawah.

Unlawful use of buildings at Linville, Coolana, Colinton, Lowood and Mount Hallen.

Pool safety audits at (N/A).

Plumbing Compliance Permits and Inspections

The number of plumbing and drainage approvals for October 2018 was 19; this figure is a 46.15% increase on the figure of 13 for October 2017.

The number of treatment plants on Councils register is 1839 of which 47 or 2.55% 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 Choat	Seconded - Cr Brieschke
	"THAT the report be received and the contents noted."	
		<u>Carried</u>

Subject:	Natural Resource Management Monthly Report - October 2018
File:	Governance - Reporting - Officer Reports
Action Officer Ref:	NRMO

Background/Summary

It is with pleasure that I provide the following summary of the Natural Resource Management Officer activities for October 2018:

Land for Wildlife

- 25 members of the Somerset program attended a workshop at the Queensland Museum on 27 October. The workshop took participants on a behind the scenes tour

of the fauna collections, and outlined how the membership can utilise this resource, and how they may also contribute.

- The Somerset Land for Wildlife program welcomed 2 new Land for Wildlife properties to the program in October, at Mount Hallen and Esk.
- Attendance at the Land for Wildlife steering committee meeting held 17 October. Of particular note at this meeting was a resolution by SEQ Council Officers to seek collaborative Council funding for ongoing regional coordination of the program. To date this service has been facilitated by Healthy Land and Water, however this position has not received ongoing funding support from Federal and State Government, or reallocation of funds from the current host organisation sufficient to facilitate the required FTE role.

Somerset Flora and Fauna

An assessment of the Somerset Region Flying Fox Roosts was undertaken on the 31/10/18. Following is a summary of the Roosts surveyed and estimated numbers:

Kilcoy

After a brief absence Flying Foxes have returned to Kilcoy, however they have re-colonised the creek and adjacent vegetation beside Kilcoy State High School rather than Councils preferred alternate location approximately 1 km south along the creek. In part this may be due to different Flying Foxes returning than those that left. This is supported in that there was a population of Grey Headed Flying Foxes present at the southern Roost location pre-departure, but the returning Flying Foxes appear to be all Black Flying Fox species.

Estimated Numbers -
2500 Black Flying Fox present

Linville

During the recent absence of any Flying Foxes over the winter months, a number of trees were removed on the western edge of this broad roost area to reduce conflict with town/dwellings. Upon their return, the Flying foxes have utilised all the available habitat up to the point of the removals. While not large buffer, this does provide a more workable outcome for residents along this roost boundary. Numbers in the camp have progressively increased as Flying Foxes continue to return. The alternate southern site (Green-hide reserve) remains vacant.

Estimated Numbers -
- 500 Black Flying Fox
- 1000 Grey Headed Flying Fox

Harlin

This is a NEW camp as far as recent records can establish, located beside the rest area at the southern entrance to the town. The Camp is primarily located upon Council reserve, and is largely overgrown and weedy – although this entails good roost habitat characteristics. This does however make it difficult to judge numbers easily, and a fly out count may be beneficial.

Estimated Numbers -
5000 Grey Headed Flying Fox

Esk

Arguably the most persistent camp in the Somerset Region, this camp is currently Roost to a large number of Flying Foxes of all three locally occurring species. This Roost is low conflict with residential dwellings after some previous Roost modification, being primarily adjacent to Industrial activities. This camp is difficult to survey without significant disturbance, and would warrant a fly out count to better assess numbers and species makeup. The Camp appears to predominantly Grey headed, then Little Red, and then Black Flying Fox in descending occurrence.

Estimated Numbers -

Approximately 25,000 Flying Foxes present

Atkinsons Dam

This roost, although only periodically occupied seems to attract large numbers of Flying Foxes during each occupation, normally of a single species. The Roost is located in a Hoop Pine plantation on private land, and while initial Roost characteristics seemed ideal, it was noted at this recent inspection that considerable damage and dieback of the trees is apparent. The recovery of this tree species to such impacts may affect the long-term prospect of this Roost.

Estimated Numbers -

15,000 Grey Headed Flying Fox

Lowood

Following on from a fire under a large portion of this Roost earlier in the year, the Lowood camp remained unoccupied for the time, however the Flying Foxes have returned to the recovering habitat.

Estimated Numbers -

- 1200 Grey Headed Flying Fox

- 300 Black Flying Fox

- The Somerset free tree program was carried out across 3 successive weekends in October. Thousands of trees were provided to residents to align with the welcome rain in the Somerset region.

Catchment Management

- Ongoing project development is being undertaken to formalise the delivery of Resilient Rivers funding granted to Somerset Regional Council for local projects. These include:
 - ~\$120,000 for Black Snake Creek rehabilitation – Currently in discussions with landholders regarding participation and site identification.
 - \$105,000 for Recreational investigation of Hills Crossing and Savages Crossing (funding and delivery – in association with SEQ Water engineering design/s) – Seqwater will be the lead on this contractor engagement, with Council currently supporting the development of project brief/s.
- Council has supported participation in the Mid Brisbane River On-site Wastewater Risk Mitigation Program (stage 2), which will see grants for approved Treatment System upgrades being offered to those participant landholders along the identified stretch of the Mid Brisbane River Catchment. Formal arrangements for this program are being progressed by Officers.

- Attendance at a briefing meeting regarding the 2018 Healthy Waterways Report Card, including supporting data, and program improvement discussion – 12 October.

Fire Considerations

- Undertaking a review of the application of Council Policy OP 14 Hazard Reduction Burn Policy in respect of customer and Administrator (QFES) feedback.

Collaborations

- Council continues to support the Kilcoy State High School Agricultural studies students to undertake practical assessment and general maintenance elements at Hopetoun Fields, Kilcoy. During this period, discussions were held with Toogoolawah State High School to consider a similar collaborative model in respect of the Condensery grounds on Cressbrook Creek. Parties are initially interested in project opportunity initially, with consideration of program involvement to be associated with future term modules.
- Attendance and support for the delivery of the Focus on Farmers BBQ event held 10 October.

Attachments

Nil

Recommendation

THAT the Natural Resource Management Monthly Report for October 2018 be received and the contents noted.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Brieschke
	"THAT the Natural Resource Management Monthly Report for October 2018 be received and the contents noted."	
		<u>Carried</u>

Subject:	Prescribed Activity - Toogoolawah Christmas Tree 2018
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	EHO-BW
Ref:	1071885; 1072829; 1074247

Conflict of Interest

Cr Brieschke declared a conflict of interest, as she is a member of Toogoolawah Progress Association and left the meeting.

Background/Summary

Council has received an application from Toogoolawah Christmas Tree Sub Committee of the Toogoolawah and District Progress Association Inc. to hold a public place activity, specifically a Christmas street carnival. The carnival is proposed to take place on Cressbrook Street, Toogoolawah between Gunya Street and Dingyarra Street, on Saturday 15 December 2018. Setup would start at 11.30am, with the event commencing at 4.30pm

and closing at 8.30pm. Pack-up and dismantling would take place from 8.30pm until 11.30pm.

The applicant has advised that 1000-1500 persons are expected to attend the event. Entertainment will be provided in the form of amusement rides and street performers, petting zoo, fireworks display and arrival of Santa via parachute. A BBQ and twilight markets will also be provided. No alcohol will be served at the event.

It is noted that similar Christmas street carnivals have been held in this location in past years.

Council regulates this activity through *Local Law No 1 (Administration) 2011*, and *Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*.

Comments from Operations Department

The Toogoolawah Christmas Tree Sub Committee of the Toogoolawah and District Progress Assn Inc have requested assistance from Council to supply the following items:

- 9 x Road Closed signs
- 4 x Detour Ahead signs
- 9 x Event Ahead signs
- 12 x Witches Hats
- 12 x Community Bins
- 60m Barrier Mesh
- Access to power supply

The following information is provided on availability:

- Road Closed signs - 6 x signs available
- Detour Ahead signs - Signs unavailable
- Event Ahead signs - Council does not have these signs in stock.
- Witches Hats - 12 available
- Barrier Mesh - 60m available
- Power supply - available from public toilets in Cressbrook Street, Toogoolawah

Assessment of Application

Under section 9 of *Local Law No 1 (Administration) 2011*, Council may grant an approval for an application for undertaking regulated activities on local government controlled areas and roads only if it is satisfied that:

Criteria – LL, section 9(1)(a) **If the prescribed activity requires a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme - the separate approval has been granted; and**

Officer Comment A temporary road closure permit has been obtained from the Queensland Police Department.

The fireworks contractor has obtained a Fireworks Contractor Licence under the *Explosives Act 1999* from the Queensland Government.

All licensable food businesses will be required to provide current Food Licence certificates prior to being confirmed as stall holders at the event. The applicant has advised that no alcohol will be served at the event.

Criteria – LL, section 9(1)(b)	The proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer Comment	<p>The applicant has submitted a traffic management plan for council approval.</p> <p>If approved, conditions of approval will require the applicant to provide copies of the following to Council:</p> <ul style="list-style-type: none"> • an engineer's inspection report for each ride; and • a Certificate of Registrable Plant for each ride; and • a Certificate of Currency for Public Liability Insurance for each ride operator. <p>Issues relating to amenity and environmental nuisance will be addressed below.</p>
Criteria – LL, section 9(1)(c)	If the prescribed activity is the commercial use of a local government controlled area or road - the grant of the approval is consistent with the objective of the local government of restriction of the commercial use of local government controlled areas and roads, where such activities are permitted, in recognition of the fact that the activities may otherwise enjoy an unfair commercial advantage over competitive activities conducted from fixed premises in the local government area for which rates and other charges are paid, and to which planning and other regulatory legislation applies;
Officer Comment	The event is a community event run by a not for profit organisation.
Criteria – LL, section 9(1)(d)	The proposed operation and management of the prescribed activity would be consistent with any additional criteria prescribed for the activity under a subordinate local law for this paragraph; and
Officer Comment	<i>Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011</i> prescribes criteria for the proposed activity. An assessment against that criterion is provided below.
Criteria – LL, section 9(1)(e)	The grant of the approval would be consistent with the purpose of any relevant local law; and
Officer Comment	The approval would be generally consistent with Council's Local Laws.
Criteria – LL, section 9(1)(f)	If the application relates to trust land - the grant of the approval would be consistent with the terms and conditions of the trust; and
Officer Comment	The event will be held on a Council controlled road and the proposed use is generally consistent with the terms and conditions of the trust.
Criteria – LL, section	If the application relates to a prescribed activity mentioned in section 5(b) - the grant of the approval would be consistent with any

9(1)(g) requirements or criteria specified in the relevant *Local Government Act* in relation to the approval.

Officer
Comment Not applicable.

Criteria – SLL, section 4(1) The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road.

Officer
Comment A temporary road closure permit has been obtained from Queensland Police permitting the closure of the road from 12.30pm until 12 midnight.

Criteria – SLL, section 4(2) There must be a public demand for the prescribed activity in respect of which the approval is sought.

Officer
Comment There is a public demand for the event.

Criteria – SLL, section 4(3) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.

Officer
Comment The area intended for use is suitable for the purposes of a street festival. Adequate space is available to accommodate the various rides, amusements and stalls, including the expected number of attendees at the event.

Criteria – SLL, section 4(4) The prescribed activity must not cause nuisance, inconvenience or annoyance to –

- (a) The occupier of any land which adjoins the location of the prescribed activity; or**
- (b) Vehicular traffic; or**
- (c) Pedestrian traffic.**

Officer
Comment Onstage entertainment will consist of the Apostolic Church band and Bruce McDade guitarist. Noise from this entertainment will cease at 7.30pm. The event will close at 8.30pm, after which time there may be some noise relating to pickup and dismantling of equipment.

A condition of approval will require that no nuisance, as defined by the *Environmental Protection Act 1994*, is caused by the event.

Toogoolawah Christmas Tree Sub Committee have advised that a letter drop will be completed a week prior to the event informing surrounding residents of the time and date of the fireworks display and recommending that pets be secured during this time.

Vehicular and pedestrian traffic are not expected to be inconvenienced by the event.

Council has not received complaints of environmental nuisance following

previous events.

Criteria – SLL, section 4(5) **The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.**

Officer Comment It is unlikely that the proposed event will unreasonably detract from the amenity of the surrounding area.

Conditions of approval would require the applicant to not cause a nuisance as defined in the *Environmental Protection Act 1994*, and to ensure the area is left in a tidy condition after the event has concluded.

Criteria – SLL, section 4(8) **If the prescribed activity is the holding of a public place activity on a local government controlled area or road –**

- (a) **The undertaking of the prescribed activity must not generate significant noise, dust, or light pollution or other significantly adverse effects on the surrounding area; and**
- (b) **There must be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and**
- (c) **Adequate provision must exist for the disposal of waste generated by the undertaking of the prescribed activity; and**
- (d) **Adequate provision must exist for people and (if relevant) vehicles to enter and leave the site of the prescribed activity.**

Officer Comment (a) Noise – noise is likely to be generated through the operation of rides and the amusements throughout the night. In particular, on-stage performances will produce noise from 5pm until 7.30pm.

A letter drop will be completed a week prior to the event informing surrounding residents of the time and date of the fireworks display.

Noise nuisance is considered environmental nuisance, and will be appropriately conditioned if the event is approved.

Dust – No dust nuisance is expected for this event.

Light – Light nuisance is considered environmental nuisance, and will be appropriately conditioned if the event is approved.

- (b) Required numbers for toilets and sanitary conveniences will be conditioned if the event is approved. The event organiser has advised that 10 male, 10 female and 2 disabled toilets will be available for use during the event. The number of toilets will include public toilets located on Cressbrook Street.
- (c) The applicant has requested that Council provide 12 community bins for use during the event. The event organiser has advised that bins will be emptied into a skip bin at the end of the night during cleanup and the skip bin will be removed Monday morning. A requirement for adequate waste facilities will be conditioned if the event is approved.

- (d) Amusement rides will be set up in the middle of the street to allow for road access if required for emergency vehicles.

Attachments

Site plan provided by the applicant

Recommendation

THAT Council will assist the Toogoolawah Christmas Tree Sub Committee of the Toogoolawah and District Progress Assoc Inc in hosting this event by:

- Supplying six (6) road closed signs with stands.
- Delivery of 10 community bins to be used as this event.
- Supplying 60m of barrier mesh.
- Supplying 12 witches hats.
- Providing access to the power supply at the public toilets on Cressbrook Street, Toogoolawah.

AND THAT Council approve the application to hold a public place activity, subject to the conditions listed below:

No	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval is limited to Cressbrook Street, Toogoolawah, between Gunya Street and Dingyarra Street, as identified on the approved site plan.
1.2	The approval is limited to operation on Saturday 15 December 2018 between the hours of 4.30pm and 8.30pm. Setup for the event may commence at 11.30am and clean-up must be completed by 11.30pm.
1.3	The approval holder must: <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.4	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.5	The approval holder must submit a traffic management plan to Council for approval prior to the event.
1.6	The activity must not unreasonably detract from the amenity of the area in which the event is located.
1.7	The activity must not create a safety risk.
1.8	All buildings, structures, vehicles, facilities or equipment used in the operation of the event must be maintained at all times: <ul style="list-style-type: none"> • In good working order; and • In good state of repair; and

	<ul style="list-style-type: none">In a clean and sanitary condition.																		
1.9	<p>The approval holder must provide and maintain the following number of toilets and sanitary conveniences:</p> <table><tr><td></td><td></td><td colspan="2">Males</td><td colspan="2">Females</td></tr><tr><td>Patrons</td><td>WC</td><td>Urinals</td><td>Hand Basins</td><td>WC</td><td>Hand Basins</td></tr><tr><td><2000</td><td>3</td><td>6</td><td>4</td><td>9</td><td>4</td></tr></table> <p>It is noted that the number of toilets to be provided include existing public toilets located on Cressbrook Street. These facilities will require cleaning and/or stocking up of supplies during and after the event.</p>			Males		Females		Patrons	WC	Urinals	Hand Basins	WC	Hand Basins	<2000	3	6	4	9	4
		Males		Females															
Patrons	WC	Urinals	Hand Basins	WC	Hand Basins														
<2000	3	6	4	9	4														
1.10	The approval holder must ensure sufficient lighting and illumination is provided throughout the event area.																		
1.11	The activity must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .																		
1.12	The approval holder must ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.																		
1.13	The approval holder must keep and maintain in and about the event area, adequate waste disposal facilities; for example, bins, that are to be serviced by an appropriately licensed waste contactor.																		
1.14	The approval holder must ensure that all litter and debris is collected and appropriately disposed of following the closure of the event.																		
1.15	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$10,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council prior to the operation of the event.																		
1.16	<p>The permit holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>“Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>																		
1.17	The approval holder must obtain, view and take a copy of an engineer’s inspection report for each ride. A copy of the report is to be provided to Council prior to the event.																		

Decision:	<p>Moved - Cr Choat</p> <p>Seconded - Cr Hall</p> <p>“THAT Council will assist the Toogoolawah Christmas Tree Sub Committee of the Toogoolawah and District Progress Assoc Inc in hosting this event by:</p> <ul style="list-style-type: none"> • Supplying six (6) road closed signs with stands. • Delivery of 10 community bins to be used as this event. • Supplying 60m of barrier mesh. • Supplying 12 witches hats. • Providing access to the power supply at the public toilets on Cressbrook Street, Toogoolawah. <p>AND THAT Council approve the application to hold a public place activity, subject to the conditions listed below:</p>
No	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval is limited to Cressbrook Street, Toogoolawah, between Gunya Street and Dingyarra Street, as identified on the approved site plan.
1.2	The approval is limited to operation on Saturday 15 December 2018 between the hours of 4.30pm and 8.30pm. Setup for the event may commence at 11.30am and clean-up must be completed by 11.30pm.
1.3	The approval holder must:

	<ul style="list-style-type: none">• Display the approval in the manner, and at the locations, specified by the local government; and• Produce the approval for inspection by an authorised person on demand.																		
1.4	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.																		
1.5	The approval holder must submit a traffic management plan to Council for approval prior to the event.																		
1.6	The activity must not unreasonably detract from the amenity of the area in which the event is located.																		
1.7	The activity must not create a safety risk.																		
1.8	<p>All buildings, structures, vehicles, facilities or equipment used in the operation of the event must be maintained at all times:</p> <ul style="list-style-type: none">• In good working order; and• In good state of repair; and• In a clean and sanitary condition.																		
1.9	<p>The approval holder must provide and maintain the following number of toilets and sanitary conveniences:</p> <table><tr><td></td><td colspan="3">Males</td><td colspan="2">Females</td></tr><tr><td>Patrons</td><td>WC</td><td>Urinals</td><td>Hand Basins</td><td>WC</td><td>Hand Basins</td></tr><tr><td><2000</td><td>3</td><td>6</td><td>4</td><td>9</td><td>4</td></tr></table> <p>It is noted that the number of toilets to be provided include existing public toilets located on Cressbrook Street. These facilities will require cleaning and/or stocking up of supplies during and after the event.</p>		Males			Females		Patrons	WC	Urinals	Hand Basins	WC	Hand Basins	<2000	3	6	4	9	4
	Males			Females															
Patrons	WC	Urinals	Hand Basins	WC	Hand Basins														
<2000	3	6	4	9	4														
1.10	The approval holder must ensure sufficient lighting and illumination is provided throughout the event area.																		
1.11	The activity must not cause a nuisance as defined by the Environmental Protection Act 1994.																		
1.12	The approval holder must ensure that a food licence issued under the Food Act 2006 is obtained (to the extent that it is required) by any entities selling food at the event.																		
1.13	The approval holder must keep and maintain in and about the event area, adequate waste disposal facilities; for example, bins, that are to be serviced by an appropriately licensed waste contractor.																		
1.14	The approval holder must ensure that all litter and debris is collected and appropriately disposed of following the closure of the event.																		
1.15	The approval holder must maintain insurance that is applicable to the activity																		

	including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$10,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council prior to the operation of the event.
1.16	<p>The permit holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>"Losses" include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>
1.17	The approval holder must obtain, view and take a copy of an engineer's inspection report for each ride. A copy of the report is to be provided to Council prior to the event.
1.18	The approval holder must ensure that each amusement ride operator supplies a Certificate of Registrable Plant for each ride, issued through Workplace Health and Safety Queensland. A copy of each certificate must be provided to Council prior to the event.
1.19	The approval holder must also receive a Certificate of Currency for Public Liability Insurance for each amusement operator, fireworks display operator, and skydiving operator. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council prior to the operation of the event.
1.20	The approval holder is to ensure that no persons other than the designated fireworks personnel enter the fireworks exclusion zone. This will require the organiser to erect signage and temporary fencing in the RV area to prevent access.
2.0	OPERATIONS
2.1	A temporary road closure permit is to be obtained from the Queensland Police Department for the temporary road closure. A copy of the permit must be provided to Council by 30 November 2018.
2.2	<p>A traffic management plan, including a traffic guidance scheme, must be forwarded to Council for approval by 30 November 2018."</p> <p style="text-align: right;"><i>Carried</i></p>

Subject:	State Planning Policy – Draft state interest guidance material Natural hazards, risks and resilience – Bushfire
File Ref:	Somerset Region Planning Scheme Amendments
Action Officer:	SP - MJ

Background/Summary

The current State Planning Policy (SPP) came into effect in July 2017 and it outlines the guiding principles that should underpin plan-making processes and development decisions within Queensland. The SPP covers 17 state interests that are arranged within five broad themes and for the most part provide guidance material to support Council in their planning scheme preparation and also where relevant development assessment.

To date, the Natural hazards, risk and resilience state interest has not had guidance material for bushfire. The state has now released draft guidance material which is currently on public notification until 30 November 2018. The draft material includes a 'model code' which is not mandatory but provides an example of how the state considers the state interest can be achieved within a planning scheme.

The state has been preparing the draft material for quite some time and during that time the preparation of the major amendment to the Somerset Region Planning Scheme has progressed and is now in its final drafting stages. A review of the draft guidance material has revealed that the proposed model code takes a different approach to satisfying the state interest than what has been included in the planning scheme. While this is not necessarily an issue, Council's position on the matter is required prior to the amended planning scheme commencing State Interest review in the near future.

The current and amended planning schemes generally identify that the Bushfire hazard overlay code does not alter the level of assessment of a development where compliance with the code is achieved. Apart from some rural activities, if the code provisions cannot be satisfied a code assessable material change of use development application is triggered. The planning scheme currently does not identify that the provisions of the code are relevant to the Potential Impact Buffer, advice from the state was this was not the intent of the SPP and should be rectified in the major scheme amendment. The current Bushfire hazard overlay code has proved to be difficult implement and as such considerable changes have been made to improve the application and also to ensure the Potential Impact Buffer is considered.

In contrast, the proposed model code identifies very specific activities that the code would be applicable to. These activities include:

1. Vulnerable uses, essential service uses and hazardous chemical facility uses;
2. Reconfiguration of a lot where creating new lots;
3. Material change of use for industry or commercial purposes (where involving substantive new building work or involving hazardous material stored in bulk);
4. Multiple dwellings, relocatable home parks, nature based tourism, short term accommodation, resort complex, non-resident workforce accommodation and rural works' accommodation.

As such, if the model code was included within the planning scheme a dwelling house, for example, would not have to comply with the provisions of the Bushfire hazard code and

material change of use (MCU) development application would not be triggered. It is assumed that the bushfire requirements contained within the Building Code of Australia will be relied upon to ensure bushfire hazard is considered for a dwelling house through the building approval process.

The Building Code of Australia bushfire provisions require the preparation of Bushfire Attack Level (BAL) assessment to be undertaken when a building providing accommodation, for example a dwelling house, is proposed in an area identified as having bushfire hazard. A BAL assessment measures the severity of a building's potential exposure to bushfire hazard and is measured in increments of radiant heat. A BAL can recommend specific construction details and also vegetation removal/reduction to decrease a building's potential exposure. A BAL does not have any regard to evacuation or on-site firefighting water storage, more importantly it does not specifically determine whether the construction of a building on a subject property is in fact appropriate.

The current and amended planning scheme acknowledges that the number of people living and working within the High and Very High bushfire hazard areas should not be increased and as such development (including dwelling houses) is generally not supported. The draft model code seems to have been tailored with an urban application in mind, for the most part the areas of the highest hazard within the Somerset Region are in rural areas which the draft model code has little relevance.

The approach adopted by the current and amended planning schemes is considered to be more conservative than what is proposed by the draft model code but is still an appropriate response to the state interest.

While the draft guidance material is on public notification a submission should be made to the Department of State Development, Manufacturing, Infrastructure and Planning highlighting the above and the model code has little relevance to rural and regional areas.

Attachments

Nil

Recommendation

THAT the position adopted by the amended Somerset Region Planning Scheme in the Bushfire hazard overlay code be accepted as an appropriate response to the State Planning Policy - Natural hazards, risk and resilience state interest.

THAT a submission be made the Department of State Development, Manufacturing, Infrastructure and Planning regarding the draft guidance material.

Decision:

Moved - Cr Whalley

Seconded - Cr Hall

"THAT the position adopted by the amended Somerset Region Planning Scheme in the Bushfire hazard overlay code be accepted as an appropriate response to the State Planning Policy - Natural hazards, risk and resilience state interest.

THAT a submission be made the Department of State Development, Manufacturing, Infrastructure and Planning regarding the draft guidance material."

Carried

Subject:	Development Application No 18040 - Application for a Development Permit for a Material Change of Use for a Dual occupancy
File No:	DA18040
Action Officer:	SP – JB
Assessment No:	00814-31000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	34 Barbour Street, Esk
Real Property Description	Lot 2 SP166656
Area	0.1807 hectare
Current land use	Dwelling House

Somerset Region Planning Scheme Version Three

Zone	General residential zone
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Shaping SEQ: SEQ Regional Plan 2017

Land Use Category	Urban Footprint
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Application

Proposed development	Dual Occupancy
Category of Assessment	CODE
Applicant/s	S. and A. Luder c/- Lockyer Drafting Designs Attn: Julie Davis
Applicants contact details	PO Box 492 Gatton Qld 4343 Email: julie@lockyerdraftingdesigns.com
Date application received	25 September 2018
Date properly made	27 September 2018

Referral Agencies

Concurrence Agencies	Nil
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RECOMMENDED DECISION

Approve the Development Application No. 18040 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish a new dwelling unit on site described as Lot 2 SP166656, situated at 34 Barbour Street, Esk. The site is currently improved by a dwelling house, located in the northern region. The proposed dwelling unit will be setback 5m from the southern boundary and approximately 2.8m from the western boundary, together forming a detached Dual Occupancy use on the site. Site Plans are provided at Attachments 1-2.

The proposed dwelling Unit 2 will have a gross floor area of 209.16m² and is approximately 4.5m above ground level. The proposed building will be of timber frame, brick veneer construction with colorbond custom orb roof cladding. The new building colour and façade will complement the existing building. The elevation drawings and internal layout/configuration of the unit is illustrated on the submitted drawings provided at Attachments 3-4.

The proposed detached unit will continue to use the existing access at Barbour Street.

However, the existing driveway will be extended by a further 50 metres to proposed Unit 2 and will be designed as a 3.5m-wide sealed driveway and increasing in width to 5 metres, providing an access handle and walkway to Unit 2. The shared driveway will follow the natural contour of the land and drain to Barbour Street with a V-drain to the centre of the driveway.

A new fence will be provided along the eastern side of Unit 1 to define and separate the walkway to proposed Unit 2. The retaining wall located to the rear of the existing dwelling unit will remain. Contour and Driveway cross section plans are provided at Attachment 5.

The existing dwelling provides for one covered parking space and one visitor parking space. Proposed Unit 2 will provide two covered parking spaces and one visitor parking spaces. A total of five parking spaces will be provided for the Dual Occupancy, thus complying with the minimum number of parking spaces required by the Planning Scheme.

The site has an area of 1807m² and the total site coverage of the development is 335m² or 18.5%. Each dwelling unit can provide sufficient private open space for its residents.

3.0 SITE DETAILS AND SURROUNDING LAND USES

The site is irregular shape and currently improved by an existing dwelling unit with a gross floor area of 126.54m² and setback 6m from Barbour Street road frontage and two metres from the western boundary. Floor Plan and Elevation Drawing of Unit 1 are provided at Attachments 6-7.

The site is in the residential zone of Esk Township. The site boundaries are defined by Barbour Street to the north and adjoining residential properties to the remaining directions. The site is not known to be prone to subsidence, slip, erosion or inundation.

The predominate surrounding land uses are residential uses, dominated by detached dwellings and associated outbuildings. In addition, the Seventh Day Adventist Church fronts Hill Street to the south-west.

4.0 STATE ASSESSMENT

This application is made under the provisions of the *Planning Act 2016*. As such it is subject to the requirements of the Act, other relevant Acts, the *Planning Regulation 2017*, the State Planning Policy, and the South-East Queensland Regional Plan.

4.1 STATE PLANNING POLICY

As the Minister has identified that the State Planning Policy (SPP) has been reflected in the Somerset Region Planning Scheme (per section 2.1 of the planning scheme), the proposed development does not require assessment against the SPP's 'assessment benchmarks'.

4.2 VEGETATION MANAGEMENT ACT 1999

As per the Department of State Development, Manufacturing, Infrastructure and Planning's DA Mapping, the proposed building footprint does not contain regulated vegetation. Therefore, the application did not require further referral or assessment.

4.3 ENVIRONMENTAL PROTECTION ACT 1994

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

5.0 COUNCIL ASSESSMENT

An assessment against the relevant parts of the Planning Scheme is set out below.

5.1 Strategic Framework

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

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
General residential zone	Yes	PO4
Multiple dwelling and dual occupancy code	Yes	PO2
Services, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Complies
Catchment management overlay code	Yes	Complies

General Residential zone code

Performance outcomes	Acceptable outcomes
Building setbacks	
PO4 Building setbacks: (a) Maintain a coherent streetscape character in the zone; and (b) Do not detract from the amenity enjoyed by adjoining premises.	AO 4.2 Buildings and structures are setback a minimum 3 metres from each side boundary of the site.
Applicant's Comment	
No comment provided.	
Planning Comment	
<p>The Planning Scheme requires 3m setback from each side boundary of the site.</p> <p>The proposed dwelling unit will be setback 2.8m from the western boundary and 5m from the rear boundary of the site, to allow sufficient private open space within the eastern portion of the site. The existing dwelling, forming part of the dual occupancy use, is setback 6m from the front boundary and 2m from the western boundary. The rear boundary of the site is 27m wide and the western boundary is 90.3m in length.</p> <p>The adjoining property to the west is improved with a dwelling house and associated domestic outbuilding and garden sheds. The neighbouring dwelling is setback approximately 2m from the western boundary and setback 1.5m from eastern boundary.</p> <p>The adjoining property to the east is improved with a dwelling house, swimming pool and associated domestic outbuilding. The neighbouring dwelling is setback approximately 2m from the western boundary and approximately 8m from the eastern boundary allowing for a driveway and vegetation screening established along the eastern boundary. Vegetation screening is also established to the rear of the dwelling along the western boundary, buffering the swimming pool and shed from the subject site.</p> <p>The adjoining properties to the south of the site are improved with dwelling houses setback approximately 1.5m from the eastern boundaries and 6m from Hill Street road frontage and associated outbuildings are setback approximately 28m from the road frontage. The balance area of the adjoining properties remains vacant.</p>	

It is considered the location of the proposed dwelling unit, setback 2.8m from the western boundary, will not detract from the amenity enjoyed by occupants of surrounding properties.

It is considered the development proposed satisfies PO4 of the General Residential zone code.

Multiple Dwelling and Dual Occupancy code

<i>Performance outcomes</i>	<i>Acceptable outcomes</i>
Character, intensity and lot size	
PO2 The development: <ul style="list-style-type: none"> (a) Contributes to a streetscape appearance that is compatible with the emerging or existing character of the locality; and (b) Does not result in overdevelopment of the site. 	AO2.3 The site has a minimum road frontage width of 20 metres.
Applicant's Comment	
No comment provided.	
Planning Comment	
<p>The Acceptable Outcome 2.3 of the Multiple Dwelling and Dual Occupancy code requires properties to have a minimum road frontage width of 20 metres within the General Residential zone. However, the subject site was created in 2009 as part of a subdivision approval and designed in accordance with the minimum frontage dimensions of 18 metres per the Reconfiguring a Lot Code under the former Esk Shire Planning Scheme 2005.</p> <p>Given the site has an area of 1807m² and is large enough to support the proposed dual occupancy, it is considered the matter of non-compliance with AO2.3 is minor and PO2 of the Code is achieved.</p>	

6.0 OTHER PLANNING CONSIDERATIONS

6.1 Trunk Infrastructure and Services

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

6.2 Water Supply and Sewerage

The subject land is located within an area serviced by a reticulated water supply network. A condition will be included requiring the development to be connected to the water supply network.

The subject land is located within an area serviced by a reticulated sewerage network. A condition will be included requiring the development to be connected to the sewerage network.

6.3 Stormwater/Drainage

The applicant provided plans showing rear access is to be via a concrete driveway. To cater for stormwater and lessen the impact on the downstream property, this would include a V-

drain to take the stormwater to Barbour Street. Council Engineers support this design. The driveway will need to be constructed in general accordance with the submitted plan. Therefore, the proposed development is not considered to have any adverse impacts upon stormwater drainage. There is an infrastructure charge towards stormwater network, for this type of use within the region.

6.4 Transport network

The proposed development is not considered to unreasonably burden upon local transport networks. There is no infrastructure charge for this type of use within the region.

6.5 Parks and Open Space

The proposed development is not considered to unreasonably burden upon local parks and open space networks. There is an infrastructure charge for this type of use within the region.

6.6 Infrastructure charges

Infrastructure charges are applicable for this type of development in the region and a draft Infrastructure Charges Notice is provided as **Attachment 8**.

6.7 Environment

The proposed development will not result in environmental degradation.

6.8 Heritage

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

7.0 STATE AGENCY REFERRALS

There were no applicable referral agencies to this application, in accordance with the provisions of the *Planning Regulation 2017*.

8.0 CONCLUSION

The proposed development and the existing dwelling unit will form a detached Dual Occupancy use on the same site, within the General Residential zone. The proposed use will not result in over development of the site and is of a low scale. The proposal complies with all applicable assessment benchmarks of the relevant codes, per the Somerset Region Planning Scheme version three.

9.0 ATTACHMENTS

- 1.0 Site Plan of existing Dwelling Unit at 34 Barbour street Esk, Job No: 11-1446 for Luder dated 31.08.11 prepared by Steve Cooper and Associates Pty Ltd.
- 2.0 Site Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 11-1446A for Luder dated 16/04/2018 prepared by Steve Cooper and Associates Pty Ltd.
- 3.0 Floor Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.
- 4.0 Elevation Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No. 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.
- 5.0 Contour Site Plan and Cross Section Driveway of proposed Dual Occupancy at 34 Barbour street Esk, Drawing J20180001-02 dated August 2018 prepared by Lockyer Drafting Designs.
- 6.0 Floor Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.
- 7.0 Elevation Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.
- 8.0 Draft SRC Infrastructure Notice

RECOMMENDED DECISION

THAT Council approve the Development Application No. 18040 for a Development Permit for a Material Change of Use for Dual Occupancy on land described as Lot 2 SP166656 and situated at 34 Barbour Street, Esk, and subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's Statement of Reasons in accordance with the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Site Plan of existing Dwelling Unit at 34 Barbour street Esk, Job No: 11-1446 for Luder dated 31.08.11 prepared by Steve Cooper and Associates Pty Ltd.	At all times.
	Site Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 11-1446A for Luder dated 16/04/2018 prepared by Steve Cooper and Associates Pty Ltd.	
	Floor Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.	
	Elevation Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No. 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.	
	Contour Site Plan and Cross Section Driveway of proposed Dual Occupancy at 34 Barbour street Esk, Drawing J20180001-02 dated August 2018 prepared by Lockyer Drafting Designs.	
	Driveway Cross Sections for S and A. Luder at 34 Barbour street Esk, Drawing J20180001CS-01 dated October 2018, prepared by Lockyer Drafting Designs.	
	Floor Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.	
	Elevation Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1.3	A legible copy of this development approval package is to be available on the premises.	At all times during the construction phase.
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to commencement of the use.

1.5	Building works and plumbing and drainage works approvals must be gained.	Prior to commencement of the use.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	ENGINEERING	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times.
2.2	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.
	GENERAL SERVICES	
2.3	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.	Prior to Commencement of the use.
2.4	The applicant must provide written evidence (eg connection certificate) from each service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Commencement of the use.
	VEHICLE ACCESS	
2.5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times.
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
2.7	The Applicant is to construct a vehicle access in general accordance with the approved plans.	Prior to Commencement of the use.
	STORMWATER	
2.8	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times

2.9	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	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 during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.11	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the project, and to prevent dust nuisance.	At all times.
2.12	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated because of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not:	At all times

	<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. 	
3.4	<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. 	During construction phase
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice]		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
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 Development and Design Manager if in his opinion a dust nuisance exists.		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.		
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. Noise levels from construction work shall always comply with the requirements of the <i>Environmental Protection Act 1994</i> .
All building work is to comply with the provisions contained in the <i>Building Act</i> ; the <i>Building Regulation</i> , the <i>Building Code of Australia</i> , the <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> .
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 of existing Dwelling Unit at 34 Barbour street Esk, Job No: 11-1446 for Luder dated 31.08.11 prepared by Steve Cooper and Associates Pty Ltd.
Site Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 11-1446A for Luder dated 16/04/2018 prepared by Steve Cooper and Associates Pty Ltd.
Floor Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.
Elevation Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No. 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.
Contour Site Plan and Cross Section Driveway of proposed Dual Occupancy at 34 Barbour street Esk, Drawing J20180001-02 dated August 2018 prepared by Lockyer Drafting Designs.
Driveway Cross Sections for S and A. Luder at 34 Barbour street Esk, Drawing J20180001CS-01 dated October 2018, prepared by Lockyer Drafting Designs.
Floor Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.
Elevation Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.

Decision:

Moved - Cr Choat

Seconded - Cr Ogg

“THAT Council approve the Development Application No 18040 for a Development Permit for a Material Change of Use for Dual Occupancy on land described as Lot 2 SP166656 and situated at 34

Barbour Street, Esk, and subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's Statement of Reasons in accordance with the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times.
	Site Plan of existing Dwelling Unit at 34 Barbour street Esk, Job No: 11-1446 for Luder dated 31.08.11 prepared by Steve Cooper and Associates Pty Ltd.	
	Site Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 11-1446A for Luder dated 16/04/2018 prepared by Steve Cooper and Associates Pty Ltd.	
	Floor Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No: 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.	
	Elevation Plan of proposed Dwelling Unit 2 at 34 Barbour street Esk, Job No. 18079 for Luder dated 27/06/18 and prepared by Hallmark Homes Pty Ltd.	
	Contour Site Plan and Cross Section Driveway of proposed Dual Occupancy at 34 Barbour street Esk, Drawing J20180001-02 dated August 2018 prepared by Lockyer Drafting Designs.	
	Driveway Cross Sections for S and A. Luder at 34 Barbour street Esk, Drawing J20180001CS-01 dated October 2018, prepared by Lockyer Drafting Designs.	
	Floor Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.	
	Elevation Plan of Dwelling Unit 1 at 34 Barbour street Esk, Job No. 11234 for Luder dated 16/11/11 prepared by Hallmark Homes Pty Ltd.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1.3	A legible copy of this development approval package is to be available on the premises.	At all times during the construction phase.
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to commencement of the use.

1.5	Building works and plumbing and drainage works approvals must be gained.	Prior to commencement of the use.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	ENGINEERING	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times.
2.2	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.
	GENERAL SERVICES	
2.3	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.	Prior to Commencement of the use.
2.4	The applicant must provide written evidence (eg connection certificate) from each service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Commencement of the use.
	VEHICLE ACCESS	
2.5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times.
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
2.7	The Applicant is to construct a vehicle access in general accordance with the approved plans.	Prior to Commencement of the use.
	STORMWATER	
2.8	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times

2.9	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	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 during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.11	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the project, and to prevent dust nuisance.	At all times.
2.12	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated because of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not:	At all times

	<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. 	
3.4	<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. 	During construction phase
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . <i>[A copy of section 71 will be enclosed with the Decision Notice]</i>		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
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 Development and Design Manager if in his opinion a dust nuisance exists.		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.		
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 6:30am to 6:30pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall always comply with the requirements of the *Environmental Protection Act 1994*.

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 15912 - Change Application to Development Approval – Minor Change under section 81 of the Planning Act 2016
File No:	DA15912
Action Officer:	PO-RC
Assessment No:	35311-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	1509 Pine Mountain Road, Wanora
Real Property Description	Lot 230 on RP868809
Area	63.36 hectares

Planning Scheme

Planning Scheme	Somerset Region Planning Scheme Version One
Zone	Rural

ShapingSEQ

Land Use Category	Regional Landscape and Rural Production Area
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Application

Original Development Approval	Material Change of Use for a Child Care Centre and Operational Works for an Advertising Device
Original Category of Assessment	Impact
Original Date of Approval	8 February 2017
Applicants contact details	Lockyer Drafting Designs PO Box 492 Gatton QLD 4343 Attn: Julie Davis
Land Owner	Sharon Kneen
Date application received	17 October 2018
Date application properly made	5 November 2018

State Agency Referrals

Concurrence	Nil
Advice	Nil
Third Party Advice	Seqwater

Applicable Variation Approval

1. Representations about conditions and other matters during the Applicants Appeal Period in accordance with s361 of the superseded *Sustainable Planning Act 2009*, approved by Council on 22 March 2017.

RECOMMENDED DECISION

Approve the request to change the development approval for Development Application No 15912 subject to the amended conditions and requirements contained in the Schedules.

2.0 BACKGROUND TO APPROVAL

On 8 February 2017, Council issued a development permit for a Material Change of Use to establish a Child care centre in the existing building and Operational works for an Advertising device.

On 24 March 2017, Council issued a Negotiated decision notice regarding the development permit.

On 15 February 2018, the building was destroyed by fire.

On 17 October 2018, Council received the change application.

3.0 REQUEST CHANGE

The applicant has requested the amendment of Condition 1.1 to reflect the proposed changes to the approved development approval.

3.1 Applicant's Comments

Changes are due to the destruction of the original building from a fire. The original building was in the process of being refurbished and repurposed to be used as a Child care centre. The building is to be of similar design and style including a zincalume custom orb roof with double gutter, verandah to three (3) sides and weatherboard cladding. The proposed building is positioned in the existing location and of similar building area with the addition of a demountable office pod of 47m² for the day to day running's of the business. Hours of operation, number of children and signage will remain as per the original application and approval.

3.2 Officer's Comments

The proposed changes to condition 1.1 are acceptable. The proposed building design

maintains the existing rural character of the locality and has been designed to be of a similar built and construction of the original building before it was destroyed. The proposed building height and setback remains compliant with the relevant codes. The proposed indoor activity area has increased from the approved activity area of 118.4m² to 126.59m². The total area of the proposed building footprint has also increased, from 242.60m² to 297.25m² (inclusive of the demountable office).

There will be no changes to the approved use and the proposed changes remain consistent with the approved development and original approval conditions.

The proposed demountable office addition will not trigger assessment against additional assessment benchmarks and complies with relevant assessment benchmarks. Finally, due to the nature of the proposed use, the demountable office is considered as an ancillary use to the approved development.

The applicant has not proposed any changes to the Advertising device.

Therefore, it is considered the proposed changes be agreed to.

Additional conditions subject to amendment and removal because of legislative changes or reflecting Council's current standards and policies have been included in the Amended Schedules.

The proposed plan of development is provided at Attachment 1. The approved plan of development is provided at Attachment 2.

4.0 PLANNING CONSIDERATIONS

The applicant has made a Change Application in accordance with s78 and s79 of the *Planning Act*.

It is considered the proposed development satisfies with the requirements and represents a minor change that can be assessed under the provisions of s81 of the *Planning Act 2016*.

5.0 OTHER PLANNING CONSIDERATIONS

5.1 Referral Agencies

There were no concurrence or advice agencies referral as part of the original application. However, as Seqwater was a Third Party Advice agency in the original application, Seqwater will be provided with a copy of the Decision Notice.

5.2 Public awareness of the proposed development

Should the application be submitted with the proposed design, the Category of Assessment would remain as impact assessment, requiring public notification.

Council received no submissions when the development was originally publicly notified. Since then, details including the Decision Notice of the original approval and subsequent Negotiated Decision Notice are available for public viewing on Council's website via eServices.

6.0 CONCLUSION

The proposed changes is due to the destruction of the original building approved for the use of a Child care centre. The proposed changes is considered to be of a 'Minor change' under the applicable sections of the *Planning Act 2016*.

The applicant has proposed a new design for the approved development. The new design

has been assessed and is of a similar design to the original approval. The applicant has not proposed changes to the approved use. The proposed ancillary demountable office will remain consistent with the approved use. The proposed changes will not trigger assessments against additional assessment benchmarks or non-compliance with the original assessment benchmarks.

No changes are proposed for the approved Advertising device.

The proposed changes has been considered against the applicable legislation, and planning instrument. Therefore, it is recommended that the application be approved, subject to conditions.

7.0 ATTACHMENTS

1. Proposed Plan of Development, Drawn and Prepared by CCW at Lockyer Drafting Designs.
2. Approved Plan of Development, Prepared by Lockyer Drafting Designs.

RECOMMENDED DECISION

THAT Council approves the Change Application under section 81 of the *Planning Act 2016* for Development Application No. 15912 for a Development Permit for a Material Change of Use for a Child care centre and Operational works for an Advertising device on land described as Lot 239 on RP868809, situated at 1509 Pine Mountain Road, Wanora subject to the conditions contained in the Schedules and Attachments.

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 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 E – prepared by Lockyer Drafting Designs – dated 13 March 2017 • 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 	At all times
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <p>Site Plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-01, No: 1, Dated August 2018.</p> <p>Driveway and Carpark Site Plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-02, No: 2, Dated August 2018.</p>	At all times

	Floor Plan for Child Care Centre, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-03, No: 3, Dated August 2018.	
	Elevations, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-04, No: 4, Dated August 2018.	
	Floor Plan for Demountable Office, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J2018009TP-05, No: 5, Dated August 2018.	
	Elevations for Demountable Office, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J2018009TP-06, No: 6, Dated August 2018.	
	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
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
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 27.	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	During construction phases: (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</i>	Prior to commencement of use

	<i>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 lifespan to adequately service the new use. Additionally, no grey water is to be discharged to land without prior treatment by way of the on-site wastewater treatment system or a purpose built grey water 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	Prior to

	maintenance of all vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	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 six (6) 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	At all times

	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. 	
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	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.5	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/ swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	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	Prior to 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.	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: <ul style="list-style-type: none"> 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 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].

All works shall be carried out in accordance with the *Workplace, Health and Safety Act (as amended)* and the Workplace Health and Safety Regulation (as amended).

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

Construction hours are 6:30am to 6:30pm 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.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT Council approves the Change Application under section 81 of the *Planning Act 2016* for Development Application No. 15912 for a Development Permit for a Material Change of Use for a Child care centre and Operational works for an Advertising device on land

described as Lot 239 on RP868809, situated at 1509 Pine Mountain Road, Wanora subject to the 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.	At all times
	Site Plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-01, No: 1, Dated August 2018.	
	Driveway and Carpark Site Plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-02, No: 2, Dated August 2018.	
	Floor Plan for Child Care Centre, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-03, No: 3, Dated August 2018.	
	Elevations, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009TP-04, No: 4, Dated August 2018.	
	Floor Plan for Demountable Office, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J2018009TP-05, No: 5, Dated August 2018.	
	Elevations for Demountable Office, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J2018009TP-06, No: 6, Dated August 2018.	
	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 or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
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 27.	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	During construction phases:	At all times

	<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>	
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 lifespan to adequately service the new use. Additionally, no grey water is to be discharged to land without prior treatment by way of the on-site wastewater treatment system or a purpose built grey water treatment system. All details are to be submitted to Seqwater for review and endorsement prior to commencement of the use.	Prior to commencement of 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 six (6) 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	<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 	Before the Certificate of Classification for the building work is issued

	roadside gutter/ swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water.	
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: <ul style="list-style-type: none"> 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 *Division 5 Section 339* of the *Sustainable Planning Act 2009*. [A copy of Section 339 will be enclosed with the Decision Notice].

Relevant Period - Pursuant to *Section 341* 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 *Sustainable Planning Act 2009 (SPA)* 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].

All works shall be carried out in accordance with the *Workplace, Health and Safety Act (as amended)* and the *Workplace Health and Safety Regulation (as amended)*.

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

Construction hours are 6:30am to 6:30pm 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 18066 - Application for a Development Permit for Material Change of Use for a Dwelling house (Secondary dwelling)
File No:	DA8066
Action Officer:	PO - RC
Assessment No:	04288-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	54 Dunlop Road, Esk
Real Property Description	Lot 5 on RP157211
Area	2.347 hectares
Current land use	Residential – Dwelling house and Domestic outbuilding

Somerset Region Planning Scheme Version Three

Zone	Rural
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ShapingSEQ

Land Use Category	Regional Landscape and Rural Production Area
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Application

Proposed Development	Secondary dwelling
Category of Assessment	Code
Applicant/s	Glenn, Kim and Joan Collie
Applicants contact details	54 Dunlop Road Esk QLD 4312 Email: glenn.collie@hotmail.com
Date application received	10 October 2018
Date properly made	10 October 2018

Referral Agencies

Concurrence Agencies	Nil
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Public Notification

Not required

RECOMMENDED DECISION

Approve the Development Application No 18066 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish a new dwelling in the central region of the site, west of the existing dwelling house. The applicant has proposed the new secondary dwelling will be occupied by the relatives of the principal dwelling, which will continue be occupied by the landowner.

The proposed secondary dwelling will be setback in excess of 15m from all boundaries, single storey and reaching a maximum height of no more than 8.5m above the ground level. Access to the proposed secondary dwelling will be from the existing access at Dunlop Road. The secondary dwelling will be located no closer to the front boundary than the principal dwelling.

The proposed secondary dwelling will be approximately 75% gross floor area of the existing principal dwelling, which is above the accepted outcome of 60% as required by the Dwelling house code. The applicant is seeking a performance outcome in this regard. The site, proposed floor and elevation plans have been provided at Attachments 1 and 2.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is a rural property and has an irregular shape. The site is currently improved by an existing Dwelling house and shed. The site boundaries are defined by Dunlop Road to the east and other neighbouring properties to the remaining directions. The proposed development footprint is relatively flat, cleared of significant vegetation and is not known to be prone to subsidence, erosion or inundation.

The surrounding land uses are predominately rural and rural residential in nature, consisting of similar size lots. The site is not located close to any known extractive resource activities or intensive animal industries.

4.0 STATE ASSESSMENT

4.1 Vegetation Management Act 1999

As per the Department of State Development, Manufacturing, Infrastructure and Planning's Development Assessment Mapping System, the proposed development footprint does not contain regulated vegetation.

4.2 Environmental Protection Act 1994

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

4.3 Planning regulation 2017

The site is located within 25m of a State-controlled road. In accordance with the *Planning Regulation 2017*, as the proposed development is for a Secondary dwelling and does not involve a new or a changed to the existing access, the development is defined as an 'excluded material change of use' and therefore, does not require referral to the department.

5.0 COUNCIL ASSESSMENT

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

5.1 Strategic Framework

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

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Rural zone code	Yes	Complies
Dwelling house code	Yes	PO5 and PO7
Transport, access and parking code	Yes	Complies

Dwelling house code

Performance outcome	Example
Secondary dwellings	
PO5 The <i>secondary dwelling</i> is small-scale, low-key, and subordinate to the <i>dwelling house</i> .	AO5.1 The total maximum <i>gross floor area</i> of the <i>secondary dwelling</i> shall not exceed 60 percent of the gross floor area of the <i>dwelling house</i> on the same site.
Performance Outcome Assessment	
<p>The proposed secondary dwelling will be approximately 75.11% gross floor area of the principal dwelling. The principal dwelling has a gross floor area of 130 square metres; the secondary dwelling has a gross floor area of 97.65 square metres.</p> <p>The existing principal dwelling is small-scale, at only 130 square metres in GFA, and the need for the proposed secondary dwelling to contain a separate ablution and cooking facilities, requiring the secondary dwelling to not exceed 60% GFA of the primary dwelling will be difficult.</p> <p>The existing principal dwelling will be located closer to the front boundary of the premises than the proposed secondary dwelling. The scale of the proposed secondary dwelling therefore will not have a perceived dominance relative to the principal dwelling.</p> <p>It is considered the development proposed complies with PO5 of the Dwelling house code.</p>	
PO7 <i>Secondary dwellings:</i> <ul style="list-style-type: none"> (a) are designed and sited to maintain local character and amenity; (b) are visually compatible with the existing <i>dwelling house</i>; and are located in proximity to the principal <i>dwelling</i> .	AO7.3 The <i>secondary dwelling</i> is provided with at least one covered parking space.
Performance Outcome Assessment	
<p>No covered parking space has been proposed as part of the application.</p> <p>Given the size of the lot, covered parking space can be provided if required. it is considered the development proposed complies with AO7 of the Dwelling house code.</p>	

6.0 OTHER PLANNING CONSIDERATIONS**6.1 Trunk Infrastructure and Services**

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

6.2 Water Supply and Sewerage

The subject land is not located within an area serviced by a reticulated water supply or sewer network, and so conditions will be included requiring the development to be provided with a 45,000 litre water tank for potable and drinking uses and a HSTP system compliant with the relevant Australian standard.

6.3 Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater and drainage.

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

6.4 Transport network

The proposed development is not considered to unreasonably burden upon local transport networks. There is no associated infrastructure charge for dwellings of this type within the region.

6.5 Parks and Open space

The proposed development is not considered to have any adverse impacts upon the Parks and open space network.

6.6 Infrastructure charges

As discussed above, there are no Infrastructure Charges applicable to this Dwelling house under Council's current Charges Resolution.

6.7 Environment

The proposed development will not result in environmental degradation.

6.8 Heritage

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

7.0 STATE AGENCY REFERRALS

There were no applicable referral agencies to this application, in accordance with the provisions of the *Planning Regulation 2017*.

8.0 CONCLUSION

The proposed development is for an additional dwelling house on the subject site. The additional dwelling will be occupied by the relatives of the landowner. The proposed dwelling will be the principal dwelling for the site and the existing dwelling will be the secondary dwelling. The secondary dwelling will have a gross floor area of 75.11% of the proposed principal dwelling. However, given the relatively small scale of the existing principal dwelling and the principal dwelling will be located closer to the front boundary than the proposed secondary dwelling, therefore it is considered the secondary dwelling will not have a perceived dominance over the existing principal dwelling. The applicant has not proposed a covered car space for the proposed secondary dwelling, given the size of the lot, a future covered car space can be provided if required.

9.0 ATTACHMENTS

1. Site plan, Prepared by Council, Council's reference: DA18066 – Attachment 1, Retried on 10 October 2018.
2. Floor plan and Elevations, Drawn by WD at Mecano Sheds, Drawing No: RB7009-3, Sheet 3, Rev 1, Dated 3 September 2018.

RECOMMENDED DECISION

THAT Council approve the Development Application No 18066 for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 5 on RP157211 and situated at 54 Dunlop Road, Esk subject to the requirements and

conditions contained in the Schedules and Attachments.

THAT Council report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Site plan, Prepared by Council, Council's reference: DA18066 – Attachment 1, Retried on 10 October 2018. Floor plan and Elevations, Drawn by WD at Mecano Sheds, Drawing No: RB7009-3, Sheet 3, Rev 1, Dated 3 September 2018.	At all times
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the dwelling houses.	Before the change happens
1.6	Unless connected to a reticulated sewerage network, provide an on-site effluent disposal system that is compliant with the relevant Australian standards.	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.8	The proposed Secondary dwelling is to be setback 15m from all boundaries.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Public Utilities/Infrastructure	
2.1	Bear the cost of any alterations necessary to public utilities	At all times

	resulting from compliance with the conditions of this approval.	
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	At all times
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
	Stormwater drainage	
2.4	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times
2.5	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
	Vehicle access	
2.6	<p>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, and to an all-weather standard.</p> <p><i>NOTE: All-weather standard is an access which is capable of being traversed by a two wheel drive vehicle during and after a storm event with no significant damage or deformation to the access. Maintenance will be performed to preserve the access as all weather. Drainage structures are to be placed in water courses that have flowing water greater than 200mm in depth during non-storm events.</i></p>	At all times
	Erosion and sediment control	
2.7	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> ▪ Be required to install additional measures ▪ Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specific time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing

3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	<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
3.4	<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. 	During construction phase

SCHEDULE 4 – ADVICE

Assessment Manager

This approval has effect in accordance with the provisions of section 71 of the *Planning Act 2016*. [A copy of section 71 will be enclosed with the Decision Notice].

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

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

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

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

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

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

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

This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits.

Attachments for the Decision Notice include:

- Site plan, Prepared by Council, Council's reference: DA18066 – Attachment 1, Retried on 10 October 2018.
- Floor plan and Elevations, Drawn by WD at Mecano Sheds, Drawing No: RB7009-3, Sheet 3, Rev 1, Dated 3 September 2018.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Brieschke
<p>"THAT Council approve the Development Application No 18066 for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 5 on RP157211 and situated at 54 Dunlop Road, Esk subject to the requirements and conditions contained in the Schedules and Attachments.</p> <p>THAT Council report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the <i>Planning Act 2016</i>.</p>		

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Site plan, Prepared by Council, Council's reference: DA18066 – Attachment 1, Retried on 10 October 2018.	
	Floor plan and Elevations, Drawn by WD at Mecano Sheds, Drawing No: RB7009-3, Sheet 3, Rev 1, Dated 3 September 2018.	

1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the dwelling houses.	Before the change happens
1.6	Unless connected to a reticulated sewerage network, provide an on-site effluent disposal system that is compliant with the relevant Australian standards.	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.8	The proposed Secondary dwelling is to be setback 15m from all boundaries.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Public Utilities/Infrastructure	
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	At all times
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
	Stormwater drainage	
2.4	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times
2.5	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.

	Vehicle access	
2.6	<p>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, and to an all-weather standard.</p> <p><i>NOTE: All-weather standard is an access which is capable of being traversed by a two wheel drive vehicle during and after a storm event with no significant damage or deformation to the access. Maintenance will be performed to preserve the access as all weather. Drainage structures are to be placed in water courses that have flowing water greater than 200mm in depth during non-storm events.</i></p>	At all times
	Erosion and sediment control	
2.7	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> ▪ Be required to install additional measures ▪ Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specific time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	<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 all times

	at or on the development site; nor	
	<ul style="list-style-type: none"> ▪ Stockpile any waste on the development site. 	
3.4	<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. 	During construction phase
SCHEDULE 4 – ADVICE <i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
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 Operations department if in Council's opinion a dust nuisance exists.		
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i>).		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.		

This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits."

Carried

Subject: Development Application No 17650 - Application for a Development Permit for a Material Change of Use for a Renewable Energy Facility (solar farm - 1500MW facility) – staged development

File No: DA17650

Bulk Assessment

Nos: 05288-50000-000; 05254-00000-000; and 81227-80000-000

Action Officer: SP-JB

1.0 APPLICATION SUMMARY

Site Schedule

Lot description	Address	Land owner	Area
Lot 42 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	179.2 Ha
Lot 32 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.4 Ha
Lot 41 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	199.5 Ha
Lot 120 on CG2692	65 Holland Road, Harlin	Peter Cooper	64.719 Ha
Lot 1 on RP28556	Holland Road, Harlin	Peter Cooper	89.985 Ha
Lot 2 on SP210633	Unnamed #3095 Road, Harlin	Peter Cooper	246.978 Ha
Lot 65 on CG463	Holland Road, Harlin	Peter Cooper	7.537 Ha
Lot 1 on SP276622	6383 D'Aguilar Highway, Harlin	Scott and Jane Smith	68.376 Ha
Lot 135 on CG4460	D'Aguilar Highway, Harlin	Scott and Jane Smith	1.773 Ha
Lot 10 on SP236175	D'Aguilar Highway, Harlin	Scott and Jane Smith	94.537 Ha
Lot 2 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.400 Ha
Lot 26 on SP193038	D'Aguilar Highway, Harlin	Graham McPherson	132.400 Ha
Lot 144 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	94.590 Ha
Lot 145 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	93.869 Ha
Lot 48 on C31888	Unnamed #3094 Road, Gregors creek	Graham McPherson	258.999 Ha
Lot 43 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	200.600 Ha

Lot 127 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	91.300 Ha
		TOTAL LAND AREA:	2055.163 Ha
Easements:	<p>A 275kV electricity transmission line runs through the south-western corner of the site, through Lot 2 on SP210633.</p> <p>The electricity transmission lines are located within an easement with an approximate width of 80m. The easements are burdening the land to the following entities:</p> <ul style="list-style-type: none"> • The Queensland Electricity Generating Board • Queensland Electricity Transmission Corporation Limited • Queensland Electricity Commission • Wide Bay-Burnett Electricity Corporation • Wide Bay-Burnett Electricity Corporation Limited 		

Current land use	Grazing land and two dwellings and associated outbuildings
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Somerset Region Planning Scheme Version Three

Zone Rural

SEQ Regional Plan

Land Use Category	Regional Landscape and Rural Production Area
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Application

Proposal:	Renewable Energy Facility (solar farm – 1500MW facility staged development)
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Category of Assessment	IMPACT
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Applicant/s details: Sunshine Energy Australia Pty Ltd
c/- Ethos Urban – Morgan Randle
Level 1, 356 St Pauls Terrace
FORTITUDE VALLEY QLD 4006

Contact details: Morgan Randle, Senior Urbanist Planning
E: mrandle@ethosurban.com

Date application properly made: Tuesday, 8 May 2018

Referral Agencies

Concurrence Agencies	Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP)
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Advice Agencies

Third Party Advice Agencies Seqwater

Public Notification

Submissions received	22
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Submitters 33 submitters with appeal rights

Properly made: 21 submissions

RECOMMENDED DECISION

THAT Council approve the Development Application No. 17650 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant seeks approval for a Renewable Energy Facility being a solar farm with 1500MW capacity to be developed in two (2) stages as follows:

Stage 1 – 1,000MW solar generation containing solar panels, site access substations, battery storage locations, staff amenities and parking having a development area of 823.11 hectares.

Stage 2 – 500MW solar generation containing solar panels having a development area of 259.42 hectares.

The development Plan is provided at Attachment 1.

Details of the proposed facility are:

Solar panel module: There will be approx. 5,191,200 solar panels. Each single solar panel module can produce approximately 300W of power and measures 0.992m by 1.656m. The solar panels will be joined together to form subarrays.

Subarrays: There will be 247,200 subarrays. Each subarray consists of 21 solar panel modules in a 3 x 7 configuration, having dimensions of 11.9m x 3.016m and an area of 35.89m². The subarrays will be pole mounted, fixed and will not rotate. Each subarray will have a maximum height of approximately 3.2m above ground level. The subarrays will be placed in rows running east/west and columns running north/south. Subarray rows will be separated by 0.5m spaces and columns separated by 6.0m – 6.5m spaces and will be connected to the onsite substation via underground wiring. The arrangement of solar panels will comprise a total site cover of 52%.

Batteries: In total, 143 battery containers will be located on site as some of the energy produced on site will be stored in batteries to provide additional distribution options. Each battery module has an energy holding capacity of between 3.5MW to 4MW and will be within a standard 40ft shipping container. Seven (7) additional containers will also be located on site but these will be used to accommodate spare parts and a battery control room.

Substations: To distribute the solar generated electricity to the commercial electricity network, two substations will be constructed by Powerlink on behalf of Sunshine Energy Australia. One substation will remain in the ownership of Sunshine Energy, while the other substation will be purchased and operated by Powerlink. The land which will accommodate the Powerlink substation will be subdivided off as part of a future development application through the Infrastructure Designation process with State Government. The two-substation system allows for the transfer of electricity from private to public, for commercial distribution.

Energy produced by the solar farm will be transferred to the Powerlink Substation before eventually being connected to the 275kV powerlines running through the southern portion of the site. The powerlines linking the Powerlink Substation and the existing 275kV powerlines will eventually be located within an easement. The establishment of this easement will be subject to a future application once its final location is determined.

Battery storage and substation areas: Both substations will be located on specially designed pads which will ensure they remain flood free and can accommodate underground cabling networks. The substation pads will have an approximate area of 16 hectares and represents a site cover of approximately 0.7% of the site area. The substations will have a maximum height of 15 metres. Lightning rods, associated with the substations, will have a height of approximately 30m.

One of the substations pads will accommodate the batteries. The pad will be extended to have a total area of 400m x 420m (0.7% of the total site area, combining to 1.4%). The batteries will be stored on the pad in five (5) rows of 30 containers, three (3) rows will be positioned on the ground and two (2) rows will be double-stacked. The substation areas will be visually screened by a 10m wide vegetated buffer, to assist in obscuring views to the D'Aguilar Highway.

The facility is proposed to be staffed from 6am to 6pm, 7 days per week with permanent onsite employees of 30 – 60 persons.

Onsite facilities, including staff room and amenities (24m x 36m demountable building); and staff parking; and equipment and vehicle storage shed (18m x 45m) are to be constructed prior to commencement of the facility.

Access: The development proposed will gain access via the D'Aguilar Highway/Holland Road Intersection in accordance with the intersection upgrade, recommended by the Department of Transport and Main Roads.

Construction phase: Construction of the facility will take approximately 2-3 years and is anticipated to commence in mid-2019. During the construction phase it is expected that 4-6 B-Doubles will travel to the site 2-3 times daily to deliver solar panels. It is expected 200 jobs will be created during the construction phase.

Lifecycle: The solar panels have an operational life of between 25 and 35 years. The projects feasibility will be re-evaluated prior to the life of the solar panels ceasing and one of two decisions will be made by the Company Directors:

- Solar panels will be replaced, with the expectation to operate for another 25-35 years (or potentially more depending on technological improvements in solar panel construction); or
- All solar panels, substations and other facilities will be removed.

Rehabilitation: The site will be rehabilitated in accordance with the Revegetation Plan, to better improve its former use involving agricultural activities.

Tourist Facility: Although a tourist facility is not considered in this application, there are long term plans to have tourist facilities (such as a visitor centre and koala solar facility) integrated in the solar farm. A future koala solar facility (50MW) solar panel array is proposed along the northern boundary of the site, near the D'Aguilar Highway. The layout and orientation of the solar panels within this area will be created in the shape of a koala.

3.0 SITE DETAILS AND SURROUNDING LAND USES

The development area is located over 17 rural lots, immediately south of the D'Aguilar Highway and is in a wide valley, approximately 25 kilometres west of Kilcoy. The total site area is approximately 2,055 hectares, of which 1082.53 hectares will comprise the solar farm infrastructure. The site is improved with two dwellings, farm sheds and associated infrastructure. A Site Plan is provided at Attachment 2 and Locality Plan is above.

The site is bounded to the north by the D'Aguilar Highway, to the west by Holland Road, and to the south and east by rural land. The northern boundary follows a seven kilometre stretch of the D'Aguilar Highway, between Kilcoy and Harlin. The landscape in the northern part of the site has been cleared and comprises pastures for livestock grazing and limited vegetation. There is evidence of extensive erosion occurring within the site. There are also

expansive views across the eastern third of the site from the highway. A prominent ridgeline is located along the southern boundary of the site. An electrical transmission corridor runs north-south along the western site boundary, traversing the low hills and ridgeline in this area.

The site is located within the Brisbane River catchment. Most of the site drains in a northerly direction to Neara Creek, which flows from east to west along the northern boundary of the site. Neara Creek discharges from the site's western boundary and then flows south where it feeds into the Brisbane River, approximately 3.6 kilometres downstream of the site. A very small part of the site drains south to Gregors Creek, which also flows into the Brisbane River.

The site slopes range from 1 – 15%.

The surrounding land uses are rural in nature, consisting of similar size lots and typically contain dwellings and associated outbuildings.

4.0 ASSESSMENT – STATE LEGISLATION

4.1 STATE PLANNING POLICY 2017

The State Planning Policy (SPP) 2017 identifies state interests for a variety of matters. The following characteristics represent a State interest to the development area, as determined by the State Planning Policy Online Mapping:

- Agriculture – agricultural land classification – class A and B
- Biodiversity – wildlife habitat, regulated vegetation
- Water quality – water supply buffer area, water resource catchment
- Natural hazards risk and resilience – flood hazard area, bushfire prone area
- Transport infrastructure – state controlled road.

Section 2.1 of the *Somerset Region Planning Scheme Version Three* contains the Minister's acknowledgement that all applicable state interests of the State Planning Policy (SPP) (July 2014 version) were appropriately integrated into the planning scheme.

Notwithstanding this acknowledgement, the SPP has been updated and the July 2017 version is now in effect. Through discussions with the applicant and Council Officers and through comparisons between the planning scheme and the SPP it was determined that further assessment was only required regarding the *Agriculture* and *Water Quality* state interests. These are discussed below.

4.1.1 Agriculture

On the Queensland Government Development Assessment Mapping System, the site is identified within the *Regional Landscape and Rural Production Area* and parts of the site are identified as being Strategic Cropping Area. In the Planning Scheme the site is identified as having both Class A and Class B Agricultural value. On the mapping site, the State's Strategic Cropping Area and Council's Class A and Class B Agriculture values align.

Based on the identified values, Land Resource Assessment and Management Pty Ltd (LRAM) were engaged by the applicant to review the mapping and assess the agricultural value of the site. Their report concludes that the mapping is not a reflection of actual onsite values and the solar farm will not be located on, nor negatively impact on actual Strategic cropping land or Class A or Class B agricultural land.

Investigations, outlined in the report, found that the Strategic cropping mapping and the Agricultural Overlay (Map OM1) of the planning scheme were based off the soil survey

report maps and soil groups from the *1999 Land Resources Assessment of Brisbane Valley Report*. This report showed that the site was not suitable for dryland cropping and that any of the potential cropping locations (as shown on Scheme Map OM1) are suited only for irrigated small crops such as melons and pumpkins etc. This was further ground truthed by LRAM who identified three differing land forms and soil groups on site. The findings of the onsite investigation, and actual agricultural value of land is graphically illustrated in Figure 2.1 of the LRAM report. The findings concluded that the State's Strategic cropping mapping and the Planning Scheme mapping within Map OM1 did not align with actual onsite values and only a small portion of the site along the northern boundary and along Neara Creek exhibited these higher values.

The development footprint of the solar farm will not extend into the areas of the site which exhibit Strategic cropping, Class A or Class B agricultural values (as identified within the LRAM report 2018). Where development is proposed, the only suitable agricultural use is for the purposes of pasture.

It is considered, therefore, that the development will not impact on legitimate Strategic cropping land or land which has Class A or Class B agricultural value.

4.1.2 Water quality

The proposed development involves State Interests under the *State Planning Policy July 2017 (SPP)* for Water Quality as the subject land is identified on the SPP Assessment Benchmark Mapping as being in the Water Resource Catchment. Therefore, the development is subject to the requirements of the State Planning Policy. The *Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017* were also used as a guide when BMT Environmental Scientists developed the recommendations for minimum setbacks to watercourses for stormwater quality and biodiversity management.

The recommended minimum buffer zone widths for the Renewable Energy Facility (solar farm) are site-specific and depend on soil type, slope, land use and overall environmental condition. The recommended minimum setbacks for stormwater quality and biodiversity management were based on site conditions assessed by current and historical aerial photo interpretation and site surveys of watercourse structure, landform, environmental condition and biodiversity values.

BMT Consultants, for the applicant, has confirmed that, based on the relatively uniform condition of the soils, topography and vegetation adjacent to the watercourses, the proposed watercourse and stormwater quality treatments will in their opinion be sufficient to protect and enhance water quality, hydrology, habitat and watershed ecosystem function. The proposed setbacks will provide long and continuous buffer strips across the developable area of the site and with revegetation (assisted and natural), bank stabilisation works in high risk areas, and stormwater quality treatments (ephemeral wetlands and/or bioretention systems and swales), will be sufficient to protect the drinking water supply environmental values.

The subarrays will be setback from the high bank of waterways between 30 metres to 10 metres, depending on the waterway type. The site has several waterways in many locations, ranging from low (1) to major (5) stream orders. The following design solutions are proposed:

- For stream orders 5 to 2, the lower and mid banks will be planted with flood tolerant mat rushes and riparian trees to provide shade, fauna habitat and bank protection. Further, for these stream orders a 15-metre-wide planted area will be incorporated

above the high bank and another 15-metre vegetation open space area will be implemented between revegetated areas and the development footprint.

- For stream orders 5 to 1, the upper bank will also be planted with a mix of woodland species.
- For stream orders 5 to 4 – These streams will be subject to enhanced planting to extend riparian buffers and increase vegetation diversity and habitat resources.
- For stream orders 3 to 2 – These streams will be subject to active planting to restore woody riparian vegetation.
- For stream order 1 – These streams will be subject to active planting to reduce erosion and sediment and to increase woody vegetation cover and habitat values.
- The revegetation specifications and planting species used in the overall design are intended to re-establish pre-existing species which occupied the site prior to clearing (for the current grazing use) and will improve habitat for various species, including koalas, frugivorous birds, gliders and flying foxes.
- The revegetated areas adjoining the streams will form a biodiversity corridor throughout the site, allowing for the movement of fauna.
- Other than around the substations (based on safety requirements), no fences or other forms of linear structures, which could prevent movement of fauna will be constructed.
- The re-establishment of a biodiversity corridor throughout the site will be focused on the waterway areas.
- Groundcover on the site amongst the solar panels will no longer be used for the purposes of grazing and will be left to regenerate with short grass ground cover, preventing further erosion and sediment runoff over time.
- An erosion and sediment control plan will be put in place during construction which will minimise sediment runoff into onsite waterways.
- Stormwater will be treated by detention basins (for flow attenuation) and ephemeral wetlands or bioretention basins (for water quality) to manage runoff from the site.
- Revegetating waterways on the western portion of the site with the aim to restore native riparian vegetation and habitat condition, will reduce stormwater and erosion from entering waterways.

The proposed development can be designed to achieve the State Interest Guideline for Water Quality and the proposed setbacks will be sufficient to protect the drinking water supply environmental values.

Later in this report in Section 10.3 there is discussion on the comments provided by Seqwater with respect to minimum separation distances of the development to watercourses as per its Guidelines, they suggest that the following:

- Stream order 1-3: 50m

- Stream order 4 or greater: 100m

While in summary the above is effectively saying:

- Stream order 1 10m
- Stream order 2-5 30m

BMT Consultants have confirmed that the recommended minimum setbacks from watercourses between 10m to 30m are consistent with the State Planning Policy and the recommended site-specific watercourse and stormwater quality treatments will be sufficient to protect and enhance water quality, hydrology, habitat and watershed ecosystem function.

4.2 VEGETATION MANAGEMENT ACT 1999

The Development Assessment Mapping System illustrates that parts of the site contain *Regulated Vegetation (category A and B)*. Under Schedule 10, Part 3, Division 4, Table 3 of the *Planning Regulation 2017* referral of the application would be required if clearing of the vegetation is proposed. In this instance, clearing of regulated vegetation or potential koala habitat is not proposed and all development will be setback a minimum of 50 metres from any regulated vegetation or potential koala habitat. The Department of State Development, Manufacturing, Infrastructure and Planning has advised that referral of the application was not required.

4.3 ENVIRONMENTAL PROTECTION ACT 1994

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

5.0 COUNCIL ASSESSMENT

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

5.1 STRATEGIC FRAMEWORK

An assessment against the Strategic Framework and how they apply to the proposed development is discussed below.

5.1.1 Renewable Energy Facilities and the Strategic Framework

The establishment of renewable energy facilities (solar farms) are clearly anticipated within the Somerset Region and are expressed explicitly within two key outcomes of the strategic framework, including:

Strategic outcome 3.7.5.1(a), which states the following:

“Emerging low carbon economy development opportunities, including, but not limited to permanent plantations, renewable energy facilities and carbon or environmental offset projects are appropriately located in rural areas having regard to:

- The minimisation of off-set impacts on the amenity of sensitive land uses;*
- The protection of agricultural land in order to maximise the highest and best use of those soils and their economic output; and*
- Maintaining scenic amenity and important landscape elements.”*

Strategic outcome 3.8.1(11), which states the following:

“Decentralised renewable energy facilities consistent with a low carbon economy are prevalent across the rural landscape of Somerset Region where complementary to the primary productive use of rural land and the natural/rural values and amenity of

the locality.”

As outlined within the above outcomes, renewable energy facilities are expected to be established within the rural areas of Somerset Region. Therefore, there is a level of acceptance that renewable energy facilities will eventually form part of the rural character of the region, over time as they are developed. Therefore, the siting of a solar farm in a rural locality does not conflict with the Planning Scheme's Strategic Framework.

However, in saying that, the design of renewable energy facilities within the region's rural areas does need to be responsive to values associated with scenic amenity, agriculture, environment and water quality whilst mitigating impacts from land constraints.

Having such a large site to begin with does allow the development to take into consideration the impacts of the many constraints which exist on the site without unduly impacting the viability of the proposal.

As demonstrated below, the design of the proposed solar farm achieves each of these considerations and complies with the strategic framework when read as a whole.

5.1.1.1 Settlement Pattern (section 3.3 of Scheme)

The intent of the 'Settlement Pattern' theme is to maintain the designated settlement pattern of the region and provide direction on future growth. Strategic and specific outcomes relevant to the development relate to the protection of environmental, landscape, scenic amenity and agricultural values and designing development which is in response to natural hazards and climate change.

How the development proposed complies with the settlement pattern strategic and specific outcomes for the region is discussed in various sections in detail in this report, however as an initial response the following is provided:

- A renewable energy facility is a use that would be reasonably expected to be in a rural area rather than in an urban area because the extent of land required to support a renewable energy facility cannot reasonably be provided in the urban area.
- The solar panel arrays are not located within areas of the site which have Class A or Class B agricultural values, nor will the development further fragment or impact upon these areas.
- The solar panel arrays are located within the least constrained areas of the site, outside of areas occupied by regulated vegetation and setback appropriately from waterways and adjoining owners.
- The development will be designed to minimise impacts on the scenic amenity value and visual amenity of the area by establishing appropriate setbacks or vegetation screening throughout the site.
- The renewable energy facility is located within proximity to the high voltage electricity transmission lines, ensuring efficient connection to the grid.

5.1.1.2 Natural Environment (section 3.4 of Scheme)

The intent of the 'Natural Environment' theme is to protect Somerset's natural environment by reducing impacts on the biodiversity network, watercourses and wetlands and the air and noise environment. Strategic and specific outcomes relevant to the development relate to the protection of areas of ecological significance, including significant vegetation, waterways

and biodiversity corridors.

The proposed solar farm footprint will avoid direct impacts to regulated and remnant vegetation, which are further protected by a 50m buffer applied under the Planning Scheme. Given the cleared condition of the site, vegetation clearing will be minimal. Solar panels will be attached to piles driven into the ground which may require slashing of the ground layer. There will be no significant earthworks during construction except for levelling of access roads, laydowns and the substations. No surface treatments beneath the solar panels will be required and internal road construction will be minimal. Revegetating the riparian corridors will be a significant net gain in woody vegetation cover across the solar farm footprint and will enhance water quality, hydrology, habitat and watershed ecosystem function.

The development complies with the outcomes relating to significant vegetation and waterways because no damage to these values is proposed. Setbacks from regulated vegetation and potential koala habitat form part of the design. Furthermore, waterways within the biodiversity corridor area of the site will be conditioned to be buffered between 30m to 10m from the high bank and these areas will be revegetated. The revegetation will re-establish pre-existing species which occupied the site prior to clearing and will provide habitat and movement for a variety of species through the site.

5.1.1.3 Natural Resources (section 3.5 of Scheme)

The intent of the 'Natural Resources' theme is to protect Somerset's natural resources including agricultural land, extractive resources, forestry areas and potable water supplies. Strategic and specific outcomes relevant to the development relate to the protection of agricultural land from incompatible development and maintaining and improving water quality.

The development complies with the outcomes relating to water quality and can be designed to achieve the State Interest guideline for water quality under the *State Planning Policy July 2017 (SPP)*.

While there would appear to be a conflict with a specific outcome of the Strategic Framework relating to agricultural land, specifically outcome 3.5.2.1(a) which states:

"Agricultural land identified on Strategic framework map 4 – Economic development and natural resources is protected for sustainable agricultural uses through avoidance from fragmentation, alienation and/or use for non-agricultural development unless there is an overriding need for the proposal and it cannot be located on an alternative site".

The evaluation undertaken by the applicant and discussed in Section 4.1.1 of the report, concluded that the development will not impact on legitimate Strategic cropping land or land which has Class A or Class B agricultural value.

Further it could be considered that there is an overriding need for these facilities to help transition to a low carbon economy and as mentioned elsewhere, the only location that these facilities can be sited is in a rural environment and it is acceptable that at least in this location it is not fragmenting or alienating higher quality land.

5.1.1.4 Community identity and regional landscape character (section 3.6 of Scheme)

The intent of the 'Community identity and regional landscape character' theme is to protect the region's landscape and scenic amenity values and outline the character and identity for Fernvale, Lowood, Esk, Kilcoy and Toogoolawah. Strategic and specific outcomes relevant

to the development relate to the protection of landscape and scenic amenity values and elements which contribute to the values, such as waterways, ranges and steep hills, scenic viewing areas and tourist routes.

A development of this size and nature will struggle to completely satisfy this strategic intent, it cannot be denied that it will have a significant visual presence in the landscape, while it can be mitigated by setback and vegetation planting, it can't be made to disappear. Landscape and scenic amenity values can be highly subjective, a casual passer-by of the proposal may find the development impressive and unique and considered acceptable as it also maybe satisfying an environmental agenda or belief which counterbalances any negative aspects. To others, such as neighbours or people who have to view the proposal every day, they may find it a visual blight on the environment and something intolerable irrespective what benefit may be derived from the solar energy produced.

It may be argued that once the development is operating that being the largest solar farm close to the Brisbane and SEQ tourist market that the facility will have some attraction to visitors to Kilcoy or the broader region.

Elsewhere in this report these topics, the protection of landscape and scenic amenity values and elements which contribute to the values, such as waterways, ranges and steep hills, scenic viewing areas are discussed in detail.

5.1.1.5 Economic development (section 3.7 of Scheme)

The intent of the 'Economic development' theme is to maintain and improve the economic viability of the Somerset Region. Strategic and specific outcomes relevant to the development are economic diversification, growth of the low carbon economy, protection of agriculture's contribution to the economy.

The development complies with the economic development strategic and specific outcomes based on the following:

- The Renewable Energy Facilities will introduce a new industry to the region to help diversify the economy.
- The development will create up to 60 full time jobs for the life of its operation (approximately 25-30 years), benefitting the regional economy more than its current use.
- Based on the nature of the use, should the solar farm not be continued after 30 years the site can be regenerated back to its underlying agricultural use for grazing.
- The site is currently erosion prone due to existing grazing practices and historically poor management of the land. The development will allow for the land to regenerate and is anticipated to improve water quality by improving stormwater treatment and revegetating some water buffer areas where it is appropriate to do so.

5.1.1.6 Infrastructure and services (section 3.8 of Scheme)

The intent of the 'Infrastructure and services' theme is to ensure infrastructure and services within the region operate efficiently without causing unmanageable impacts. Strategic and specific outcomes relevant to the development relate to protection of high voltage electricity transmission lines, protection of agricultural and scenic amenity values and impacts on sensitive uses.

The proposal is not impacting on any other major infrastructure corridors, sites or other

infrastructure within the region. The location of the existing high voltage transmission line is a positive element of the site's location and a strategic operating advantage for the proponent.

Any issues with the transport infrastructure have been addressed elsewhere in the report as well as the concerns about agricultural land and scenic amenity values etc.

5.1.1.7 Transport (section 3.9 of Scheme)

The intent of the 'Transport' theme is to ensure the efficient operation of the road, public and active transport networks and aviation facilities within the Region. Strategic and specific outcomes relevant to the development relate to the maintenance of safety and efficiency along roads in proximity to the development, particularly the D'Aguilar Highway.

The development complies with the transport strategic and specific outcomes based on the following:

- The potential traffic impacts of the development on the Holland Road / D'Aguilar Highway intersection have been assessed by State Government and intersection/road upgrades are proposed to mitigate any of these impacts.
- Potential glare impacts were identified in some locations along the D'Aguilar Highway and Holland Road. The Glare Impact Assessment concludes that these risks can be ameliorated through the planting of vegetation buffers. The buffers are to be planted and functional prior to the use commencing.

6.0 CODE COMPLIANCE SUMMARY

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal:

- Proposes an alternative "Example" satisfying or not satisfying the corresponding Performance Outcomes; and
- Proposes an outcome where no "Example" is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Applicable Codes	Compliance with Overall Outcomes	Performance Outcomes
Rural zone code	Yes	PO1 – AO1
Renewable energy facility code	Yes	PO1 - AO1.3
Services, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Complies
Agricultural land overlay code	Yes	Complies
Biodiversity overlay code	Yes	Complies
Bushfire overlay code	Yes	Complies
Catchment management overlay code	Yes	PO3 – AO3.2
Flood hazard overlay code	Yes	Complies
High Impact Activity Management Area code	Yes	Complies
Infrastructure overlay code	Yes	Complies
Landslide hazard overlay code	Yes	Complies
Scenic amenity overlay code	Yes	PO2 – AO2.1
Stock route overlay code	Yes	Complies

Rural zone code

Performance Outcomes	Example
Building height	
PO1 Building height: (a) Maintains a low rise built form; and (b) Is subordinate to the predominant character and environment and feature values of the locality.	AO1 Building height does not exceed two storeys and 11.5 metres above ground level.
Performance Outcome Assessment	
<p>The substations proposed will have a height of approximately 15 metres.</p> <p>The solar panel array development area, which make up most of the development area, are very low rise and have a maximum height of 3.2 metres.</p> <p>There is also the proposed lightning rod expected to be 30m in height. By comparison the location of mobile phone towers of similar or greater heights have not been of any concern in recent times with regard to visual amenity impacts in a rural area.</p> <p>The height of any structures or buildings would not be out of keeping with some of the large agricultural sheds that may be built on rural land.</p> <p>The buildings will be setback 1.5km from the western boundary of the Brisbane Valley Highway and will be screened with surrounding 10-metre-wide vegetation buffers, breaking up the visual bulk of the buildings.</p>	

Renewable energy facility code

Performance Outcomes	Example
Site size and location of facility	
PO1 The site is of sufficient size and the use is suitably sited to avoid land use conflict.	AO1.3 The use is located a minimum of 100 metres from an adjoining property boundary or road frontage.
Performance Outcome Assessment	
<p>The total area of the site is 2,055.163 hectares, with 52% being proposed to be developed. The presence of a variety of natural constraints results in there being some setbacks from either adjoining properties or roads that will be greater than 100m. However, along the eastern and part of the southern boundaries it is proposed to place panels within the 100m setback and as close as 10m to the boundary. Within these areas, only solar panels are to be constructed and the applicant contends that impacts to adjoining rural lots are considered negligible because topography and vegetation will prevent direct views.</p> <p>With such a large percentage of the site proposed to be developed, the need to encroach into these areas seems to be excessive and it is considered that the comparatively small loss in the number of arrays to ensure compliance would not threaten the generating capacity or viability of the facility.</p> <p>The large site area allows for the ancillary structures and facilities to be setback appropriately from road and property boundaries.</p>	

Catchment management overlay code

<i>Performance Outcomes</i>	<i>Example</i>
Protection of natural systems	
PO3 Development maintains and rehabilitates the extent of riparian vegetation along the banks of a waterbody or watercourse so as to: <ul style="list-style-type: none"> (a) Maintain the natural drainage function; (b) Minimise erosion of banks and verges; and (c) Reduce sediment and nutrient loads. 	AO3.2 Vegetation clearing is not undertaken within: <ul style="list-style-type: none"> (a) 75 metres from the high bank of a watercourse identified on Catchment management overlay maps OM005a-b; and (b) 150 metres from the full supply level or the upper flood margin level of a waterbody, whichever is greater, identified on Catchment management overlay maps OM005a-b.
Performance Outcome Assessment	
<p>The majority of prior to disturbance vegetation, has been cleared for grazing and regularly burnt resulting in minimal native regrowth. In those parts of the site that have been difficult to access with machinery such as the narrow riparian corridors along Neara Creek or the southern upper slopes is where some vegetation remains.</p> <p>Along Neara Creek corridors averaging 5m in width are recorded. Of the other waterways that dissect the site, they are highly disturbed and are basically devoid of vegetation and show aspects of severe erosion.</p> <p>Based on these site characteristics, it is understood that there will unlikely be any clearing within the setbacks outlined in the A03.2 Example, given the minimal widths of existing vegetation corridors.</p> <p>The proposed setbacks from waterways has been discussed earlier in the report and these will vary between 10-30m depending on the stream classification.</p>	

Scenic amenity overlay code

<i>Performance Outcomes</i>	<i>Example</i>
Buildings within High Scenic Amenity Area	
PO2 Development within a high scenic amenity area identified on the Scenic amenity overlay maps OM012a-b: <ul style="list-style-type: none"> (a) Maintains and enhances the landscape character and scenic amenity values of the locality and the Somerset Region; (b) Is not visible from the skyline or positioned on a ridgeline when viewed from a Highway or Main road; 	AO2.1 Buildings do not exceed 8.5 metres or 2 storeys in height.

<p>(c) Is fully screened by an existing natural landform or vegetation, or will be fully screened by native vegetation within 5 years of construction when viewed from a Highway or Main road;</p> <p>(d) Retains existing vegetation and incorporates landscaping to visually soften built form elements;</p> <p>(e) Incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character of the locality; and</p> <p>(f) Minimises visual impacts on the high scenic amenity area in terms of:</p> <ol style="list-style-type: none"> a. The scale, height and setback of buildings; b. The extent of earthworks and impacts on the landform including the location and configuration of roads and driveways. 	
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Performance Outcome Assessment

One substation will be located within the lower lying high scenic amenity area with a height of 15 metres. In this circumstance, the substation will be setback 1.5km from the D'Aguilar Highway and will be screened by a 10 metre-wide vegetation buffer, blocking views from the highway.

The high scenic amenity southern hills are covered by regulated vegetation and potential koala habitat which will be protected and left to further regenerate over the life of the development, improving the undeveloped, high scenic amenity values of the hills.

The development proposed will be designed to minimise impacts on the scenic amenity value and visual amenity of the area by:

- Locating development 100 metres from the D'Aguilar Highway (a scenic amenity route).
- Prohibiting construction of solar panels on the upper ridgelines to allow space for effective visual screening to be incorporated into a landscape concept plan.
- Screening building works and substations from direct views along the D'Aguilar Highway.
- Locating buildings over 1.5km from the D'Aguilar Highway; and
- By screening the solar farm from the Brisbane Valley Highway by existing vegetation and low undulating hills between the highway and the site.

It is considered the development proposed satisfies PO2 of the Scenic Amenity Overlay code.

7.0 SUPPORTING CONSULTANT REPORTS

7.1 ECOLOGICAL SITE ASSESSMENT

An ecological assessment of the site has been undertaken in accordance with Council's *Planning Scheme Policy 1 – Ecological Site Assessment*, which has determined the developments layout and response to ecological features.

It was concluded that the development proposed will be located in existing cleared areas and habitat clearing will be minor; it will not lead to habitat fragmentation and is considered unlikely to pose an ongoing issue to habitat connectivity.

Furthermore, the proposed development will minimise direct impacts to matters of environmental significance. This will be achieved by design as detailed below:

- The development will avoid direct impacts to regulated and remnant vegetation, which is further protected by creating a 50m buffer applied under the Planning Scheme;
- The development will minimise direct impacts to Koala bushland habitats, which is further protected by a 50m buffer applied under the Planning Scheme;
- Waterways will be buffered from the development to minimise impacts on stormwater quality and riparian and aquatic habitats; and
- A Revegetation Plan will be prepared for waterways designated under the Planning Scheme's Biodiversity Corridor, with the intent of restoring native woody riparian cover to enhance connectivity and Koala habitat.

The assessment of potential Koala impacts against Significant Impact Criteria indicates:

- The development is unlikely to lead to a decrease of the local Koala population;
- The development is unlikely to reduce the area of Koala occurrence;
- The development is unlikely to fragment an existing Koala population;
- The development is unlikely to result in isolation of Koala population;
- It is considered very unlikely the development will result in invasive species becoming established to the detriment of Koala (and other threatened species) habitat;
- It is considered unlikely the development will introduce disease that may cause a population of threatened species to decline;
- The development is considered very unlikely to interfere with the recovery of the species; and
- The development is unlikely to disrupt ecologically significant locations.

Based on this assessment, no significant impacts to Matters of Local Environmental

Significance MLES or Matters of State Environmental Significance - MSES are expected. There will be no direct clearing or otherwise indirect significant impacts to MSES and as such does not trigger the need for referral under the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.

7.2 REVEGETATION PLAN

In addition to the waterway setbacks applied across the site, a Revegetation Plan has been prepared for waterways designated under the Planning Scheme's Biodiversity Corridor. The aim of this plan is to restore native riparian vegetation and habitat condition of waterways and to enhance their contribution to the regional Biodiversity Corridor.

Three broad revegetation zones have been identified within the corridor:

- Stream Orders 5 to 4: Sandy reaches of Neara Creek support the most continuous and established riparian vegetation of the site. Enhancement planting is to be carried out to extend the riparian buffer and to increase vegetation diversity and habitat resources.
- Stream Orders 3 to 2: highly disturbed waterways that are largely devoid of riparian vegetation, with isolated wetlands and erosion in some areas. Active planting is to be carried out to restore woody riparian vegetation.
- Stream Order 1 (gullies of hills): no obvious watercourse features, such as high banks, waterbodies, wetland vegetation or riparian fringe. Active planting is to be carried out to reduce erosion and sedimentation and to increase woody vegetation cover and habitat values.

The Revegetation Plan provides mapped locations of revegetation zones, planting species and densities, recommendations for revegetation setbacks from solar farm infrastructure and access tracks, and maintenance and monitoring requirements for the life of the Solar Farm facility.

The Revegetation Plan incorporates four revegetation zones:

- Stream Assisted Regeneration: buffered streams to be actively revegetated;
- Stream Natural Regeneration: buffered streams to regenerate naturally;
- Scenic Route Buffer Assisted Regeneration: D'Aguilar Highway frontage to be actively revegetated; and
- Flood Hazard Zone Assisted Regeneration: flood hazard zone to be actively revegetated.

In addition to the Revegetation Plan, a Site Assessment will be carried out by appropriately qualified personnel to identify eroding sites requiring active remediation and to develop site-specific bank stabilisation techniques.

The Site Rehabilitation Plan is conditioned in conjunction with the Revegetation Plan detailing bank restoration works.

7.3 BIOSECURITY PLAN

A 'Biosecurity Plan' accompanied the application. The Biosecurity Plan has been developed to protect environmental, economic and social values of the project area and surrounds from

invasive biosecurity matters, including weeds and pests listed as prohibited or restricted matter regulated under the Queensland *Biosecurity Act 2014*. The plan also addresses non-scheduled invasive weeds and pests which pose a high threat to the environmental values of the project area.

Invasive biosecurity matter and pests of the region were assessed to prioritise species for management. The plan was developed in accordance with the Somerset Regional Council 2013-2018 Pest Management Plan and key statutory and planning frameworks for biosecurity management in Queensland to ensure consistent management of priority biosecurity issues in the region.

The plan outlines the following measures to be implemented during construction and operation of the development to manage invasive biosecurity and pest issues:

- Biosecurity awareness training for all site personnel;
- Vehicle and machinery inspection and clean-down procedures;
- Weed and pest hygiene declaration documentation;
- Best-practice waste disposal strategies;
- Biosecurity Queensland compliant control methods;
- Certified qualifications for licenced pest controllers;
- Regular inspections and pest monitoring; and
- Pest notification procedures.

7.4 AGRICULTURAL INVESTIGATION

As stated in section 4.1.1 of this report, a detailed agricultural investigation has been undertaken in preparation of this application. The LRAM report identifies that the only areas of the site which have Class A and Class B agricultural values are the areas around the alluvial plains along Neara Creek. Development will not be located within these areas to protect the agricultural value of the land. Furthermore, the development proposed will not impact on agricultural values because the site is not identified as an Important Agricultural Area (IAA).

The development proposed will also be designed to minimise impact on the ground and will be decommissioned, restoring the land back to its natural state, once solar farm activities cease. As the panels will be pole mounted, there will be little disturbance of the ground and ground cover vegetation will be allowed to regenerate (therefore improving the natural state of the ground). This decommissioning process will allow the site to be used for its only agricultural capacity, being grazing.

Therefore, it is considered the development will not impact on legitimate Strategic cropping land or land which has Class A or Class B agricultural value.

7.5 GLARE ASSESSMENT

A 'Glare Impact Assessment' accompanied the application. This assessment took into consideration the operation of the Solar Farm during daylight hours throughout the year (Solar Glare Hazard Analysis Tool (SGHAT) modelling calculates the potential for glare at 1-minute intervals). SGHAT testing was undertaken for assumed sun energy intensity of 2000 W/m², which is 2x the US Federal Aviation Administration modelling requirement standards.

Glare assessment modelling for solar farms is based on the following factors:

- The tilt, orientation, and optical properties of the arrays;
- Sun position over time, considering geographic location;

- The location of sensitive receptors (viewers); and
- Screening potential of surrounding topography and vegetation.

In summary, based on the assumptions and parameters of the assessment, the following results were identified and are as follows:

- The Solar Glare Hazard Analysis Tool (SGHAT) modelling identified glare hazard potential for 10 rural and residential dwellings within the viewshed. Assessment of mitigating factors that may reduce the likelihood of potential glare impacting these residences identified the following:
 - 7 residential dwellings are considered likely to have **negligible risk of glare impact** due to distance from the solar farm (being greater than 1.5km) and the screening effect of existing vegetation.
 - 2 residential dwellings are considered likely to have a **low risk of glare** due to distance from the solar farm (being greater than 1km) and the partial screening effect of existing vegetation.
 - 1 residential dwelling is considered likely to have a **moderate risk of glare** due to distance from the solar farm (being less than 1km) and the partial screening effect of existing vegetation. Additional screen planting along the Holland Road corridor is recommended to mitigate this glare potential.
- The SGHAT modelling identified glare hazard potential along the D'Aguilar Highway. Glare may impact travellers on the highway in the early morning and late afternoon during the summer months. Some existing vegetation and embankments provide partial screening to the development. Future screening provided by the proposed regeneration of native vegetation along Neara Creek and the scenic buffer zone will also provide mitigation to potential glare impacts. In addition, taller screen planting is recommended to fill any gaps in the view corridor above or between the regeneration vegetation, to mitigate the potential high risk of glare to the D'Aguilar Highway.
- The SGHAT modelling identified glare hazard potential along the Brisbane Valley Highway, however existing vegetation and low undulating hills between the highway and the development are considered likely to substantially screen the development. The potential glare hazard risk is therefore considered likely to be low.
- The SGHAT modelling identified glare hazard potential along Holland Road. Due to the proximity of the development site and limited vegetation along some sections of the road corridor, this glare hazard risk is considered likely to be high. Future screening provided by the proposed regeneration of native vegetation along Neara Creek will also provide some mitigation to potential glare impacts. A landscape screen planting 5m high by 5m wide between the road and view of the development (views above or between the regeneration vegetation) is recommended to mitigate the potential high risk of glare.
- The SGHAT modelling identified glare hazard potential along O'Leary's Lane and Ruckers Lane. In both cases the proposed screening provided by the regeneration of native vegetation along Neara Creek will provide mitigation to potential glare impacts along these minor access roads. In addition, the proposed screening along Holland Road will also screen Ruckers Lane from potential glare.
- Other minor roads within the viewshed were identified as having none to negligible risk of potential glare impacting travellers.

- Mitigation of potential glare hazard is dependent on the success of the assisted vegetation regeneration proposed within the site. It is recommended a Vegetation Management Plan including monitoring vegetation establishment outcomes, be implemented to ensure vegetation establishment is achieved and maintained.
- A Landscape Plan detailing the location, composition and density of additional screen planting is recommended to identify and fill any potential gaps above or between the regeneration vegetation.
- Vegetation screening should be established prior to the operation of the development. Vegetation screens should be managed and maintained for the life of the development in order to avoid the risk of glare impacting travellers along adjoining roads and highways.

Any actual impact from glare on nearby dwellings will not really be known until after a full year of the proposal operating. While desk top and computer analysis does represent an accurate representation of what may occur, post commencement evaluation of some developments results in the identification of unforeseen or unconsidered impacts.

It is considered that after one full year of commencement of operations of any stage of the project that an updated Glare Assessment Report should be presented to Council for its consideration. Such report will need to take actual readings and assessments from the current 11 rural and residential dwellings identified in the 2018 BMT Glare Assessment Report and for any new residential dwelling that maybe constructed in the glare catchment of the proposal in the interim periods. An expected outcome of this future assessment is to make the applicant responsible for any remedial improvements to the residential dwellings if it is identified that there does exist a moderate to high risk (impact) of glare.

Remedial improvements envisaged could range from vegetation plantings being proposed closer to the impacted residential dwellings, installation of tinting to windows or the building of awnings or other screening devices on the dwellings.

7.6 VISUAL IMPACT ASSESSMENT

A Visual Impact Assessment (VIA) accompanied the application. The assessment was prepared by a team of visual assessment specialists and applies an industry standard methodology to describe the potential visual impacts of the proposed development. This includes an analysis of topography to illustrate the potential visual influence of the site, a detailed viewshed analysis of views from the D'Aguilar Highway; visual absorption capacity; and a viewpoint assessment from 10 locations along the highway and surrounding the site.

The assessment considered the impacts on views from 10 locations around the site and concluded that impacts on visual amenity ranged from negligible to only moderate. The results are as follows:

- There would be **moderate adverse visual impacts** experienced in views to the site from the western areas of the D'Aguilar Highway. Whilst the size and scale of the solar farm would be substantial, the solar panels and associated infrastructure would be located on the lower slopes of the valley, set back from the Highway, to the south of Neara Creek, and below the vegetated ridgeline which encloses the valley. Vegetation along the creek, and along the Highway would screen the northern edge of the panels and filter views across the site.
- There would be a **minor adverse visual impact** experienced in views from the Highway towards the centre of the site. In these areas, existing vegetation and

landform restricts views to a small area of the solar farm on the adjacent north facing slopes of the site. The proposed scenic route buffer assisted regeneration would be provided along the Highway and screen views to the solar panels in this area over time.

- In areas to the east, there would also be **moderate adverse visual impact** on views from the Highway. In these views a third of the overall area of the solar farm would be visible, it would be located below the ridgeline and somewhat screened by proposed scenic route buffer assisted regeneration along the Highway. In several locations along the Highway, the sense of openness would be changed by the proposed revegetation and screening vegetation to become more visually enclosed. The rural landscape character would also become more mixed with the solar farm infrastructure and dense corridors of vegetation becoming a part of the view.
- In views from rural areas surrounding the site, there would be a **minor adverse visual impact** due to the potential views to the solar farm from locations such as Holland Road. In these views, the proposed screening vegetation would filter and obstruct views to the solar farm over time.
- The development proposed would have **negligible visual impact** on views from Harlin in the west and Gregors Road in the south due to intervening landform and vegetation.

The low visual amenity impacts are due to a number of important design considerations, including:

- Positioning the solar panels on only the low-lying parts of the site;
- Preventing development on the elevated areas and hills along the southern part of the site;
- Screening views from the D'Aguilar Highway by setting development back over 100m from the front of the site and significantly revegetating the front setback area;
- Breaking up the visual bulk of the development by revegetating waterways and creeks running through the site;
- Providing landscape screening around pieces of significant infrastructure, such as the substations and buildings; and
- Revegetation of the hills and slopes, along the southern side of the site.

All interfaces between the development and adjoining sites have been considered and design responses have been provided depending on the unique needs within that area of the site. Design responses include:

- Along the northern boundary to the D'Aguilar Highway, the development will be setback at least 100m from the property boundary and this area will be revegetated to provide screening to the development;
- Along the eastern boundary, the development will be screened by a 10m wide vegetation corridor, protecting views from the D'Aguilar Highway and neighbouring properties;
- Along the southern boundary, the development will be setback and vegetation within

this area will either naturally regenerate or regeneration will be assisted by the development; and

- Along the western boundary to Holland Road, the development will be setback and buffered by the vegetation which will be regenerated along Neara Creek.

In some instances, vegetation buffers will not be provided between the development and the site boundary. These circumstances are limited to a 1km stretch on the southern boundary and 500m stretch on the western boundary. The Visual Amenity Assessment concludes that further work was not required to mitigate impacts at these interfaces.

The design responses and recommendations in the Visual Amenity Assessment will be conditioned.

7.7 STORMWATER MANAGEMENT STRATEGY

A Conceptual Stormwater Management Strategy has been prepared outlining the catchment management options for onsite treatment, which includes the following elements:

- Stormwater Quantity Management.
- Stormwater Quality Management.

The Stormwater Quantity Management strategy provides an assessment of the pre- and post-development peak flows, and details the detention basin requirements to attenuate the peak flows to maintain pre-development conditions.

The Stormwater Quality Management strategy provides a water quality assessment of the proposed development and measures required to achieve design stormwater quality management objectives. Water quality modelling results indicate that the proposed strategy will achieve the required load removal targets.

The Stormwater Management Strategy has also demonstrated how the proposed development will adhere to the requirements of the State Planning Policy 2017 and the Planning Scheme Catchment Management Overlay Code. Stormwater will be treated by detention basins (for flow attenuation) and ephemeral wetlands or bioretention basins (for water quality) to manage runoff from the site. An erosion and sediment control plan will be put in place during construction which will minimise sediment runoff into onsite waterways.

Stormwater quality treatment areas will also be located within the proposed waterway setbacks. Whilst design details have not been completed, the Conceptual Stormwater Management Strategy outlines the following two options for stormwater quality management:

- A series of ephemeral wetlands to treat runoff from both the substations and solar subarrays: extensively vegetated, shallow water bodies that use enhanced sedimentation, fine filtration and biological uptake processes to remove pollutants from stormwater.
- Bioretention systems and swales to treat runoff from the solar panel subarrays: typically consisting of porous medium such as sandy loam and vegetation. Swales will be shallow channels lined with vegetation (usually grass).

The applicant acknowledges that further information will be required to demonstrate that the treatment systems will be free-draining and how they will integrate with the proposed infrastructure and waterways. Given that detailed design of the solar farm (for example specific location of each solar array and design of access between rows of arrays) has not

yet been finalised, the associated detailed design of the stormwater treatments systems is not yet available. This also means that there is flexibility in the design of stormwater treatment systems to ensure they can be designed to function appropriately.

It is considered, that adequate information has been provided to demonstrate that Council's Planning Scheme; and State Planning Policy; and Seqwater Development Guidelines 2017 for stormwater quality and hydrology requirements can be achieved and conditioned. A condition has been provided for the development to provide a Detailed Stormwater Management Plan, at Operational Works stage.

7.8 FLOOD HAZARD ASSESSMENT

The applicant provided only a high-level flood hazard assessment of the potential flood hazard area, with no detailed flood study to assess the velocity, depth, and extents of flooding for different flood events.

The applicant was proposing that in some locations of the site, affected by potential flood hazard, that the only structures proposed in these areas would have been solar panel arrays. They considered that as the panels were mounted on a single post ground mounting system without any ground treatment (i.e. no filling or excavation) and the area underneath the solar panels would not be filled and the solar panel level will be set above the AEP 1% flood level, together with the solar panels being designed and fixed to withstand hydraulic forces of any flood event through the area that this would not cause any significant displacement of flood capacity from the site and therefore would not change flood risks in the area generally. This was a concern to officers.

Council asked for a detailed flood study to be provided as part of the information request in accordance with Council Design Standards, but the applicant declined to provide.

Public submissions received regarding the application have also been concerned about flooding on the development site and consequences from the flooding with some of the main concerns including, panels being washed downstream, siting of staff amenities, providing pedestrian and vehicle evacuation, and siting of substation/battery storage areas.

The Flood Hazard Assessment prepared by BMT Consultants, dated April 2018, which confirms that part of the site is within the 'Potential flood hazard area' under the Planning Scheme Flood Hazard Overlay Map.

It is considered that a detailed flood study should be required to better determine the impact of flooding on the site. The large size of the entire site does not warrant either deferral or refusal of the application based upon the final flood details being provided as there is sufficient land area remaining for the proposal to progress, exclusive of any flood prone areas.

It will be required that a Detailed Flood Study prepared by a Registered Professional Engineer of Queensland (RPEQ) in general accordance with Somerset Region Design Standards will need to be submitted.

Also, a requirement will be that all solar panels/staff amenities/non-habitable buildings are to be placed outside the Defined Flood Level (currently 1% AEP or Q100).

Likewise, the substations and battery storage areas be considered critical infrastructure and placed outside the 0.2% AEP or Q500 flood level and evacuation and emergency routes be achieved.

7.9 TRAFFIC IMPACT ASSESSMENT

The applicant proposes the access/haul route to the site to be from the D'Aguilar Highway (state controlled road), along Holland Road (Council controlled road), to the site entrance in general accordance with the provided site plan.

A Traffic Impact Assessment (TIA) accompanied the development application. The TIA has considered the traffic impacts of the proposed development in accordance with Department of Transport and Main Roads guidelines and standards. A summary of the elements for which these impacts has been considered and is provided below:

- The D'Aguilar Highway has sufficient capacity to accommodate the traffic demands of the development.
- Access will be gained via the D'Aguilar Highway/Holland Road intersection.
- An upgrade to the D'Aguilar Highway/Holland Road/Kangaroo Creek Road intersection will be required by Department of Transport and Main Roads.
- Direct access to the site will be off Holland Road, that will be upgraded to Council requirements and standards.

For Holland Road, the applicant proposes to use 23m B-doubles during the construction period of the development. Holland road is currently not a B-double route and will need to be upgraded to accommodate the increased traffic and turning movements of vehicles accessing the site via the haul route. Alternatively, the applicant proposes to provide Council with a defect liability security bond during the construction period of the solar farm when B-doubles would be used so that any damage to the road because of the development is rectified.

Conditions for the applicant to either upgrade Holland Road or enter into an Infrastructure agreement with Council for the maintenance of the road during the construction period of the development, are provided in the recommended Schedules of conditions.

The applicant's Site Plan shows that unused road reserves may be utilised for access to the site and there are also a number of road reserves across the site. The applicant indicated that unused road reserves may not be utilised and that infrastructure would not be placed on the road reserves. Conditions are included in the recommended Schedules of conditions for the applicant to apply to Council for any improvement works within the road reserves; and that any gate/grids need to be applied for; and that improvement works within the road reserves would not result in an obligation for Council to carry out maintenance works in the future.

8.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

8.1 Water Supply/Sewerage

The subject land is not located within an area serviced by a reticulated water supply network. The staff amenities building will be connected to a potable water supply and a condition will be included requiring the installation of a minimum of 45,000L of water storage capacity for potable and general use.

It is assumed that solar panels will require a significant amount of water to keep clean, and such has not been quantified in the application. It is considered that this water will have to be transported to the site and stored in much greater volumes than the amount required for

the staff amenities etc. As per the concerns raised elsewhere in the report regarding the usual impacts etc. of other buildings, should additional water tanks be required it is expected that they will not cause any greater concerns.

The subject land is not located within an area serviced by a reticulated sewerage network. It is proposed that an onsite wastewater disposal system will be provided subject to detailed design as part of a future plumbing application. A permanent staff of up to 60 employees onsite is proposed which may trigger the need for an approval for Environmentally Relevant Activity (ERA 63) where the combined total peak design capacity of sewage treatment is 21 EP or greater.

As the site is in a water catchment area, any proposed onsite wastewater system design will be required to be submitted to Seqwater for review and receive endorsement, prior to submission to Council at plumbing application stage.

8.2 Stormwater/Drainage

Refer to section 7.7 above.

8.3 Roads

The proposed development is not considered to unreasonably burden upon local transport networks. Refer to section 7.9 above.

8.4 Carparking

A Renewable Energy Facility has no specific rate for car parking requirements, under the Planning Scheme. Given the proposed development involves 30-60 full time employees, it is recommended that car parking requirements be imposed similar to a Low Impact Industry use which requires one (1) space for every 2 workers at the time of peak accumulation. This would result in providing a minimum 30 car parking spaces, including 2 disabled parking spaces. This requirement will be conditioned.

8.5 Infrastructure Charges

Renewable Energy Facility is defined as 'specialised uses' in Council's Infrastructure Charges Resolution 2018. The maximum adopted charge is determined on the use and demand at the time of assessment. However, as the site is in the rural zone outside the Urban Footprint, infrastructure charges do not apply to this development.

9.0 PUBLIC CONSULTATION

A total of 22 submissions were received in relation to the proposed development. The submissions raised matters which have been considered and divided into 14 different categories. These categories are:

1. Support of the application – raised in 1 submission
2. Land use – raised in 11 submissions
3. Public notification process – raised in 3 submissions
4. Transport impacts – raised in 9 submissions
5. Health impacts – raised in 10 submissions
6. Water quality impacts – raised in 15 submissions
7. Agricultural impacts – raised in 14 submissions
8. Environmental impacts – raised in 11 submissions
9. Glare impacts – raised in 15 submissions
10. Visual amenity impacts – raised in 15 submissions
11. Flood impacts – raised in 4 submissions
12. Noise impacts – raised in 4 submissions
13. Fire safety – raised in 9 submissions

14. Other matters – raised in 14 submissions

Each category is outlined below:

Category 1: Support of application

Support of application because it can make a tangible difference to climate conditions.

Officer Comment:

The proposed development will make a significant contribution to the low carbon economy within the region. Support of the application is noted.

Category 2: Land use

- Opposition to land use generally
- Incompatibility with the planning scheme
- Opposition to the scale of the facility
- A state-wide solar farm code is required for assessing the application

Officer Comment: Opposition to land use generally

The Renewable energy facility (solar farm) proposed in this application aligns with the following Policy:

- Shaping SEQ: Element 9: Climate change – Aims to incorporate affordable renewable energy into the planning and development of communities. It also supports local strategies that contributes to the region's transition to a low carbon future.
- Somerset Region Planning Scheme, Strategic framework, 3.7.51(a), 3.8.1(11) – These sections of the planning scheme support the establishment of renewable energy facilities within rural areas of the Somerset Region.
- Somerset Region Planning Scheme, Rural zone code – This section of the planning scheme supports the establishment of renewable energy facilities within rural areas, providing impacts are suitably managed; and
- Somerset Region Planning Scheme, Renewable energy facility code – This section of the planning scheme supports the establishment of renewable energy facilities and even provide a specific code for assessing their impacts.

Officer Comment: Incompatibility with the planning scheme

The highest order provisions of the Somerset Region Planning Scheme support the establishment of Renewable Energy facilities within rural areas of the region, providing any impacts are suitably managed. Specific provisions include:

- Strategic framework, Strategic outcome 3.7.5.1 (a); and
- Strategic framework, Specific outcome 3.8.1 (11).

The above statements are supported by lower order provisions within the Rural zone code and the Renewable energy facility code. The Rural zone code includes the following statement:

“Non-rural uses such as renewable energy facilities, utility installations or tourism development such as short-term accommodation, nature-based tourism, tourist park and function facility may be established where the use is:

- (i) *Compatible with the landscape and scenic amenity values of Somerset Region and consistent with the amenity of the locality;*
- (ii) *Supported by an appropriate level of infrastructure; and*
- (iii) *Located, designed and operated to minimise conflicts with rural activities on adjoining premises."*

Officer Comment: Opposition to the scale of the facility

The planning scheme does not prescribe maximum sizes for renewable energy facilities. Instead, the size of facilities is to be determined through a performance assessment against the relevant provisions of the planning scheme and in response to onsite values and opportunities.

In this instance, the size and layout of the facility has been influenced by the following considerations:

- Agricultural values;
- Water quality values;
- Scenic amenity values;
- Biodiversity values;
- Bushfire, flood and landslide hazards.

This has resulted in only 1,082.53 hectares of land being developed for the facility, or just over 52% of the 2,055.163-hectare site. The solar farm has been developed at an appropriate size and scale when considering all values, opportunities and the total area of the site.

Officer Comment: A state-wide solar farm code is required for assessing the application

The Department of Natural Resources, Mines and Energy (DNRME) recently released two guidelines relating to solar farms, being:

- *Queensland Solar Farm Guidelines: Practical guidance for communities, landowners and project proponents; and*
- *Queensland Solar Farm Guidelines: Guidance for local governments.*

These guidelines have been drafted specifically for use by local governments and the community. The guidelines have been provided because DNRME has made a considered and deliberate decision to leave the assessment of solar farms up to local governments and their communities, who are generally better placed to understand planning issues. The proposed development's compliance with the Planning Scheme demonstrates that local values have been considered and that the Renewable Energy Facility (solar farm) complies with the planning intent for the rural area.

The above concerns are not sufficient grounds to recommend refusal of the application.

NSW Guidelines-draft

While having no force or effect in the Qld Planning system, these draft guidelines have been developed by the NSW Dept. of Planning and Environment.

The purpose of the Guideline is to in part -

- identify the key planning and strategic considerations relevant to large scale solar energy development;

- aims to assist in the site selection and design of proposals and;
- to assist in the assessment of relevant development applications.

It went onto identify key considerations for site selection, being preferable site conditions and areas of constraints -

Preferable site conditions include (but are not limited to):

- *optimal solar resources: suitable insulation levels and site solar access (orientation, configuration and topography) means that energy generation can be maximised for a facility of a given size;*
- *sites with suitable land area, geology and hydrology, and adequate access and road connections, including options for managing construction traffic;*
- *sites with characteristics that may assist in minimising localised impacts such as: land that does not contain native vegetation or has previously been cleared and utilised for industrial-type purposes (brown-field sites) in rural settings, unobtrusive sites with flat, low-lying topography, and sites with potential to be screened, such as those that can be readily vegetated along boundaries, to reduce visual impacts;*
- *land that can be readily decommissioned and rehabilitated back to pre-existing or better condition;*
- *localities where the community broadly supports the development;*
- *localities identified by Government as optimal for renewable energy development; and*
- *proximity to the electricity network and connection capacity available at the anticipated connection point.*

The Areas of Constraints outlined in the Guideline were:

While the following types of land or sites are not precluded from large-scale solar energy development, they do indicate areas of constraint that should be identified as part of the constraints mapping:

- *areas of native vegetation or habitat of threatened species or ecological communities within and adjacent to the site, including native forests, rainforests, woodlands, wetlands, heathlands, shrublands, grasslands and geological features ;*
- *important agricultural lands, including Strategic Agricultural Land (both critical industry clusters and biophysical strategic agricultural land), and land with soil capability classes 1, 2 and 3. Consideration should also be given to any significant fragmentation or displacement of existing agricultural industries;*
- *residential zones or urbanised areas, with consideration for proximity to dwellings and potentially affected properties, which will increase near and within urban areas including some rural zones (such as R5 Large Lot Residential and RU5 Village)12;*

- *sites with high visibility, such as those on prominent or high ground positions, or sites which are located in a valley with residences with elevated views looking toward the site¹³; and*
- *prospective resources developments, including areas covered by mining leases, petroleum production and exploration licences. These titles do not prevent development on the land to which they apply, but consultation with the title holder(s) is important and the terms of access arrangements may be relevant.*

Constraints may be early indicators of potential land use conflicts. Projects located on sites with constraints may benefit from increased public participation at the scoping stage and during the assessment process, to ensure that any community concerns are well understood. The applicant should endeavour to avoid, mitigate or offset any impacts on these areas. Any mitigation, offsets or residual impacts should be clearly identified in the EIS and during public consultation, if relevant.

Without undertaking a detailed comparative analysis of the proposal against the NSW Guideline there is sufficient correlation to what has been presented by the applicant and the assessment undertaken in this report to determine that had the proposal been subject to the Guidelines than it could have been favourably considered in the NSW jurisdiction.

An interesting observation from the Guideline is for larger scale solar energy proposals like the one proposed, that on suitable sites they provide greater flexibility for the development to occur within the potential development area without requiring further approval, provided risks and impacts are not increased, allowing for changes to possibly occur in the future due to improvements in technology design innovation and operations, over the life of the project.

Category 3: Public notification process

- Request for direction on why a nearby property owner was not approached and why the application was published in the Queensland Times newspaper.

Officer Comment:

Public notification of the application was undertaken in accordance with section 17.1 of the *Development Assessment Rules (Version 1.1)*. This states that the applicant must give public notice of the application by:

- “(a) *publishing a notice at least once in a newspaper circulating generally in the locality of the premises the subject of the application; and*
- (b) *Placing notice on the premises the subject of the application that must remain on the premises for the period of time up to and including the stated day; and*
- (c) *Giving notice to the adjoining owners of all lots adjoining the premises the subject of the application.”*

Under the Development Assessment Rules, a notice must be given to the owners of all lots adjoining the premises the subject of the application, (Schedule 3 item 10). For giving notice to adjoining owners, roads, premises below high-water mark and the beds and banks of rivers are taken not to be adjoining premises, (Schedule 3 item 12).

Under the Development Assessment Rules, non-adjoining (or nearby) land owners are not required to be formally approached during the application process.

The applicant advised that the Queensland Times newspaper was chosen to advertise the application notice because it was a local newspaper which was distributed in bulk to retailers and the community within the area surrounding the development. This was confirmed by representatives from both News Crop and APN Newspapers. Delivery of the Queensland Times to the Harlin Roadhouse was also confirmed, ensuring the local community would have access to the notice.

These concerns are not sufficient grounds to recommend refusal of the application.

Category 4: Transport impacts

- Concern about impact on Holland Road.
- Concern about the increase in traffic.
- Concern about the damage to the D'Aguilar Highway.
- Concern about the Neara Creek bridge crossing.

Officer Comment: Holland Road impact

The main impacts from solar farms on transport infrastructure and traffic occur during the construction phase of the project. During the operational phase, the road network is used to transport operational staff and maintenance equipment and plant (i.e. water trucks for cleaning of panels, repair equipment) to the site. Typically, this involves a small amount of daily vehicle movements involving light vehicles.

In this instance, the highest risk of damage to Holland Road is during the construction stage of the development. This is when B-Doubles and the construction team will be regularly accessing the site.

During the operation of the renewable energy facility (solar farm), only a small team of 30 – 60 employees using standard vehicles will be using Holland Road daily. The level of traffic will result in impacts generally expected on local roads.

Officer Comment: Increase in traffic

The most significant traffic will be generated during the construction stage of the development. During this time, it is estimated that 130 vehicle trips would be generated per day and many of these trips (80) will be generated by heavy vehicles transporting equipment and materials to the site. Whilst this is a small increase to the traffic along the D'Aguilar Highway, it is a significant increase to the traffic along Holland Road. Notwithstanding, any traffic impact resulting from congestion on Holland Road during construction will only be temporary, for a period of between 2-2.5 years. A construction management plan which reduces construction related impacts will be drafted and reviewed by Council prior to works at the site commencing.

During operation, only 30 – 60 full time staff will be accessing the site and using Holland Road daily. This increase in traffic can be easily accommodated on the local road, which currently has very low traffic volumes.

The Holland Road and D'Aguilar Highway intersection will also be upgraded as part of the development. The upgrade will incorporate dedicated left turn and right turn lanes into Holland Road ensuring there is no impact to the safety of motorists either accessing Holland Road or driving past the site.

In addition to the above, a Traffic Impact Assessment (TIA) was completed and submitted with the development application. The TIA concluded the following:

- Holland Road currently serves a small number of rural properties and any works that may be required on the road because of the development would not impact upon road users;
- The Holland Road and D'Aguilar Highway intersection requires an upgrade to maintain safety and efficiency (as described above);
- The road network has capacity to accommodate traffic demands of the development; and
- The development will not generate significant demand on road structures.

Officer Comment: Concern about damage to the D'Aguilar Highway

A Traffic Impact Assessment (TIA) was completed and submitted with the development application. The TIA considered impacts on the D'Aguilar Highway and concluded that development would not generate significant heavy vehicle demands on the highway and is not likely to cause damage to the highway.

The D'Aguilar Highway is already a common route for heavy vehicle traffic, the marginal and temporary traffic increase during construction is unlikely to damage the highway. Should damage occur, DTMR will require the applicant to rectify the damage.

Officer Comment: Concern about the Neara Creek bridge crossing

A bridge crossing is not proposed across Neara Creek. Access to the site will be via the existing entry point off Holland Road; and Holland Road will be accessed directly from the D'Aguilar Highway.

Any future waterway crossing which may be required at the site will be assessed by Council and the State Government as part of a waterway barrier works application, if and when required.

Category 5: Health impacts

- Concern about possible impacts due to the proximity of large energy infrastructure.
- Concern about chemical release from damaged solar panels.

Officer Comment: Concern about the possible impacts due to proximity of large energy infrastructure

There are three main energy infrastructure components of the development. These are solar panels, substations and battery storage containers.

The solar panels will be located over approximately 52% of the site and will be setback from all boundaries, other than a small part of the western boundary and parts of the southern boundary. The solar panels have no known impact other than those associated with visual amenity and glare. Response to these issues are outlined below.

The substations and battery storage areas will be located within the south-western portion of the site and over 500m from the closest property boundary to the west. This separation distance is significant enough to ameliorate any potential impact on surrounding properties.

Officer Comment: Concern about chemical release from damaged solar panels

Electromagnetic radiation (EMR) is a form of energy transfer as a stream of particles or electromagnetic waves. Exposure to EMR can occur on a daily basis as it is generated by a number of common household appliances, such as microwaves, televisions, computers and mobile phones.

In the context of solar farms, EMR has the potential to be generated from infrastructure associated with a solar farm such as grid connection lines, underground network cabling, electrical transformers, inverters and substations.

EMR is classified according to its frequency or wavelength i.e. Extremely Low Frequency (ELF), Very Low Frequency (VLF), Radio Frequency (RF) and Microwave (MW). The majority of infrastructure associated with solar farms fall under the ELF radiation classification with negligible to immeasurable emissions. Due to the negligible electromagnetic radiation produced by solar farms and related infrastructure, no specific mitigation measures are required beyond compliance with normal electrical safety practices and standards.

In this case, 30-60 permanent staff will be responsible for maintaining the renewable energy facility (solar farm). The staff will be on site 7 days a week and will regularly inspect, maintain, repair and replace solar panels, when and if damage occurs. These operational practices will minimise any potential health impacts resulting from the solar panels.

Category 6: Water Quality Impacts

- Concern about the potential impact on water quality.
- Concern about the impact on water quality from chemicals.
- Loss of water flow to Neara Creek.
- Earthworks to install the solar panels will impact on water quality.
- Concern about erosion entering on-site waterways.
- Concern about the effectiveness of stormwater management.
- Concern about the method for determining waterway setbacks.

Officer Comment: Concern about the potential impact on water quality

Investigations undertaken have concluded that many parts of the site are already affected by erosion. Further, it was found that sediment and erosion is currently transported to the existing waterways running through the site, impacting on water quality. This is a result of the historic grazing which has occurred at the site over the past decades.

The development is expected to reduce the amount of sediment and erosion entering the waterways, thereby increasing water quality, through the following measures and setbacks outlined elsewhere in the report.

Officer Comment: Concern about the impact on water quality from chemicals

The Renewable Energy Facility (solar farm) will only require the use of chemicals for the management of weeds and for cleaning solar panels. Weed management practices and chemicals will be consistent with those used in normal farming practices and will not introduce new impacts to the sites water quality.

Chemicals used in cleaning the solar panels will be selected specifically to minimise impacts on the water quality of waterways.

Batteries, which contain chemicals, will be checked and maintained on a regular basis to ensure any leakage is prevented or repaired. Appropriate bunding conditions will be included to ensure such are provided around the battery storage area.

Officer Comment: Loss of water flow to Neara Creek

Water quantity entering Neara Creek is not expected to change because of the development. The submitted conceptual stormwater management strategy demonstrates that stormwater will be captured and treated prior to discharge and these measures will

improve water runoff quality, not overall quantity.

Officer Comment: Earthworks to install the solar panels will impact on water quality

The solar panel arrays will require limited ground disturbance to install. An erosion and sediment control plan will also ensure any sediment runoff is captured during construction of the solar farm.

The submission of a Construction Environmental Management Plan will be requested as part of an operational works application, to demonstrate compliance with Council standards relating to construction of the facility.

Officer Comment: Concern about erosion entering on-site waterways

Site investigations during the application stage concluded that the site was already significantly affected by sediment and erosion due to the long history of grazing at the site.

An Erosion and Sediment Control Plan will be put in place during construction which will minimise sediment runoff into onsite waterways;

Stormwater will be treated by detention basins (for flow attenuation) and ephemeral wetlands or bioretention basins (for water quality) to manage runoff from the site.

Officer Comment: Concern about the effectiveness of stormwater management

Under the Planning Scheme, the proposed development (solar farm) is required to demonstrate that stormwater management on site can be appropriately managed. This includes:

- Identifying the relevant stormwater management objectives;
- Demonstrating that changes in peak flows resulting from the solar farm can be attenuated to achieve the stormwater quantity objectives identified;
- Sizing the stormwater quantity management systems (i.e. detention basins) necessary to attenuate peak flows;
- Demonstrating that changes in stormwater quality management resulting from the solar farm can be mitigated to achieve the stormwater quality objectives identified;
- Sizing the stormwater quality management system (i.e. wetlands, bioretention basins etc.) necessary to mitigate stormwater impacts; and
- Ensuring that the proposed stormwater management treatment systems can be suitably integrated into the site.

The submitted 'Kilcoy Solar Farm Stormwater Management Strategy' (BMT 2018) achieves the first five points above, demonstrating the Council's Planning Scheme and State Planning Policy stormwater requirements can be met.

The applicant is aware that further information will be required to demonstrate that the treatment systems will be free-draining and how they will integrate with the proposed infrastructure and waterways. Given that detailed design of the solar farm (for example specific location of each solar array and design of access between rows of arrays) has not yet been undertaken, the associated detailed design of the stormwater treatments systems is not yet feasible. This also means that there is flexibility in the design of stormwater treatment systems to ensure they can be designed to function appropriately. It is considered

however, that adequate information has been provided to provide confidence that the treatment systems can be suitably integrated with the ultimate layout and that detailed design of stormwater treatment systems should be provided at the operational works stage.

Officer Comment: Concern about the method for determining waterway setbacks

Waterway setbacks will be implemented to protect riparian and water quality conditions. These have been discussed in the report.

Category 7: Agricultural impacts

- Concern about the impact on agricultural land
- Incompatibility with the planning scheme provisions.

Officer Comment: Concern about the impact on agricultural land

An agricultural assessment of the site was undertaken as part of this application and its findings have been discussed in the report.

Officer Comment: Incompatibility with the planning scheme provisions

The highest order provisions of the planning scheme contemplate the establishment of renewable energy facilities within rural areas of the region, providing any impacts are suitably mitigated. Specific provisions include:

- Strategic framework, Strategic outcome 3.7.5.1 (a); and
- Strategic framework, Specific outcome 3.8.1 (11).

These statements are supported by lower order provisions within the Rural zone code and the Renewable energy facility code. The Rural zone code includes the following statement:

“Non-rural uses such as renewable energy facilities, utility installations or tourism development such as short-term accommodation, nature-based tourism, tourist park and function facility may be established where the use is:

- (i) Compatible with the landscape and scenic amenity values of Somerset Region and consistent with the amenity of the locality;*
- (ii) Supported by an appropriate level of infrastructure; and*
- (iii) Located, designed and operated to minimise conflicts with rural activities on adjoining premises.”*

It is clear that the planning scheme intends for renewable energy facilities to be developed in the region and that these are to be located within the region’s rural areas, providing impacts are suitably managed. The planning report demonstrates that all impacts associated with scenic amenity, glare, agricultural land, water quality and environmental values are suitably managed, and therefore, the renewable energy facility (solar farm) is anticipated under the planning scheme.

Category 8: Environmental impacts

- Concern about the impact on local wildlife and their natural habitat

Officer Comment:

An Ecological Assessment was undertaken as part of this application and its findings were included within the submitted Ecological Assessment report. The ecological assessment included quaternary surveys, a habitat assessment and a desktop review. A record of all opportunistic fauna sightings was also made when on site.

The Ecological assessment report outlines the following findings:

- The site is already significantly cleared of vegetation and further clearing of vegetation is not proposed in the development;
- All existing habitats showed a very high degree of disturbance;
- Due to the current condition of the site and the history of intensive land use, fauna numbers were very low;
- There is very low habitat complexity and connectivity across the majority of the site as a result of intensive land use practices, i.e. low prevalence of pools, logs, dense leaf litter, rocks/stones, dense shrubs;
- Because the development is to be located within existing cleared areas and habitat clearing is considered minor, the development will not lead to habitat fragmentation;
- Habitat connectivity through the site will be improved by the development through the protection and revegetation of waterways.

The Ecological assessment report also found that some parts of the site provided viable habitat for fauna species, including the eucalypt woodland in the north and the south of the site which provided potential habitat for koala, and hollow-bearing trees could support arboreal mammals and hollow nesting birds. However, the development will not be located within these areas and therefore, the fauna species and their habitats will remain protected.

Category 9: Glare impacts

- Concern about the glare impact to motorists
- Concern about the glare impact to aircrafts
- Concern about the glare impacts to sensitive uses (dwellings)

Officer Comment: Concern about the glare impacts to motorists

PV solar panels are designed to have low levels of reflectivity enabling as much light as possible to be absorbed thereby increasing electricity production and efficiency. To limit reflection, PV panels are constructed of dark, light-absorbing materials and covered with an anti-reflective coating. The metal frames and mounting structures for panels may have glint and glare impacts, although these components are usually covered by the solar panel itself or limited to a small surface area.

In support of the proposed development, a Glare Assessment was undertaken as part of the initial application. This was later amended and resubmitted in the response to Council's Information Request. The Glare Impact Assessment used a Solar Glare Hazard Assessment Analysis Tool (SGHAT) to assess glare and concluded that glare from the development would not impact on motorists. Specifically, the report identified the following:

- Future screening provided by the proposed regeneration of native vegetation along Neara Creek and the scenic buffer zone will mitigate any potential glare impacts to the D'Aguilar Highway, O'Leary's Lane and Ruckers Lane.
- Existing vegetation and low undulating hills between the highway and the project will screen the solar farm from the Brisbane Valley Highway, preventing any glare impact.
- Any potential glare hazard to Holland Road can be sufficiently mitigated by additional landscape planting along the site boundary.

- All other minor roads within proximity to the site will have a negligible risk of glare impacts on motorists.

Comment: Concern about the glare impact to aircrafts

Potential impacts to aircrafts were considered in the Glare Impact Assessment. In the assessment it was concluded that there would be no impact on aircraft operation, based on the following:

- The site is not within proximity to an airport;
- There are no flight paths over the site; and
- There is no impact on air traffic control towers.

Comment: Concern about the glare impacts to sensitive uses (dwellings)

This was addressed in section 7.6 of this report.

Category 10: Visual Amenity Impacts

- Concern about the visual amenity

Officer Comment:

A Visual Impact Assessment was undertaken and submitted in the response to Council's Information Request and this has been discussed in the report.

Category 11: Flood Impacts

- Concern about solar panels within the flood hazard area
- Concern about the substation and battery storage areas being flood affected.

Officer Comment: Concern about solar panels within the flood hazard area

Refer to section 7.8 of this report for further details.

Officer Comment: Concern about the substation and battery storage areas being flood affected

Substations and battery storage areas will be subject to detailed design and operational works application will be required prior to being established. At the operational works stage, extensive surveys will be undertaken and fill/excavation will be used to ensure flood immunity is achieved. The operational works will be considered as part of a future application.

Category 12: Noise Impacts

- Concern about the noise impacts of the infrastructure
- Concern about noise from maintenance at night
- Concern about the impact of inverters

Officer Comment: Concern about the noise impacts of the infrastructure

Noise generating infrastructure is limited to the inverters, substations and battery storage facilities to be located on the western side of the site. The closest sensitive land uses being dwellings are located over 1km from the proposed infrastructure and facilities, which is considered sufficient distance to mitigate any potential noise impacts.

An Ecological site assessment, undertaken during the application stage of the development confirmed that the site provided limited habitat for native fauna. However, some koala habitat is located along the southern boundary of the site and the noise generating infrastructure will be located over 1km from these areas. Again, this separation distance will mitigate any potential noise impact. Potential noise impacts will be conditioned.

Officer Comment: Concern about noise from maintenance at night

Maintenance will be undertaken at the site between 6am – 6pm, 7 days a week.

Officer Comment: Concern about the impact of inverters

The inverters proposed to be used in the Renewable energy facility (solar farm) will have a noise output of 67.8dB. This noise output sits between a typical conversation (60 dB) and a household vacuum cleaner (70 dB). Due to the low noise output and the significant setbacks from fauna habitat and nearby dwellings, the noise of the inverters is not expected to cause a nuisance.

Category 13: Fire safety

- Concern about the ability for emergency services to access / save surrounding properties during a bushfire

Officer Comment:

Risk of bushfire on the site will be managed by setting back development from vegetated areas (existing and future) and reducing grass and other fuels within proximity to the solar panels and other pieces of infrastructure. Bushfire fuel management will be undertaken by the 30-60 full time staff members at the site on a regular basis.

Emergency access through and around the site will also be improved by the development. The existing gazetted roads will remain unaffected and additional paths providing access to the solar panels will be constructed through the site.

The development is not expected to worsen fire safety or hinder emergency access to the site or surrounding properties.

Category 14: Other matters

- Concern about water usage
- Concern about what the site would look like when the use has ended
- Concern the site will not be suitable for grazing
- Concern the site will be susceptible to weeds
- Concern that traditional owners have not been respectfully acknowledged
- Concern about waste management (chemicals, lubricants and oils)
- Concern about landslides
- Concern wind will damage solar panels
- Concern about the disposal of solar panels
- Concern about biosecurity risks
- Concern that views were only considered from the D'Aguilar Highway
- The interface between the development and adjoining site has not been considered
- Concern about consistency with hours of operation
- Concern about the 'heat island' effect
- Concern about devaluation of properties

Officer Comment: Concern about water usage

Water usage at the site will be limited to potable water supply. Water will be harvested on site and during periods of drought, water will be purchased and trucked to the site. Refer to section 8.1 for further comments.

Officer Comment: Concern about what the site would look like when the use has ended

The solar panels are expected to last for approximately 25-30 years. When the renewable

energy facility (solar farm) reaches this age, the operators will choose to either replace the solar panels and continue operation, or they will decommission the facility. If the facility is decommissioned, all solar panels and infrastructure will be completely removed and the site will be rehabilitated and returned to grazing pastures. All revegetation on the site, which was planted because of the development will be retained.

A Decommissioning and Rehabilitation Plan will be conditioned identifying the actions that need to be undertaken when operations of the solar farm permanently cease.

Officer Comment: Concern the site will not be suitable for grazing

Unlike some renewable energy facilities (solar farms) this facility will not be used for grazing whilst it is in operation. Grass and weeds will be managed by 30-60 full time staff, who will be on site 7 days a week. Grass and weeds will not be managed by livestock. Refer to section 7.3 for further comments.

Officer Comment: Concern the site will be susceptible to weeds

30-60 full time staff will be employed at the site 7 days a week. Weed management will be undertaken by these staff members. Refer to section 7.3 for further comments.

Officer Comment: Concern that traditional owners have not been respectfully acknowledged

As the land is freehold titled, native title over the land has been previously extinguished. However, during the operational stage of the development, the Aboriginal Cultural Heritage Act 2003 is triggered and establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

- (a) Is not negated by the issuing of this development approval;
- (b) Applies on all land and water, including freehold land;
- (c) Lies with the person or entity conducting an activity; and
- (d) If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Aboriginal cultural heritage will be considered and protected under the ACHA.

Officer Comment: Concern about waste management (chemicals, lubricants and oils)

Waste management and disposal of pollutant materials is regulated under the provisions of the *Environmental Protection Act 1994* and the associated policies and guidelines administered by the Department of Environment and Science. These policies will be used to ensure pollutant materials are disposed of correctly.

Officer Comment: Concern about landslides

Landslide risks are mitigated within the development design by minimising the number of solar panels on steep slopes and revegetating erosion and landslide prone areas. Development will occur in cleared areas only and will not occur on slopes greater than 15%.

Officer Comment: Concern wind will damage solar panels

The solar panels will be designed and fixed to withstand hydraulic forces. Each subarray will require building and engineering certification accordingly.

Officer Comment: Concern about the disposal of solar panels

All discarded or damaged solar panels will be collected and disposed of by licenced waste specialists.

Officer Comment: Concern about biosecurity risks

A Biosecurity Plan was prepared by BMT Consultants in response to Council's information request. The Biosecurity plan demonstrates that biosecurity risks can be sufficiently mitigated through the implementation of eight measures, including:

- Biosecurity awareness training for all site personnel;
- Vehicle and machinery inspection and clean-down procedures;
- Weed and pest hygiene declaration documentation;
- Best-practice waste disposal strategies;
- Biosecurity Queensland compliant control methods;
- Qualified and licenced pest controllers;
- Regular inspections and pest monitoring; and
- Pest notification procedures.

Officer Comment: Concern that views were only considered from the D'Aguilar Highway

The Planning Scheme places importance on protecting views from the D'Aguilar Highway. This is demonstrated by policy which describes the highway as a 'scenic route section' and a 'tourist route'. For this reason, the development layout sets the development back from the D'Aguilar Highway and the hills at the south of the site and revegetates or screens these areas.

Notwithstanding, the Visual Amenity Assessment and the Glare Impact Assessment considered views from a number of locations other than the D'Aguilar Highway. Other locations included:

- O'Leary's Lane; Ruckers Lane; Holland Road; Brisbane Valley Highway; Gregors Creek Road; Harlin; and various surrounding rural properties.

These reports found that any impacts on these other locations would be either negligible to moderate and could be improved through additional landscape planting. Any impacts would also be reduced over time, through the natural regeneration of vegetation on site, and around the solar panels.

Officer Comment: The interface between the development and adjoining site has not been considered

The total area of the site is 2,055.163 hectares, with 52% being proposed to be developed. The presence of a variety of natural constraints results in there being some setbacks from either adjoining properties or roads that will be greater than 100m. However, along the eastern and part of the southern boundaries it is proposed to place panels within the 100m setback and as close as 10m to the boundary. Within these areas, only solar panels are to be constructed and the applicant contends that impacts to adjoining rural lots are considered negligible because topography and vegetation will prevent direct views.

With such a large percentage of the site proposed to be developed, the need to encroach into these areas seems to be excessive and it is considered that the comparatively small loss in the number of arrays to ensure compliance with the Planning Scheme would not threaten the generating capacity or viability of the facility.

The large site area allows for the ancillary structures and facilities to be setback appropriately from road and property boundaries.

As a result, all interfaces between the development and adjoining sites will be considered in

the design and will include:

- Along the northern boundary to the D'Aguilar Highway, the development will be setback at least 100m from the property boundary and this area will be revegetated to provide screening to the development;
- Along the eastern boundary, the development will be setback 110m from the adjoining site and screened by a 10m wide vegetation corridor, protecting views from the D'Aguilar Highway and neighbouring properties;
- Along the southern boundary, the development will be setback 110m from the adjoining sites and screened by a 10m wide vegetation corridor, and vegetation within this area will naturally regenerate; and
- Along the western boundary to Holland Road, the development will be setback and buffered by the vegetation which will be regenerated along Neara Creek.

In some cases, vegetation buffers will not be provided between the development and the site boundary. These circumstances are limited to a 1km stretch on the southern boundary and 500m stretch on the western boundary. The Visual Amenity Assessment and the Glare Impact Assessment concluded that further work was not required to mitigate impacts at these interfaces.

Officer Comment: Concern about consistency with hours of operation

Staff attending the Renewable Energy Facility (solar farm) site will perform duties between 6am to 6pm 7 days a week. All works, including maintenance will be undertaken during this time.

Officer Comment: Concern about the 'heat island' effect

There are claims that large-scale solar farms may produce higher than average temperatures when compared to their surrounding environment. This phenomenon is known as the 'heat island effect'. A research paper that officers found on this topic was an 'Analysis of the Potential for a Heat Island Effect in Large Solar Farms' undertaken by *Vasilis Fthenakis and Yuanhao Yu*. In the study they addressed the issue by modelling the air and energy flows around a solar farm and comparing those with measured wind and temperature data. They also examined in detail the temperature differences between the modules and the surrounding air. These vary throughout the year but the module temperatures are consistently higher than those of the surrounding air during the day, whereas at night the modules cool to temperatures below ambient. Thus, the solar farm in this analysis did not induce a day-after-day increase in ambient temperature.

The analysis also found that preliminary simulations showed a cooling effect with increasing height from the ground. It showed that the temperatures on the back surface of solar panels was up to 30°C warmer than the ambient temperature, but the air above the arrays is only up to 2.5°C higher than the ambient.

In conclusion, the analysis of research field data and simulations showed that the annual average of air temperatures at 2.5m of the ground in the centre of the simulated solar farm sections was 1.9°C higher than the ambient and that it declines to the ambient temperature at 5 to 18m heights. The field data also showed a clear decline of air temperatures as a function of distance from the perimeter of the solar farm, with the temperatures approaching the ambient temperature (within 0.3°C), at about 300m away. Analysis of 18 months of detailed data showed that in most days, the solar array was completely cooled at night, and, thus, it was unlikely that a heat island effect could occur.

The simulations also show that the access roads between solar fields allow for substantial cooling, and therefore, increasing the size of the solar farm may not affect the temperature of the surroundings.

The information above is provided to give Council an understanding of the concept of the heat island concept. While one should not make a direct comparison between research and this proposal to make a definitive conclusion, that there will not be a heat island effect, it is considered that due to the separation distances to be imposed on this proposal from the site boundary (often greater than 100m) and the even greater separation distances from surrounding dwellings, any heat from the solar farm that may eventuate is expected to have negligible impact.

Officer Comment: Concern about devaluation of properties

Several submissions raised the concern of property devaluation. Property devaluation is not a planning matter in the assessment of this application, this position has been routinely upheld in Planning & Environment Court Appeals over the years.

10.0 STATE AGENCY REFERRALS

10.1 Concurrence agency

Department of State Development Manufacturing Infrastructure and Planning

The Department of State Development, Manufacturing, Infrastructure and Planning, as a concurrence agency has assessed the impact of the proposed development on the State Controlled Road Network and requires Council to include the referral agency response with conditions in Council's Schedules of Approval for the development application. Referral response reference: 1805-5600 SRA dated 6 July 2018. Refer to Attachment 3 and Schedule 4 of the recommended conditions.

10.2 Advice Agency

Powerlink Queensland

Powerlink Queensland, as an advice agency, has assessed the impact of the proposed development as part of the site is subject to a transmission entity easement which is part of the transmission supply network. Powerlink Queensland supports the application and requires Council to include the referral agency response with conditions in Council's Schedules of Approval for the development application. Referral agency response reference: DA2935 MSLink363891 dated 19 June 2018. Refer to Attachment 4 and Schedule 5 of the recommended conditions.

10.3 Third Party Advice Agency

As stated in section 4.1.2, Seqwater as a third-party advice agency, has reviewed the application material because the subject land is identified as being in a Water Resource Catchment. Seqwater interests involve consideration of the impacts of the development in water resource catchments to avoid potential adverse impacts on surface waters and groundwaters to protect drinking water supply environmental values.

Upon reviewing the development application, Seqwater submit the following conditions for Council consideration, based on the *Seqwater Development Guidelines Water Quality Management in Drinking Water Catchments 2017*:

1. Minimum separation distances of the development to watercourses should be in accordance with the Seqwater Development Guidelines as follows:

- Stream order 1-3: 50m
- Stream order 4 or greater: 100m

2. Development within the AEP 1% should be limited to solar panel arrays only with the panel level set above the flood level.

3. Design and location of any land irrigation area for an on-site wastewater management system for the development should maximise the distance from any watercourse and be situated on relatively flat land (slopes < 5%). Any proposed on-site wastewater system design should be submitted to Seqwater for review and receive endorsement prior to submission to Council at plumbing application stage.

4. Minimum separation distances to watercourses for vegetation clearing should be in accordance with the Seqwater Development Guidelines as follows:

- Stream order 1-3: 50m
- Stream order 4 or greater: 100m

5. Clearing should not occur within the AEP 1% or on slopes greater than 15%.

6. Revegetation and ultimate rehabilitation of the site along waterways should apply to all mapped waterways on the site and to the minimum extent as follows:

- Stream order 1-3: 50m
- Stream order 4 or greater: 100m

7. A detailed Stormwater Management Plan be provided demonstrating PO7 and PO8 of the Seqwater Development Guidelines 2017 and achievement of the following pollution reduction targets.

- Total Suspended Solids 85% reduction
- Total Phosphorus 65% reduction
- Total Nitrogen 45% reduction
- Gross Pollutants (5mm or larger) 95% reduction

8. A detailed Erosion and Sediment Control Plan (ESCP) be provided demonstrating compliance with PO13 and PO4 of the Seqwater Development Guidelines 2017. The Sediment and Erosion Control Plan should be prepared by a suitably qualified and experienced professional in accordance with best practice such as *IECA 2008, Best Practice Erosion and Sediment Control*.

SEQ WATER SUPPORTING COMMENTS:

Seqwater provide the following comments in support of their recommended conditions:

Issue 1 – Separation Distances

PO1

Development maintains an adequate separation distance and avoids areas of potential flood inundation to protect waterways or water supply sources.

Table 5 in the Seqwater Development Guidelines 2017 sets out the acceptable separation distances between the development and watercourses:

Stream order 1-3	Stream order 4 or greater
50m	100m

The proposed separation distances (as below) do not achieve the acceptable separation

distances:

Stream order 1-3	Stream order 4 or greater
13m, 15m and 20m respectively	30m

According to the application material, the proposed separation distances are derived from the best practice guidelines and broadly consistent with the *SPP State Interest Guidance Material – Water Quality (DILGP, 2017)*. It is noted that the separation distance quoted in the application material appear to draw from or are equivalent to the “Example Code: Water resource catchment overlay” within the guidance material. However, precedence should be given to the actual published Seqwater Development Guidelines (available on Seqwater’s website).

Council Officer comments:

In response to Seqwater’s concerns the following comments are provided by BMT Consultants on behalf of the applicant:

- The Seqwater Development Guidelines were used as a guide when developing the recommendations for minimum setbacks to watercourses for stormwater quality and biodiversity management. However, the recommended minimum buffer zone widths were based on site-specific and depended on soil type, slope, land use and overall environmental conditions. Ultimately, the minimum setbacks for stormwater quality and biodiversity management were recommended based on actual site condition assessed by current and historical aerial photo interpretation and site surveys of watercourse structure, landform, environmental conditions and biodiversity values.
- Based on the relatively uniform condition of the soils, topography and vegetation adjacent to the watercourses, it is considered the recommended watercourse and stormwater quality treatments will be sufficient to protect and enhance water quality, hydrology, habitat and watershed ecosystem function. The recommended setbacks for stream orders 5 to 1 will provide long and continuous buffer strips across the project area and with revegetation (assisted and natural), bank stabilisation works in high risk areas, and stormwater quality treatments (ephemeral wetlands and/or bioretention systems and swales), will be sufficient to protect the drinking water supply environmental values.
- Active revegetation will be undertaken within lands designated under the Waterways, Scenic Route Buffer and Flood Hazard overlays of the Planning scheme. The lower and mid banks will be planted with flood tolerant groundcovers and trees to enhance habitat values, provide bank protection and to reduce flow velocities in flood events. The upper banks will be planted with a mix of woodland species to reduce overland flow and enhance biodiversity values. All other buffered waterways outside the Planning Scheme overlays will be allowed to regenerate naturally but will be subject to regular weed monitoring and control consistent with the Kilcoy Solar Farm Biosecurity Plan to enhance native regrowth to improve stormwater quality and biodiversity values.

Issue 2 – Sewage treatment and Disposal

PO5

Sewage treatment systems are designed, constructed and managed in ways that do not compromise the drinking water supply environmental values.

Note: Drinking water supply environmental values are referenced within Schedule 1 of the Environmental Protection Policy (Water) 2009.

It is proposed that an on-site wastewater disposal system will be provided subject to a detailed design as part of a future plumbing application. A permanent staff of up to 60 employees on site is proposed which may trigger the need for an approval for Environmentally Relevant Activity (ERA 63) where the combined total peak design capacity of sewage treatment is 21 EP or greater. AO5.2 and AO5.3 of the Seqwater Development Guidelines set out the principal requirements for on-site wastewater management in the water resource catchment. Any proposed on-site wastewater system design should be submitted to Seqwater for review and receive endorsement, prior to submission to Council at plumbing application stage.

Council Officer comments:

Refer to section 8.1 of this report for further discussion.

Issue 3 – Vegetation Management

PO6

Maintain the current extent of any vegetation located adjacent, or connected, to any waterway or water supply source.

Given the existing highly cleared and disturbed nature of the site, it is Seqwater's preference to see minimal clearing, a net gain in vegetation and riparian zones protected and enhanced.

In accordance with AO6.1 and AO6.2 of the Seqwater Development Guidelines, clearing should not occur within the following separation distances or in the following locations:

Stream order 1-3	Stream order 4 or greater	Below AEP 1% or on slopes greater than 15%
50m	100m	-

The proposed adopted setbacks from waterways in which no clearing will occur is as follows:

Stream order 13	Stream order 4 or greater
10m, 15m and 20m respectively.	30m

The proposed revegetation of the site, as outlined in the 'Revegetation Management Plan: Draft' indicates revegetation is to occur within the abovementioned separation distances and is confined to waterways designated under the Bioregional Corridor.

Council Officer comments:

The intent of the proposed development is to avoid direct impacts to regulated and remnant vegetation, which is further protected by a 50m buffer applied under the Planning Scheme. There are no plans to clear vegetation within the AEP 1% or slopes greater than 15%. Refer to sections 4.2, 5.1.1.2, 7.1 and 7.2 of this report for further discussion.

Issue 4 – Stormwater Quality and Hydrology

PO7

Manage stormwater at the construction phase to protect drinking water supply environmental values and facilitate the achievement of water quality objectives for receiving waters.

Note: Drinking water supply environmental values are referenced within Schedule 1 of the Environmental Protection Policy (Water) 2009.

PO8

Management stormwater during operational (post construction) stages to protect drinking

water supply environmental values and facilitate the achievement of water quality objectives for receiving waters.

Note: Drinking water supply environmental values are referenced within Schedule 1 of the Environmental Protection Policy (Water) 2009.

The proposed Kilcoy Solar Farm Stormwater Management Strategy sets out operational phase performance criteria for pollution reduction as follows:

Total Suspended Solids	80% reduction
Total Phosphorus	60% reduction
Total Nitrogen	45% reduction
Gross Pollutants (5mm or larger)	90% reduction

The acceptable pollution reduction targets per the Seqwater Development Guidelines are higher than the above, as below:

Total Suspended Solids	85% reduction
Total Phosphorus	65% reduction
Total Nitrogen	45% reduction
Gross Pollutants (5mm or larger)	95% reduction

Council Officer comments:

The applicant has confirmed that the slightly higher acceptable pollution reduction targets per the Seqwater Development Guidelines 2017 will be possible to achieve. The acceptable pollution reduction targets per the Seqwater Development Guidelines will be conditioned.

Issue 5 – Excavation and Filling

PO13

The siting and design of earthworks minimizes impacts on the natural landform that may cause contamination or interfere with the flow of a waterway or water supply source.

PO14

Any earthworks minimise erosion and the movement of sediment off-site.

The applicant proposes that the development will be constructed in accordance with a detailed Erosion and Sediment Control Plan (ESCP) to be submitted to Council following development approval.

Council Officer comments:

An erosion and sediment control plan will be put in place during construction which will minimise sediment runoff into onsite waterways.

11.0 CONCLUSION

Based on the detailed assessment of the application as outlined in the preceding sections of this report, it is concluded that the development application complies with the intent of the Somerset Region Planning Scheme Version Three, the Planning Act 2016, the Planning Regulation 2017, State Planning Policy (2017), State Development Assessment Provisions (SDAP) and Shaping SEQ.

The establishment of renewable energy facilities are clearly anticipated within the rural areas of the Somerset Region and are expressed explicitly within various sections of the planning scheme. However, these facilities are supported only where they are responsive to onsite conditions. This application has demonstrated that the development can be designed to

respond to on-site conditions through the following measures, however constraints of the site will determine the capacity of the 1500MW solar farm use:

- Scenic amenity values are maintained by locating the development 100 metres from the D'Aguilar Highway, setting development back at least 200m from the high points of hills at the rear of the site, not damaging vegetation, implementing setbacks from onsite waterways and locating large structures 1.5km from the D'Aguilar Highway and screening them from view;
- No solar panels/subarrays are to be located within 100m of an adjoining property boundary;
- Solar panels/staff amenities/non-habitable buildings are to be placed outside the Defined Flood Level;
- Biodiversity values are maintained by not damaging and setting development back 50 metres from regulated vegetation and potential koala habitat, setting development back 10 metres to 30 metres from the high bank of waterways and revegetating waterways within the biodiversity corridor along the west of the site;
- Agricultural values are maintained by not locating the development within areas defined as Class A or Class B agricultural land and not fragmenting or alienating the land. The site will also have the ability to be reinstated back to its existing use for grazing once the solar farm operation ceases;
- Water quality values are maintained, and improved by setting back buildings 10 metres to 30 metres from the high bank of waterways, not locating development within the Higher Risk Catchment Area and treating stormwater through detention basins and ephemeral wetlands or bioretention basins; and
- Impacts from other constraints are mitigated by generally locating development outside of hazard areas relating to bushfire, flood and landslide.

In addition to the points outlined above, the development will also contribute towards the region's shift to a low carbon economy, which is a policy intent translated from Shaping SEQ down to the planning scheme. The development is expected to have an operational workforce of 30 – 60 permanent staff during decades of operation and will also support the continued prioritisation of a critical service (electricity) for the entire community.

Officers considered as part of the assessment of this development application material and reports on solar farm proposals from other locations and jurisdictions to help achieve a better understanding of the impacts of renewable energy proposals and how other assessment managers or the like have evaluated such proposals.

12.0 ATTACHMENTS

1. DA17650 - Development Area of Solar Farm – dated 15/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban.
2. DA17650 – Site Plan of proposed Renewable Energy Facility (Solar Farm) dated 17/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban.
3. DA17650 - Department of State Development, Manufacturing, Infrastructure and Planning referral agency response dated 6 July 2018 and referenced 1805-5600 SRA.
4. DA17650 - Powerlink Queensland advice agency response dated 19 June 2018 referenced DA2935 MSLink363891.

13.0 RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Renewable Energy Facility (solar farm – 1500MW Facility) – Staged Development, on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's statement of reasons in accordance with the *Planning Act 2016*.

SITE SCHEDULE

Lot description	Address	Land owner	Area
Lot 42 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	179.2 Ha
Lot 32 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.4 Ha
Lot 41 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	199.5 Ha
Lot 120 on CG2692	65 Holland Road, Harlin	Peter Cooper	64.719 Ha
Lot 1 on RP28556	Holland Road, Harlin	Peter Cooper	89.985 Ha
Lot 2 on SP210633	Unnamed #3095 Road, Harlin	Peter Cooper	246.978 Ha
Lot 65 on CG463	Holland Road, Harlin	Peter Cooper	7.537 Ha
Lot 1 on SP276622	6383 D'Aguilar Highway, Harlin	Scott and Jane Smith	68.376 Ha
Lot 135 on CG4460	D'Aguilar Highway, Harlin	Scott and Jane Smith	1.773 Ha
Lot 10 on SP236175	D'Aguilar Highway, Harlin	Scott and Jane Smith	94.537 Ha
Lot 2 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.400 Ha
Lot 26 on SP193038	D'Aguilar Highway, Harlin	Graham McPherson	132.400 Ha
Lot 144 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	94.590 Ha
Lot 145 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	93.869 Ha
Lot 48 on C31888	Unnamed #3094 Road, Gregors creek	Graham McPherson	258.999 Ha
Lot 43 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	200.600 Ha
Lot 127 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	91.300 Ha

SCHEDULE 1 – GENERAL CONDITIONS - PLANNING

Assessment Manager

NO	CONDITION	TIMING
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where	At all times.

	amended by these conditions of approval:	
	Site Plan/Development Area of Solar Farm – dated 15/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban and further amended to show amongst other changes:	
	<ul style="list-style-type: none"> No solar panels/subarrays are to be located within 100m of any adjoining property boundary Solar panels/staff amenities/non-habitable buildings are to be placed outside the Defined Flood Level (currently 1% AEP or Q100). Substation and battery storage are to be located a minimum level of the 0.2% AEP flood event or Q500 flood level. 	
	Kilcoy Solar Farm Preliminary Ecological Assessment Report, reference: R.B22885.003.01.Ecology.docx dated April 2018 and prepared by BMT Consultants.	
	Kilcoy Solar Farm – Revegetation Plan, reference: R.B22885.004.02 Revegetation Plan.docx dated August and prepared by BMT Consultants.	
	Kilcoy Solar Farm Biosecurity Plan, reference: R.B22885.005.00.Biosecurity Plan.docx dated August 2018 and prepared by BMT Consultants.	
	Review of the Agricultural Impact of proposed Kilcoy Solar Farm, prepared by Bill Thompson of Land Resource Assessment and Management Pty Ltd (LRAM) dated 17 January 2018.	
	Kilcoy Solar Farm Visual Amenity Assessment for Sunshine Energy Australia dated August 2018, prepared by IRIS Visual Planning and Design.	
	Sunshine Energy Solar Farm Glare Impact Assessment Report, prepared for Sunshine Energy Australia Pty Ltd, dated 17 August 2018, reference no. 18001 and prepared by Environmental Ethos.	
	Kilcoy Solar Farm Stormwater Management Strategy, reference: R.B22885.002.02.SMS.docx dated April 2018 and prepared by BMT Consultants.	
	Traffic Impact Assessment – Kilcoy Solar Farm, prepared for Sunshine Energy Australia c/- Ethos Urban, reference: P18058 dated April 2018 and prepared by Point8 Traffic Engineering and Transport Planning.	
	Kilcoy Solar Farm 'High-Level' Flood Hazard Assessment, reference R.B22885.001.02.Flooding.docx dated April 2018 and prepared by BMT Consultants.	
	Hours of Operation	
1.2	Hours of operation of the Renewable Energy Facility (solar farm) for staff attending the site include 6am to 6pm, 7 days a week.	At all times.
	Future approvals	

1.3	Building works and plumbing and drainage works approvals must be gained for all improvements including the subarrays construction.	Prior to commencement of the use for stage one.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
OPERATIONAL WORKS APPLICATION		
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work for each stage.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As part of Operational Works for each stage.
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN		
2.5	Provide a Construction Environmental Management Plan, designed by a Registered Professional.	As part of Operational Works for each stage.
WATER SUPPLY		
2.6	Provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service the water consumption needs of the development. In addition, provide water supply storage facilities necessary for the cleaning and maintaining of the solar panels and other buildings.	Prior to commencement of the use for stage one.
ONSITE WASTEWATER DISPOSAL SYSTEM		
2.7	Provide an onsite Wastewater Disposal System designed in accordance with Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017.	Prior to commencement of the use for stage one.

	The above design is to be submitted to Seqwater for review and receive endorsement, prior to submission to Council at plumbing application stage.	
	DEMOLITION OR REMOVAL OF ANY ONSITE BUILDINGS	
2.8	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Prior to commencement of the use for each stage.
	HYDRAULIC FLOOD HAZARD ASSESSMENT	
2.9	<p>Submit a Hydraulic (Flood Hazard Assessment) Report flood study prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the <i>Somerset Regional Council Development Standards</i>.</p> <p>The flood study should include the following:</p> <ul style="list-style-type: none"> • Identification of potential flooding from a range of flows. • Include Neara Creek and associated perennial water courses. • Consider any impacts from flooding on the Brisbane River. 	As part of the lodgement of the Operational Works application for stage one.
2.10	<p>The development must achieve the following:</p> <ul style="list-style-type: none"> • Solar panels/staff amenities/non-habitable buildings are to be placed outside the Defined Flood Level (currently 1% AEP or Q100). • Substation and battery storage are to be located a minimum level of the 0.2% AEP flood event or Q500 flood level. • Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) and solar panels (and associated structures) shall be a minimum of the Defined Flood Event (DFE). • Buildings are located to avoid significant flood flows or velocities. • All hazardous, noxious material, or chemicals are located and stored above the DFE. • The development does not increase the flood hazard for other properties. • Electrical switchboards, power points, main data servers and the like are positioned above the DFE. • Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. • Provide pedestrian and vehicle evacuation access that is above the Defined Flood Event (DFE) between the staff amenities building to a State controlled road. • Contingency plans are in place to account for the 	Prior to commencement of the use for stage one.

	<p>potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock).</p> <ul style="list-style-type: none"> It is the applicant's responsibility to provide evidence of flood heights. 	
2.11	Any filling below the Defined Flood Event (DFE) flood level will be in accordance with an approved flood study.	Prior to the commencement of works for each stage.
	EARTHWORKS	
2.12	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.13	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
	ROADWORKS	
2.14	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to commencement of the use for each stage.
2.15	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Manual for Uniform Traffic Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works for each stage.
2.16	Provide verge and access in accordance with <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works for each stage.
2.17	Approval is to be sought from Council for all works and improvements within road reserves which exist through the site. The roads are to be surveyed with appropriate setbacks provided.	At all times.
2.18	All internal roads are to be constructed and maintained with a minimum 4-meter-wide gravel access / to an all-weather standard.	At all times.
2.19	Provide written approval from the Department of Transport and Main Roads to carry out works on a state controlled road.	Prior to commencement of works for each stage.
2.20	Provide documentary evidence from the Department of Transport and Main Roads that works to upgrade D'Aguilar	Prior to Commencement of

	Highway and Holland Road intersection have been completed.	use for stage one.
2.21	<p>Prepare and submit for Council approval a Pavement Impact Analysis of Holland Road from the D'Aguilar highway to the entrance to the site. It is required that the Pavement Impact Analysis be certified by a Registered Professional Engineer of Queensland (RPEQ), and should include, but not limited to:</p> <ul style="list-style-type: none"> • Pavement strength tests • Evaluation of the existing pavement for the traffic on Holland Road combined with the additional traffic generated by the Solar Farm. 	Prior to lodgement of the Operational Works application for stage one.
2.22	All actions identified in the Pavement Impact Analysis of condition 2.21 are to be undertaken at no cost to Council.	Prior to Commencement of use for stage one.
2.23	<p>Design and construct Holland Road along the access route to 7 meters sealed on an 8-meter formation with drainage from the D'Aguilar Highway to the entrance of the site.</p> <p>OR</p> <p>In lieu of roadworks of condition 7.10, 7.11 and 7.12, the Applicant may enter into an infrastructure agreement with Council to provide a security bond towards the maintenance and defect repairs of the road.</p> <p>The Applicant would be required to conduct a pre- and post-construction assessment certified by a RPEQ, maintain all works from the date of "On Maintenance", with any defective works must be rectified within the maintenance period.</p> <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed "Off Maintenance". Security bonds would be released after the works have been placed "Off Maintenance".</p>	As part of Operational Works for stage one.
	VEHICLE ACCESS	
2.24	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to commencement of the use for each stage.
2.25	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.26	All vehicles shall enter and leave the site in a forward gear.	At all times
2.27	Road access works are to be in general accordance with the	As part of

	<p>Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> Austroads <i>Guide to Road Design</i> and <i>Somerset Regional Council Development Manual</i> for a Basic Auxiliary Right (BAR) and Basic Auxiliary Left (BAL) to be provided at the Holland Road access location and include the following:</p> <ul style="list-style-type: none"> • Drainage beneath the access must include a minimum pipe size of 375 diameter RCP with sloping headwalls. • The access must be designed to accommodate the largest vehicle intended to access the site accommodating the turn movements of the design vehicle, and ensuring there is no requirement for the design vehicle to cross into the opposing lane. • Internal roads must be designed to allow for the design vehicle to turn around and exit the site in a forward direction. • Provide a sealed access for a minimum 30m from the road carriageway of Holland Road. 	Operational Works
	CAR PARKING	
2.28	<p>Provide on-site car parking for thirty (30) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme.</p> <p>All car parking areas for disabled persons are to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i>.</p>	As part of Operational Works
2.29	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.	At all times
	SCREENING PARKING AREAS	
2.30	<p>All parking areas are to be screened by a 10-metre-wide buffer to break up the visual bulk of the parking area.</p> <p>The parking area screening is to be maintained, always.</p>	Prior to commencement of the use of stage one; and Maintained always.
	OUTDOOR LIGHTING	
2.31	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <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 	Prior to commencement of use

	<p>surrounding properties where necessary.</p> <ul style="list-style-type: none"> Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
2.32	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.33	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.34	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.35	<p>Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site.</p> <p><i>Note: Such consent may require supporting engineering plans and calculations.</i></p>	As part of Operational Works
	REVISED SITE BASED STORMWATER MANAGEMENT PLAN	
2.36	<p>Submit a revised Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Regional Council Development Standards</i>.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> Quantity and quality of stormwater to be released from the development; All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; The potential impact of these sources; Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; Measures to be implemented to prevent the likelihood of stormwater contamination; In general accordance with Kilcoy Solar Farm Stormwater Management Strategy, prepared by BMT WBM Pty Ltd and dated 26/04/2018 revision 2; and Stormwater drainage shall be constructed in general 	As part of the lodgement of the Operational Works application

	accordance with the SBSMP.	
2.37	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
	BUNDING OF BATTERY STORAGE AREA	
2.38	A design shall be undertaken by a Registered Professional Engineer Queensland (RPEQ) for the construction of appropriate bunding around any area on which batteries are to be stored.	As part of the lodgement of the Operational Works application
	EROSION AND SEDIMENT CONTROL PLAN	
2.39	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application
	EROSION AND SEDIMENT CONTROLS	
2.40	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times during the course of the staged development
2.41	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the project, and to prevent dust nuisance.	At all times
	WASTE DISPOSAL	
2.42	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.43	Where vegetation is removed, the vegetation waste shall be disposed of by:	At all times

	i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	
2.44	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site.	At all times.
NUISANCE MONITORING – SOLAR GLARE ASSESSMENT		
3.2	<p>After the first full year of operations of any stage an updated Glare Assessment Report shall be presented to Council for its consideration.</p> <p>This report will provide the results from actual readings and assessments undertaken at the 11 rural and residential dwellings identified in the 2018 BMT Glare Assessment Report and for any new residential dwelling that maybe constructed in the glare catchment of the proposal in the interim periods. The agreement from the respective owners shall be sought and required at all times to undertake any monitoring.</p> <p>The expected outcome of this future assessment is to make the applicant responsible for any remedial improvements to the residential dwellings if it is identified that there does exist a moderate to high risk (impact) of glare.</p> <p>Remedial improvements envisaged could range from vegetation plantings being proposed closer to the impacted residential dwellings, installation of tinting to windows or the building of awnings or other screening devices on the dwellings.</p> <p>All recommended remedial improvements shall be offered to the owners of the affected properties and undertaken at the developer's expense.</p>	At all times
3.3	A methodology report on how this post development Glare Assessment Report shall be undertaken must be submitted for Council's approval.	As part of Operational Works

	NUISANCE MITIGATION MEASURES	
3.4	Implement all nuisance mitigation measures recommended in the approved Solar Glare Assessment report.	Within the timeframe specified in the approved Solar Glare Assessment Report and to be maintained at all times.
	HOURS OF CONSTRUCTION	
3.5	<p>All construction activity must be restricted to the hours of 6:30am to 6:30pm Monday to Saturday. No construction work is to be conducted on Sundays or Public Holidays.</p> <p>Noise levels from construction work shall always comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>For the purpose of this condition, construction activity includes:</p> <ul style="list-style-type: none"> (a) All construction related activity which produces noise, audible beyond the site (including all building works); (b) All deliveries and removal of materials and equipment associated with the works. 	At all times during construction stages of project.
	WASTE	
3.6	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.
	DECOMMISSIONING PLAN	
3.7	Submit to Council a draft Decommissioning Plan prepared by a suitably qualified person for the solar farm that outlines end of project decommissioning works (describing the extent of reinstatement and restoration activities upon the removal of the renewable energy infrastructure and associated constructed facilities).	Prior to the commencement of construction of the staged development.
	FINAL DECOMMISSIONING PLAN	
3.8	<p>Submit to Council a final Decommissioning Plan prepared by a suitably qualified person, based on current best practices.</p> <p>The final Decommissioning Plan must be submitted for approval to Council and lodged by Year Two; and a revised plan shall be submitted at five-year intervals.</p>	Submitted by Year Two; and after that at five-year intervals.
	CESSATION OF USE	
3.9	Upon cessation of the approved solar farm use, all solar farm infrastructure must be removed and the subject land must be restored within 2 years to the satisfaction of Council, and in accordance with the approved final Decommissioning Plan. All costs associated with decommissioning the site shall be borne by the land owner.	Upon cessation of the approved solar farm use.

	BUSHFIRE HAZARD – WATER SUPPLY	
3.10	Provide the development with an adequate and accessible water supply for fire-fighting purposes. This could be: <ul style="list-style-type: none"> • An accessible onsite dam; or • Tank/s with fire-fighting fittings. 	Prior to commencement of the use for stage one; and At all times.
	REVEGETATION PLAN	
3.11	Prepare and landscape the site in accordance with a Site Rehabilitation Plan in conjunction with the approved Revegetation Plan, or as otherwise approved by Council. Any amendments approved by Council are taken to be a part of the approved Revegetation Plan.	As part of Operational Works for each stage.
	KOALA HABITAT LANDSCAPING	
3.12	Native plant species and local koala habitat trees are to be predominately used in the revegetation and landscape planting on the site.	At all times.
	SAFETY OF KOALAS AND WILDLIFE	
3.13	During construction phases: <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 wildlife; 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; and during the construction phase of the staged development.
	DECLARED WEEDS AND PESTS	
3.14	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties.	At all times for the life of the solar farm operations.
	SCREENING BUILDINGS	
3.15	The substations and battery storage areas and onsite facilities, (staff room and amenities) are to be screened by a surrounding 10-metre-wide buffer to break up the visual bulk of the buildings from the highway; and to reduce any visual impact on the rural landscape. The 10-metre-wide buffer area is to be maintained, always.	Prior to commencement of the use of stage one; and At all times.
	VISUAL AMENITY	
3.16	The substations, battery storage areas and onsite facilities must not be visually intrusive.	At all times for the life of the solar farm operations.
SCHEDULE 4 – REFERRAL AGENCY		
Department of State Development Manufacturing Infrastructure and Planning Referral Agency (Concurrence) Response		
4.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all	

	referral agency responses and include conditions exactly as stated in the response.
4.2	The Department of State Development Manufacturing Infrastructure and Planning, as a Referral Agency (Concurrence), has assessed the impact of the proposed development, Renewable Energy Facility (solar farm 1500MW staged development), in accordance with its jurisdiction under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the <i>Planning Regulation 2017</i> , regarding State transport corridors and future state transport corridors.
4.3	The Department of State Development, Manufacturing, Infrastructure and Planning supports this application subject to the inclusion of conditions in the Assessment Managers Decision Notice.
4.4	Concurrence Agency response with conditions dated 6 July 2018 and referenced 1805-5600 SRA, given under section 56 of the <i>Planning Act 2016</i> .
4.5	Concurrence Agency response will be attached to Council's Decision Notice for DA17650.
SCHEDULE 5 – REFERRAL AGENCY Powerlink Queensland Referral Agency (Advice) Response	
5.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.
5.2	Powerlink Queensland, as a Referral Agency (Advice), has assessed the impact of the proposed development, Renewable Energy Facility (solar farm 1500MW staged development) in accordance with its jurisdiction under Schedule 10 Part 9 Division 2 of the <i>Planning Regulation 2017</i> , regarding transmission entity easement which is part of the transmission supply network.
5.3	Powerlink Queensland supports this application subject to the inclusion of conditions in the Assessment Managers Decision Notice.
5.4	Powerlink Queensland Referral Agency (Advice) response dated 19 June 2018 and referenced DA2935 MSLink363891.
5.5	Powerlink Queensland Referral Agency (Advice) response will be attached to Council's Decision Notice for DA17650.
SCHEDULE 6 – ADVISORY NOTES <i>Assessment Manager</i>	
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.	
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.	
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .	

The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
A legible copy of this development approval package is to be available on the premises.
Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.
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 Director of Operations if in his opinion a dust nuisance exists.
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act</i> (as amended) and the Workplace Health and Safety Regulation (as amended).
All Operational Work is to comply with relevant codes for design and construction.
Applicant is advised that gates and grids on Council road reserves are to be applied for to Council for approval.
Improvement works within the road reserves will not result in an obligation on Council to carry out maintenance works in the future. Any such maintenance will be subject to Council's discretion, and dependent on Council's design standards and policies.
All building work is to comply with the provisions contained in the <i>Building Act</i> , 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 <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act is administered by the State Government.
The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.
Penalty proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.
Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care

Guidelines gazetted with the Act.

Council strongly advises that you be aware of the 'Duty of Care Guidelines' and further information on the responsibilities of proponents under the terms of the *Aboriginal Cultural Heritage Act 2003*.

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:

1. DA17650 - Development Area of Solar Farm – dated 15/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban.
2. DA17650 – Site Plan of proposed Renewable Energy Facility (Solar Farm) dated 17/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban.
3. DA17650 - Department of State Development, Manufacturing, Infrastructure and Planning referral agency response dated 6 July 2018 and referenced 1805-5600 SRA.
4. DA17650 - Powerlink Queensland advice agency response dated 19 June 2018 referenced DA2935 MSLink363891.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

"THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Renewable Energy Facility (solar farm – 1500MW Facility) – Staged Development, on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's statement of reasons in accordance with the *Planning Act 2016*.

**SITE
SCHEDULE**

Lot description	Address	Land owner	Area
Lot 42 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	179.2 Ha
Lot 32 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.4 Ha
Lot 41 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	199.5 Ha
Lot 120 on CG2692	65 Holland Road, Harlin	Peter Cooper	64.719 Ha
Lot 1 on RP28556	Holland Road, Harlin	Peter Cooper	89.985 Ha
Lot 2 on SP210633	Unnamed #3095 Road, Harlin	Peter Cooper	246.978 Ha
Lot 65 on CG463	Holland Road, Harlin	Peter Cooper	7.537 Ha

Lot 1 on SP276622	6383 D'Aguilar Highway, Harlin	Scott and Jane Smith	68.376 Ha
Lot 135 on CG4460	D'Aguilar Highway, Harlin	Scott and Jane Smith	1.773 Ha
Lot 10 on SP236175	D'Aguilar Highway, Harlin	Scott and Jane Smith	94.537 Ha
Lot 2 on SP203488	D'Aguilar Highway, Harlin	Graham McPherson	115.400 Ha
Lot 26 on SP193038	D'Aguilar Highway, Harlin	Graham McPherson	132.400 Ha
Lot 144 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	94.590 Ha
Lot 145 on C311563	Unnamed #3089 Road, Gregors Creek	Graham McPherson	93.869 Ha
Lot 48 on C31888	Unnamed #3094 Road, Gregors creek	Graham McPherson	258.999 Ha
Lot 43 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	200.600 Ha
Lot 127 on SP218812	D'Aguilar Highway, Harlin	Graham McPherson	91.300 Ha

SCHEDULE 1 – GENERAL CONDITIONS - PLANNING*Assessment Manager*

NO	CONDITION	TIMING
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval:</p> <p>Site Plan/Development Area of Solar Farm – dated 15/08/2018 – prepared for Sunshine Energy – Kilcoy and prepared by Ethos Urban and further amended to show amongst other changes:</p> <ul style="list-style-type: none"> No solar panels/subarrays are to be located within 100m of any adjoining property boundary Solar panels/staff amenities/non-habitable buildings are to be placed outside the Defined Flood Level (currently 1% AEP or Q100). Substation and battery storage are to be located a minimum level of the 0.2% AEP flood event or Q500 flood level. <p>Kilcoy Solar Farm Preliminary Ecological Assessment Report, reference: R.B22885.003.01.Ecology.docx dated April 2018 and prepared by BMT Consultants.</p>	At all times.
	Kilcoy Solar Farm – Revegetation Plan, reference: R.B22885.004.02 Revegetation Plan.docx dated August and prepared by BMT Consultants.	
	Kilcoy Solar Farm Biosecurity Plan, reference: R.B22885.005.00.Biosecurity Plan.docx dated August 2018 and prepared by BMT Consultants.	
	Review of the Agricultural Impact of proposed Kilcoy Solar Farm, prepared by Bill Thompson of Land Resource	

	Assessment and Management Pty Ltd (LRAM) dated 17 January 2018.	
	Kilcoy Solar Farm Visual Amenity Assessment for Sunshine Energy Australia dated August 2018, prepared by IRIS Visual Planning and Design.	
	Sunshine Energy Solar Farm Glare Impact Assessment Report, prepared for Sunshine Energy Australia Pty Ltd, dated 17 August 2018, reference no. 18001 and prepared by Environmental Ethos.	
	Kilcoy Solar Farm Stormwater Management Strategy, reference: R.B22885.002.02.SMS.docx dated April 2018 and prepared by BMT Consultants.	
	Traffic Impact Assessment – Kilcoy Solar Farm, prepared for Sunshine Energy Australia c/- Ethos Urban, reference: P18058 dated April 2018 and prepared by Point8 Traffic Engineering and Transport Planning.	
	Kilcoy Solar Farm 'High-Level' Flood Hazard Assessment, reference R.B22885.001.02.Flooding.docx dated April 2018 and prepared by BMT Consultants.	
	Hours of Operation	
1.2	Hours of operation of the Renewable Energy Facility (solar farm) for staff attending the site include 6am to 6pm, 7 days a week.	At all times.
	Future approvals	
1.3	Building works and plumbing and drainage works approvals must be gained for all improvements including the subarrays construction.	Prior to commencement of the use for stage one.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
	OPERATIONAL WORKS APPLICATION	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work for each stage.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:	As part of Operational Works for each stage.

	<ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	
	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN	
2.5	Provide a Construction Environmental Management Plan, designed by a Registered Professional.	As part of Operational Works for each stage.
	WATER SUPPLY	
2.6	<p>Provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service the water consumption needs of the development.</p> <p>In addition, provide water supply storage facilities necessary for the cleaning and maintaining of the solar panels and other buildings.</p>	Prior to commencement of the use for stage one.
	ONSITE WASTEWATER DISPOSAL SYSTEM	
2.7	<p>Provide an onsite Wastewater Disposal System designed in accordance with Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2017.</p> <p>The above design is to be submitted to Seqwater for review and receive endorsement, prior to submission to Council at plumbing application stage.</p>	Prior to commencement of the use for stage one.
	DEMOLITION OR REMOVAL OF ANY ONSITE BUILDINGS	
2.8	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Prior to commencement of the use for each stage.
	HYDRAULIC FLOOD HAZARD ASSESSMENT	
2.9	<p>Submit a Hydraulic (Flood Hazard Assessment) Report flood study prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the <i>Somerset Regional Council Development Standards</i>.</p> <p>The flood study should include the following:</p> <ul style="list-style-type: none"> Identification of potential flooding from a range of flows. Include Neara Creek and associated perennial water courses. Consider any impacts from flooding on the Brisbane River. 	As part of the lodgement of the Operational Works application for stage one.
2.10	<p>The development must achieve the following:</p> <ul style="list-style-type: none"> Solar panels/staff amenities/non-habitable buildings are 	Prior to commencement of the use for stage

	<p>to be placed outside the Defined Flood Level (currently 1% AEP or Q100).</p> <ul style="list-style-type: none"> • Substation and battery storage are to be located a minimum level of the 0.2% AEP flood event or Q500 flood level. • Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) and solar panels (and associated structures) shall be a minimum of the Defined Flood Event (DFE). • Buildings are located to avoid significant flood flows or velocities. • All hazardous, noxious material, or chemicals are located and stored above the DFE. • The development does not increase the flood hazard for other properties. • Electrical switchboards, power points, main data servers and the like are positioned above the DFE. • Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. • Provide pedestrian and vehicle evacuation access that is above the Defined Flood Event (DFE) between the staff amenities building to a State controlled road. • Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock). • It is the applicant's responsibility to provide evidence of flood heights. 	one.
2.11	Any filling below the Defined Flood Event (DFE) flood level will be in accordance with an approved flood study.	Prior to the commencement of works for each stage.
	EARTHWORKS	
2.12	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.13	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
	ROADWORKS	
2.14	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to commencement of the use for each stage.
2.15	All works on or adjacent to roadways must be adequately signed in accordance with the <i>"Manual for Uniform Traffic</i>	Prior to commencement of

	<i>Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	and during construction of works for each stage.
2.16	Provide verge and access in accordance with <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works for each stage.
2.17	Approval is to be sought from Council for all works and improvements within road reserves which exist through the site. The roads are to be surveyed with appropriate setbacks provided.	At all times.
2.18	All internal roads are to be constructed and maintained with a minimum 4-meter-wide gravel access / to an all-weather standard.	At all times.
2.19	Provide written approval from the Department of Transport and Main Roads to carry out works on a state controlled road.	Prior to commencement of works for each stage.
2.20	Provide documentary evidence from the Department of Transport and Main Roads that works to upgrade D'Aguilar Highway and Holland Road intersection have been completed.	Prior to Commencement of use for stage one.
2.21	Prepare and submit for Council approval a Pavement Impact Analysis of Holland Road from the D'Aguilar highway to the entrance to the site. It is required that the Pavement Impact Analysis be certified by a Registered Professional Engineer of Queensland (RPEQ), and should include, but not limited to: <ul style="list-style-type: none"> • Pavement strength tests • Evaluation of the existing pavement for the traffic on Holland Road combined with the additional traffic generated by the Solar Farm. 	Prior to lodgement of the Operational Works application for stage one.
2.22	All actions identified in the Pavement Impact Analysis of condition 2.21 are to be undertaken at no cost to Council.	Prior to Commencement of use for stage one.
2.23	Design and construct Holland Road along the access route to 7 meters sealed on an 8-meter formation with drainage from the D'Aguilar Highway to the entrance of the site. OR In lieu of roadworks of condition 7.10, 7.11 and 7.12, the Applicant may enter into an infrastructure agreement with Council to provide a security bond towards the maintenance	As part of Operational Works for stage one.

	<p>and defect repairs of the road.</p> <p>The Applicant would be required to conduct a pre- and post-construction assessment certified by a RPEQ, maintain all works from the date of "On Maintenance", with any defective works must be rectified within the maintenance period.</p> <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed "Off Maintenance". Security bonds would be released after the works have been placed "Off Maintenance".</p>	
	VEHICLE ACCESS	
2.24	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	Prior to commencement of the use for each stage.
2.25	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.26	All vehicles shall enter and leave the site in a forward gear.	At all times
2.27	<p>Road access works are to be in general accordance with the Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> Austroads <i>Guide to Road Design</i> and <i>Somerset Regional Council Development Manual</i> for a Basic Auxiliary Right (BAR) and Basic Auxiliary Left (BAL) to be provided at the Holland Road access location and include the following:</p> <ul style="list-style-type: none"> • Drainage beneath the access must include a minimum pipe size of 375 diameter RCP with sloping headwalls. • The access must be designed to accommodate the largest vehicle intended to access the site accommodating the turn movements of the design vehicle, and ensuring there is no requirement for the design vehicle to cross into the opposing lane. • Internal roads must be designed to allow for the design vehicle to turn around and exit the site in a forward direction. • Provide a sealed access for a minimum 30m from the road carriageway of Holland Road. 	As part of Operational Works
	CAR PARKING	
2.28	<p>Provide on-site car parking for thirty (30) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme.</p> <p>All car parking areas for disabled persons are to be provided</p>	As part of Operational Works

	with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	
2.29	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.	At all times
	SCREENING PARKING AREAS	
2.30	All parking areas are to be screened by a 10-metre-wide buffer to break up the visual bulk of the parking area. The parking area screening is to be maintained, always.	Prior to commencement of the use of stage one; and Maintained always.
	OUTDOOR LIGHTING	
2.31	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. 	Prior to commencement of use
	STORMWATER	
2.32	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.33	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.34	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.35	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	As part of Operational Works
	REVISED SITE BASED STORMWATER MANAGEMENT PLAN	
2.36	Submit a revised Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer	As part of the lodgement of the

	<p>Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Regional Council Development Standards</i>.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> Quantity and quality of stormwater to be released from the development; All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; The potential impact of these sources; Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; Measures to be implemented to prevent the likelihood of stormwater contamination; In general accordance with Kilcoy Solar Farm Stormwater Management Strategy, prepared by BMT WBM Pty Ltd and dated 26/04/2018 revision 2; and Stormwater drainage shall be constructed in general accordance with the SBSMP. 	Operational Works application
2.37	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
	BUNDING OF BATTERY STORAGE AREA	
2.38	A design shall be undertaken by a Registered Professional Engineer Queensland (RPEQ) for the construction of appropriate bunding around any area on which batteries are to be stored.	As part of the lodgement of the Operational Works application
	EROSION AND SEDIMENT CONTROL PLAN	
2.39	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application
	EROSION AND SEDIMENT CONTROLS	
2.40	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. 	At all times during the course of the staged development

	<ul style="list-style-type: none"> Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	
2.41	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the project, and to prevent dust nuisance.	At all times
	WASTE DISPOSAL	
2.42	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.43	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place. <p>Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times
2.44	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO.	CONDITION	TIMING
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site.	At all times.
	NUISANCE MONITORING – SOLAR GLARE ASSESSMENT	
3.2	<p>After the first full year of operations of any stage an updated Glare Assessment Report shall be presented to Council for its consideration.</p> <p>This report will provide the results from actual readings and assessments undertaken at the 11 rural and residential dwellings identified in the 2018 BMT Glare Assessment Report and for any new residential dwelling that maybe constructed in</p>	At all times

	<p>the glare catchment of the proposal in the interim periods. The agreement from the respective owners shall be sought and required at all times to undertake any monitoring.</p> <p>The expected outcome of this future assessment is to make the applicant responsible for any remedial improvements to the residential dwellings if it is identified that there does exist a moderate to high risk (impact) of glare.</p> <p>Remedial improvements envisaged could range from vegetation plantings being proposed closer to the impacted residential dwellings, installation of tinting to windows or the building of awnings or other screening devices on the dwellings.</p> <p>All recommended remedial improvements shall be offered to the owners of the affected properties and undertaken at the developer's expense.</p>	
3.3	A methodology report on how this post development Glare Assessment Report shall be undertaken must be submitted for Council's approval.	As part of Operational Works
	NUISANCE MITIGATION MEASURES	
3.4	Implement all nuisance mitigation measures recommended in the approved Solar Glare Assessment report.	Within the timeframe specified in the approved Solar Glare Assessment Report and to be maintained at all times.
	HOURS OF CONSTRUCTION	
3.5	<p>All construction activity must be restricted to the hours of 6:30am to 6:30pm Monday to Saturday. No construction work is to be conducted on Sundays or Public Holidays.</p> <p>Noise levels from construction work shall always comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>For the purpose of this condition, construction activity includes:</p> <ul style="list-style-type: none"> (a) All construction related activity which produces noise, audible beyond the site (including all building works); (b) All deliveries and removal of materials and equipment associated with the works. 	At all times during construction stages of project.
	WASTE	
3.6	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.

	DECOMMISSIONING PLAN	
3.7	Submit to Council a draft Decommissioning Plan prepared by a suitably qualified person for the solar farm that outlines end of project decommissioning works (describing the extent of reinstatement and restoration activities upon the removal of the renewable energy infrastructure and associated constructed facilities).	Prior to the commencement of construction of the staged development.
	FINAL DECOMMISSIONING PLAN	
3.8	Submit to Council a final Decommissioning Plan prepared by a suitably qualified person, based on current best practices. The final Decommissioning Plan must be submitted for approval to Council and lodged by Year Two; and a revised plan shall be submitted at five-year intervals.	Submitted by Year Two; and after that at five-year intervals.
	CESSATION OF USE	
3.9	Upon cessation of the approved solar farm use, all solar farm infrastructure must be removed and the subject land must be restored within 2 years to the satisfaction of Council, and in accordance with the approved final Decommissioning Plan. All costs associated with decommissioning the site shall be borne by the land owner.	Upon cessation of the approved solar farm use.
	BUSHFIRE HAZARD – WATER SUPPLY	
3.10	Provide the development with an adequate and accessible water supply for fire-fighting purposes. This could be: <ul style="list-style-type: none"> • An accessible onsite dam; or • Tank/s with fire-fighting fittings. 	Prior to commencement of the use for stage one; and At all times.
	REVEGETATION PLAN	
3.11	Prepare and landscape the site in accordance with a Site Rehabilitation Plan in conjunction with the approved Revegetation Plan, or as otherwise approved by Council. Any amendments approved by Council are taken to be a part of the approved Revegetation Plan.	As part of Operational Works for each stage.
	KOALA HABITAT LANDSCAPING	
3.12	Native plant species and local koala habitat trees are to be predominately used in the revegetation and landscape planting on the site.	At all times.
	SAFETY OF KOALAS AND WILDLIFE	
3.13	During construction phases: <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 wildlife; 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; and during the construction phase of the staged development.

	DECLARED WEEDS AND PESTS	
3.14	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties.	At all times for the life of the solar farm operations.
	SCREENING BUILDINGS	
3.15	The substations and battery storage areas and onsite facilities, (staff room and amenities) are to be screened by a surrounding 10-metre-wide buffer to break up the visual bulk of the buildings from the highway; and to reduce any visual impact on the rural landscape. The 10-metre-wide buffer area is to be maintained, always.	Prior to commencement of the use of stage one; and At all times.
	VISUAL AMENITY	
3.16	The substations, battery storage areas and onsite facilities must not be visually intrusive.	At all times for the life of the solar farm operations.
SCHEDULE 4 – REFERRAL AGENCY Department of State Development Manufacturing Infrastructure and Planning Referral Agency (Concurrence) Response		
4.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency’s response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.	
4.2	The Department of State Development Manufacturing Infrastructure and Planning, as a Referral Agency (Concurrence), has assessed the impact of the proposed development, Renewable Energy Facility (solar farm 1500MW staged development), in accordance with its jurisdiction under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the <i>Planning Regulation 2017</i> , regarding State transport corridors and future state transport corridors.	
4.3	The Department of State Development, Manufacturing, Infrastructure and Planning supports this application subject to the inclusion of conditions in the Assessment Managers Decision Notice.	
4.4	Concurrence Agency response with conditions dated 6 July 2018 and referenced 1805-5600 SRA, given under section 56 of the <i>Planning Act 2016</i> .	
4.5	Concurrence Agency response will be attached to Council’s Decision Notice for DA17650.	
SCHEDULE 5 – REFERRAL AGENCY Powerlink Queensland Referral Agency (Advice) Response		
5.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency’s response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.	

5.2	Powerlink Queensland, as a Referral Agency (Advice), has assessed the impact of the proposed development, Renewable Energy Facility (solar farm 1500MW staged development) in accordance with its jurisdiction under Schedule 10 Part 9 Division 2 of the <i>Planning Regulation 2017</i> , regarding transmission entity easement which is part of the transmission supply network.
5.3	Powerlink Queensland supports this application subject to the inclusion of conditions in the Assessment Managers Decision Notice.
5.4	Powerlink Queensland Referral Agency (Advice) response dated 19 June 2018 and referenced DA2935 MSLink363891.
5.5	Powerlink Queensland Referral Agency (Advice) response will be attached to Council's Decision Notice for DA17650.
SCHEDULE 6 – ADVISORY NOTES	
<i>Assessment Manager</i>	
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.	
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.	
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .	
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.	
A legible copy of this development approval package is to be available on the premises.	
Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	
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 Director of Operations if in his opinion a dust nuisance exists.	
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act</i> (as amended) and the <i>Workplace Health and Safety Regulation</i> (as amended).	
All Operational Work is to comply with relevant codes for design and construction.	
Applicant is advised that gates and grids on Council road reserves are to be applied for to Council for approval.	
Improvement works within the road reserves will not result in an obligation on Council to carry out maintenance works in the future. Any such maintenance will be subject to Council's discretion, and dependent on Council's design standards and policies.	

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 *Aboriginal Cultural Heritage Act 2003* commenced in Queensland on April 16, 2004. The Act is administered by the State Government.

The *Aboriginal Cultural Heritage Act 2003* establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Penalty proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.

Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Council strongly advises that you be aware of the 'Duty of Care Guidelines' and further information on the responsibilities of proponents under the terms of the *Aboriginal Cultural Heritage Act 2003*.

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:	Financial reports
File Ref:	Monthly financial statements
Action Officer:	DFIN

Background/Summary

Financial reports

Financial reports for the period 1 July 2018 to 2 November 2018 are attached as per section 204 of the Local Government Regulation 2012.

Grants

- On 7 September 2018 Council lodged an application under the Queensland Government's competitive Building our Regions (BoR) program for Kilcoy racecourse development for which it had previously been shortlisted. No advice has yet been received about this application.
- For local employment reasons, Council has applied for tender exemption following its successful application under the Australian Government's Heavy Vehicle Safety and Productivity competitive grant to upgrade Gregors Creek Road at a total cost of \$2,070,601. Council is awaiting receipt of the funding instrument for this project.
- On 11 October 2018, Council lodged an application for 70% funding towards a weighbridge and associated works at Esk landfill under the (waste) Levy Ready funding program. No advice has yet been received about this application. It is considered unlikely that a weighbridge will be able to be installed prior to the commencement of the State Government waste levy regime on 4 March 2019.

Rates

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

- \$2.44 million – 30 April 2018
- \$2.30 million – 2 November 2018

Council issued 27 notices of intention to sell land for overdue rates or charges totalling \$0.18 million on 8 May 2018. As at 1 October 2018, full payments had been received for 25 of these properties leaving two actions in progress for a total of \$10,608. Auction notices have been issued for these properties with the auction scheduled for Friday 30 November 2018.

Council issued a further 26 notices of intention to sell land for overdue rates or charges totalling \$0.18 million on 18 October 2018. As at 5 November 2018, full payments had been received for one of these properties leaving 25 actions in progress for a total of \$0.17 million.

Disclosures under section 237 of the Local Government Regulation 2012

A full listing of payments is attached as per Council's previous request. To assist compliance with section 237 of the Local Government Regulation 2012, Council sold lot 3 SP205039 for \$1.7 million on 15 October 2018 and Council has potentially entered into purchase contracts for a value greater than \$200,000 as indicated in the attached payments listing.

Road maintenance detail

Councillors have previously requested additional information about road maintenance:

	<i>Rural</i> (\$000's)	<i>Urban</i> (\$000's)	<i>Total</i> (\$000's)
Bitumen road maintenance	229	52	281
Gravel road maintenance	1,011	14	1,025
Roadside drainage	210	36	246
Culvert maintenance	2	-	2
Vegetation maintenance	63	88	151
Traffic furniture	48	23	71
Linemarking	3	15	18
Total actual year to date	1,566	228	1,794
Expected pro-rata budget year to date	1,391	241	1,632

The 30 most costly road segments for bitumen, gravel or culvert maintenance were:

Esk Crows Nest (gravel) Ch26120-Ch34090	\$51,452
Kavanaghs Rd Buaraba (gravel) Ch0-Ch2840	\$50,660
Monsildale Rd (gravel) Ch12000-Ch19100	\$38,128
Gregors Creek Rd (bitumen) Ch3120-Ch4950	\$34,985
Zischkes Rd (gravel) Ch20-Ch2300	\$30,981
Ann St Esk (bitumen) Ch240-Ch430	\$29,199
Yielo Rd (gravel) Ch0-Ch5100	\$29,039
Falls Rd (gravel) Ch0-Ch2530	\$25,706
Cedarvale Rd (gravel) Ch1540-Ch4410	\$24,371
Grays Rd (gravel) Ch1620-Ch3020	\$23,485
Monsildale Rd (gravel) Ch1630-Ch10200	\$23,379
Black Jack Creek Rd (gravel) Ch730-Ch3640	\$23,231
Westvale Rd (gravel) Ch1340-Ch13550	\$23,022
Braemore La (gravel) Ch1050-Ch3050	\$23,012
Gregors Creek Rd (bitumen) Ch4950-Ch5530	\$21,841
Cowah Rd (gravel) Ch0-Ch3990	\$21,503
Langtons La (gravel) Ch3210-Ch5050	\$20,894
Sunday Creek Rd (gravel) Ch1690-Ch3390	\$20,530
Buaraba Creek Rd (gravel) Ch3800-Ch4770	\$19,486
E Summervilles Rd (gravel) Ch770-Ch2850	\$19,382
Richter Rd (gravel) Ch0-Ch2020	\$17,495
Handley Rd (gravel) Ch0-Ch1640	\$16,838
Banks Ck England Ck R (gravel) Ch0-Ch2900	\$16,827
Gaults La Gregors Ck (gravel) Ch0-Ch1140	\$16,584
Toolorum Rd (gravel) Ch4430-Ch7560	\$16,232
Tungi Rd (gravel) Ch0-Ch2500	\$15,890
Toolorum Rd (gravel) Ch0-Ch4430	\$15,693
Fernvale Rd (bitumen) Ch2250-Ch5100	\$15,353
Clarendon Rd (bitumen) Ch5750-Ch8860	\$14,841
Grieves Rd (gravel) Ch5060-Ch7860	\$14,650
Subtotal	<u>\$714,689</u>

Attachments

Financial reports and payment listings

Recommendation

THAT the reports including payments presented totalling \$49,656,037.56 be received.

Decision:	Moved - Cr Hall	Seconded - Cr Choat
	"THAT the reports including payments presented totalling \$49,656,037.56 be received."	
		<u>Carried</u>

Subject:	Linville promotion and amenities
File Ref:	Customer service - public reaction - 2018 - 2019 - request for service
Action Officer:	DFIN

Background/Summary

A one-page letter from the owners of the Linville Hotel of 12 October 2018 is attached addressed to the Mayor together with the response of 31 October 2018.

The owners have raised concerns that some Brisbane Valley Rail Trail users were provided incorrect information about the availability of showers at Linville Hotel and the owners are requesting Council install a new toilet and shower block in Linville.

Council's response included the following:

- That Council's tourism team have been advised to ensure that future advice given is correct and for visitors to contact the hotel in advance. It is not Council's understanding that incorrect information came from Council.
- That Council's business case for the \$3.354 million Brisbane Valley Rail Trail project centred on allowing local businesses to make money from the trail.
- That the lack of a sewerage system in Linville would affect the viability of any potential public showers in the town because of the need for proper treatment of this water by Council
- That Council may consider making water more accessible at the park in Linville

Council has previously removed tap heads from taps in the park in Linville.

Director Operations considers that there are options for installing timed taps in the park.

Attachment

Letter received of 12 October 2018
Letter sent of 31 October 2018

Recommendation

THAT a time-limited tap be made available at the public toilets in Linville.

Decision:	Moved - Cr Choat	Seconded - Cr Whalley
	"THAT a slab, with a time-limited tap and time-limited shower-head be	

made available at the public toilets in Linville."

Carried

Subject:	Tarampa freehold land rationalisation
File Ref:	State Government Emergency Management Levy
Action Officer:	DFIN

Background/Summary

Council owns a disused water site as freehold land off Lukritz Road Tarampa described as L 2 RP807130 occupying 100 square metres.

There are cost implications to Council in holding this property as freehold land.

L 2 RP807130 has no road access and is surrounded by L 42 RP807130 (02908-00000-000, which occupies 20 hectares).

Council sought the views of the owners of L 42 RP807130 on the options of Council either converting L 2 RP807130 to a type of tenure that does not attract a State Government Emergency Management Levy and which can never be sold or selling L 2 RP807130 where the only viable sale would be to the owners of L 42 RP807130 for development purposes.

The owners of L 42 RP807130 did not express a wish to purchase L 2 RP807130.

Attachment

Survey plan of RP807130

Recommendation

THAT Council, having consulted the neighbouring property owners, seek to dedicate freehold lot 2 RP807130 as road.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Choat
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"THAT Council, having consulted the neighbouring property owners, seek to dedicate freehold lot 2 RP807130 as road."

Carried

Subject:	Local Government Grants and Subsidies Program 2019-2021 (LGGSP)
File Ref:	Grants / LGGSP
Action Officer:	DFIN

Background/Summary

The Department of Local Government is inviting applications under the Local Government Grants and Subsidies Program 2019-2021 due 8 February 2019. An extract from the LGGSP guidelines is attached. Council lodged successful applications under the last two rounds of LGGSP for grants totalling \$848,008.

Departmental officers have advised that the following potential projects may be eligible for funding under LGGSP 2019-2021:

- Rooftop solar facilities on public buildings used for social and cultural purposes. Council has commissioned a report including designs and costings for rooftop solar facilities from Peak Services/ LGAQ following the installation of a trial solar system at Esk library in September 2018. The total estimated cost of solar systems designed so far by Peak Services is around \$193,000. Council is seeking further solar system designs and costings from Peak Services.
- Construction of asphalt car parking, lighting and landscaping and removal of a shed at the Lowood Telstra exchange site which Council has contracted to purchase following a Council resolution in 2015. This property is due to settle in mid-2019 for \$300,000. There are contract conditions that allow for Telstra's operations to remain on part of the site and an easement over the land will grant Telstra "the unimpeded right to transmit without any obstruction caused by any improvement" on the land. This easement may effectively prevent new structures being placed on the land. Council engineers have costed the car park at \$276,000. Lowood RSL has been attempting to obtain funding for the removal of a former orderly room from the site. The estimate does not include this relocation. A recent photo is attached showing cracked and uneven surfaces of the Telstra site. The construction of additional lit asphalt car parking and landscaping in Lowood CBD in place of the current situation will assist in enhancing the social, economic and tourist development of Lowood.

Attachments

Extract from LGGSP 2019-2021 guidelines
 Council decision of 11 November 2015
 Photo - Lowood CBD Telstra site
 Aerial image - Lowood CBD Telstra site

Recommendation

THAT the Chief Executive Officer be authorised to submit applications as appropriate under the Local Government Grants and Subsidies Program 2019-2021 for 50% funding for rooftop solar systems as estimated and designed by Peak Services/LGAQ and for the construction of asphalt car parking, lighting and landscaping and removal of a shed at the Lowood Telstra exchange site at a cost of \$276,000.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Hall

"THAT the Chief Executive Officer be authorised to submit applications as appropriate under the Local Government Grants and Subsidies Program 2019-2021 for 50% funding for rooftop solar systems as estimated and designed by Peak Services/LGAQ and for the construction of asphalt car parking, lighting and landscaping and removal of a shed at the Lowood Telstra exchange site at a cost of \$276,000."

Carried

Subject:	Library promotions
File Ref:	Officer's report
Action Officer:	Regional Librarian

Background/Summary

Due to Somerset Libraries current standing order programs, council has become eligible to spend a credit of \$1,725.19 on select audio books from library supplier, Bolinda Publishing.

As many of the titles available to select can already found in the library collection it is proposed that the library service use these titles as prizes and giveaways via varied incentives throughout 2019.

Giveaway promotions will be created to increase library membership and patronage, as well as to highlight important dates on the library calendar such as Library Lovers Day on 14 February 2019 and Children's Book Week in August 2019.

Children's audio book sets will be used in conjunction with First Five Forever promotions and donated to kindergartens and day care centres around the region.

Another incentive for which the stock can be used will be through marketing Somerset Libraries Facebook page. Running a giveaway program will be a fantastic way to build a social media following on this new site. It's also a chance to have some fun and to liven up the library community by getting people excited and talking about Somerset Libraries.

Attachments

Audio book order confirmation

Recommendation

THAT permission is granted to use items selected with the credit content of \$1,725.19 on Somerset Library promotions in 2019.

Decision:	Moved - Cr Choat	Seconded - Cr Whalley
	<p>"THAT permission is granted to use items selected with the credit content of \$1,725.19 on Somerset Library promotions in 2019."</p> <p style="text-align: right;"><i>Carried</i></p>	

Subject:	Alterations of fees and charges - Use of parks or sporting grounds by Commercial Operators - Hiring Arrangements
File Ref:	Financial Management - Fees and Charges - Setting of Cost Recovery Fees
Action Officer:	SRO / DCORP

Background/Summary

Somerset Region

A request has been made for the use of the Fernvale Sports Park to be used for a group doing "boot camp" style fitness activities. The Personal Trainer making the request and operating the business is "NRGPT" – Adley Malickson. The activity would fit within that type

of activity that would be controlled by Permit/Application under Subordinate Local Law 1.2 Commercial Use of Local Government Controlled Areas. This is the first application made to Council of this type in any park in the Somerset Region.

Research has been conducted by the SRO into the usage costs and/or fee structure of the use of parks or sporting grounds by fitness groups/personal trainers at Somerset and other Councils. Currently there is no fee structure in place for such activities at Somerset. Based on information gathered from other Councils such as Ipswich City Council and Brisbane City Council, it is recommended that there be a fee structure set in place to be comparable with surrounding Councils. Brisbane is slightly higher than Ipswich's fees and an extract from Ipswich's Fees and Charges is as follows:

1.1.4 Use of Parks or Sporting Grounds by Fitness Groups/Personal Trainer

The definition of a 'fitness group/personal trainer: a group or individual providing outdoor fitness sessions to promote a healthy and physically active lifestyle'

(a) 10 or less attendees

10 or less attendees (Permit Required): No Charge
Local Law 4 (Permits) s7, s11(a)

(b) More than 10 attendees (Permit Required)

More than 10 attendees (Permit Required): Application fee – Non-refundable \$75
Local Law 4 (Permits) s7, s11 # (a)

More than 10 attendees (Permit Required): Season Fee (payable per season Summer/Winter) \$290
Local Law 4 (Permits) s7, s11 # (a)

More than 10 attendees (Permit Required): Annual Fee \$510
Local Law 4 (Permits) s7, s11 # (a).

The SRO has developed a booking form suitable for all parks and sporting grounds for all activities. This form will be altered to accommodate for the new type of activity (this is only a minor amendment). This change will be subject to the outcome of this recommendation.

The fee structure that should be set to stay in alignment with neighbouring Council's is as follows:

a) 10 or less attendees

10 or less attendees – No charge, booking required.

b) More than 10 attendees

More than 10 attendees – booking required with a six monthly/seasonal charge of \$200.

Somerset Civic Centre

The Lessee of the Somerset Civic Centre has made a couple of requests regarding hiring some of the items purchased and stored by Council at the Council Depot. Fees for use have been discussed and tentatively agreed. The fees for the use of items at the Centre are as follows:

Bollards	(single use hire)	\$5 per Bollard
Chair Covers	(single use hire)	\$4 per chair cover

Attachments

Nil

Recommendation

THAT Council amend the 2018/19 Schedule of Fees and Charges to include a new fee for the use of parks and sporting grounds for commercial use related to fitness/bootcamp style activities and include two new fees for the hire of Council owned equipment at the Somerset Civic Centre as outlined in this report.

Decision:	Moved - Cr Hall	Seconded - Cr Brieschke
	<p>"THAT Council amend the 2018/19 Schedule of Fees and Charges to include a new fee for the use of parks and sporting grounds for commercial use related to fitness / bootcamp style activities and include two new fees for the hire of Council owned equipment at the Somerset Civic Centre as outlined in this report."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Upgrade to Fernvale Sports Park - Brisbane Valley Rattlers Proposal
File Ref:	Community Relations - Sponsorships / 2017-2018 - Donations - Community Assistance Grant
Action Officer:	SRO

Background/Summary

The Brisbane Valley Rattlers Junior AFL Club in partnership with AFL Queensland (AFLQ) have approached Council with a proposal (attached) for the development of new infrastructure at the Fernvale Sports Park. Currently the Club feels they are hamstrung by the lack of specific infrastructure at grounds. The specific infrastructure that the club feels they need to assist with the further growth and development of not only the club but the sporting complex is:

- Canteen
- Scoreboard
- Ground lighting
- Coaches boxes

They feel that with these upgrades to the ground, it will allow to expand its target and cater for not only more club fixtures, representative games, gala days but also other social competition opportunities.

AFLQ have committed financial support for the construction of canteen/storage building and supply of coaches' boxes and scoreboard.

The Brisbane Valley Rattlers have provided two quotations for the supply and installation of a canteen/additional storage building from R&F Steel Buildings (\$22,153 Inc.) and Australian Garages and Carports (\$26,248 Inc.) Both quotations and floor plans are included with the proposal. The facilitation of power and water to the building is not included in the project and it is something that the club has requested Council to contribute to the project.

It is recommended that the Brisbane Valley Rattlers proposal be considered within a full complex Facility Master Plan for the Fernvale Sports Park. This plan will include consideration for the user groups and the development of appropriate facilities in order for the user groups to grow and maintain sustainability.

Attachments

Submission to Somerset Regional Council – Upgrade of Fernvale Sports Park AFL Oval

Recommendation

THAT Council investigates the development of a Facility Master Plan for the Fernvale Sports Park in order to assist with the further development of the site.

Decision:

Moved - Cr Choat

Seconded - Cr Ogg

"THAT Council investigates the development of a Facility Master Plan for the Fernvale Sports Park in order to assist with the further development of the site."

Carried

Subject: Changes to Council Meeting Dates – 2019
File Ref: Governance – council meetings – Notices of Motion Doc Id 1073567
Action Officer: DCORP

Background/Summary

Council is requested to adopt the Schedule of Meeting dates for the period January 2019 to December 2019, set out below:

January	9 23	July	10 24
February	13 27	August	7 21
March	13 27	September	11 25
April	10 24	October	9 23
May	8 22	November	13 27
June	12 (Budget) 26	December	11 19 (Thursday)

To allow for the Christmas closure period, the meeting of 9 January 2019 be cancelled and the meeting dates of 7 and 21 August 2019 be amended to 14 and 28 August 2019.

Attachments

Nil

Recommendation

THAT the following amendments to council meetings be adopted -

- 9 January 2019 be cancelled;
- 7 August 2019 be moved to 14 August 2019; and
- 21 August 2019 be moved to 28 August 2019.

Decision: Moved - Cr Whalley Seconded - Cr Choat

"THAT the following amendments to council meetings be adopted -

- 9 January 2019 be cancelled;
- 7 August 2019 be moved to 14 August 2019; and
- 21 August 2019 be moved to 28 August 2019."

Carried

Subject:	Awarding of Quotations for Electrical Maintenance, Air-conditioner Maintenance, RCD Testing and Emergency Exit Light Testing
File Ref:	Somerset Regional - Council Properties - maintenance and Operations
Action Officer:	FMC

Background/Summary

Council has advertised for quotations and received a number of quotes across the four Electrical maintenance quotes advertised. The quotes were for the following work:

- | | |
|--------------------------------|-------------------------------------|
| - Electrical Maintenance | 2 years from 1 January 2019 - Q1085 |
| - Air-conditioner Maintenance | 2 years from 1 January 2019 - Q1086 |
| - RCD Testing | 2 years from 1 January 2019 - Q1080 |
| - Emergency Exit Light Testing | 2 years from 1 January 2019 - Q1081 |

These quotations were advertised on 22 August 2018 and closed on 12 September 2018. For each of the Quoted areas of work the current arrangements have expired. The last three quoted areas of work above are for annual or six-monthly servicing with provision for emergency services if required. The current Electrical maintenance arrangements have been continued to 1 January in order that all arrangements will commence at the same time.

A scoring of the quotes was completed by three Council officers on the basis of 5% for all documentation, 5% for Current Certificates, 5% demonstrated experience, 5% for local preference and 80% for price. Submissions were scored out of Ten and the weighting was applied to the scores. This was repeated for each assessment and an overall score was derived which provided a ranking.

The detailed summary sheet attached provides the scoring and ranking for each of the contractors.

Attachments

Electrical Quotations scoring summary

Recommendation

THAT Council appoint the first ranked contractor for Air-conditioner maintenance, RCD

Testing and Emergency Exit Light Testing based on the assessment of quotations undertaken and at the prices quoted and utilise the ranking order for the contractors required for Electrical Maintenance and Air Conditioner Maintenance emergency repairs.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Ogg
<p>"THAT Council appoint the first ranked contractor for Air-conditioner maintenance, RCD Testing and Emergency Exit Light Testing based on the assessment of quotations undertaken and at the prices quoted and utilise the ranking order for the contractors required for Electrical Maintenance and Air Conditioner Maintenance emergency repairs."</p>		
<i><u>Carried</u></i>		

Subject:	Esk Recreation Grounds Grandstand
File Ref:	Council Properties - Usage
Action Officer:	DCORP / FMC

Background/Summary

At a workshop in August, Council requested that quotations from at least three contractors be obtained. Council was to decide whether to carry out the works this financial year and which contractor was to be appointed. The works to be carried out on the Esk Recreation Grounds Grandstand were to ensure that a valuable community facility is kept in good condition.

It has taken a considerable amount of time but council staff have finally obtained quotes from four contractors. They were as follows:

- Scott Dull – Toogoolawah
- Danial Banditt – Esk
- Gary Proos - Garnell Constructions
- Shane Beattie – Rock Solid Building
- Damien Heck – Heck's Building (painting only)

Each of the builders have been provided with a copy of the Building Certifier's report prepared by Council's Building Certifier. Each of the builders have asked detailed questions about building certification compliance, scope of works and items that were included or excluded from the works.

The work involves mostly carpentry and painting works. There is a requirement to disconnect the showers and the waste for the showers. This area seems to be where a significant portion of the white ant attack has occurred. The showers will not be usable at the end of the project. The area could be used for storage. The BV Bulls Juniors advise that the showers are not normally used and the disconnection of services would be acceptable.

Each of the Builders have provided a quote to repair and paint the building. Council has also received one quotation for painting only.

There is some risk that because the quantum of works was not specified upfront that the prices quoted may be exceeded due to issues with joists or beams that can not be easily seen from the inspections that were carried out. This risk is the same for each of the quotes.

From a review of the quotations received the quantity of work required is determined by the builder not by a Council specification.

Attachments

- (1) Pest Inspection Report in four parts (large report section copy for table)
- (2) Detailed Quotes and a List of Quotations provided separately (Confidential)

Recommendation

THAT Council accept the Quotation from Danial Banditt and refer the final cost of works to a Budget review for funding and notify the contractor that it would be preferable for the work to be carried out at the end of the Touch Football season and prior to the commencement of the 2019 Junior Football season.

Decision: Moved - Cr Brieschke Seconded - Cr Choat

“THAT the requirements be respecified and quotations re-called.”

Carried

Subject: Fernvale Junction Feast - provision of helicopter joy rides
File Ref: Fernvale Junction Feast - Col Powell Park
Doc Id. 1037103, 1071029,1066918
Action Officer: DCORP

Background/Summary

Council has previously approved the commercial Hire of Col Powell Park for the upcoming event Fernvale Junction Feast.

As part of this event on 1 December 2018 Rusco Event Management are seeking to provide commercial helicopter joy rides at Col Powell Park. The joy rides will be provided by Pterodactyl Helicopters between the hours of 9am and 3pm. The landing will be isolated to the campdraft arena of Col Powell Park and safety measures will be in place to ensure the safety of public and staff. Neighbours will be notified by letter drop from Rusco Management.

Attachments

Letter of support from Rusco Event Management
 Helipad survey report from Pterodactyl Helicopters

Recommendation

THAT Council approve the operation of helicopter joy rides by Pterodactyl Helicopters from the Campdraft Arena at Col Powell Park, Banks Creek Road Fernvale on 1 December 2018 between the hours of 9am to 3pm and that Rusco Event Management be responsible for the notification of adjoining neighbours.

Decision: Moved - Cr Ogg Seconded - Cr Brieschke

“THAT Council approve the operation of helicopter joy rides by Pterodactyl Helicopters from the Campdraft Arena at Col Powell Park, Banks Creek Road Fernvale on 1 December 2018 between the hours of 9am to 3pm and that Rusco Event Management be responsible for

the notification of adjoining neighbours."

Carried

Subject:	Australia Day 2019 Additional Activities
File Ref:	Recreation and cultural services - service provision - Swimming Pools - Recreation Centre
Action Officer:	SRO

Background/Summary

Australia Day next year will be Saturday, 26 January with the Public Holiday being held on Monday, 28 January 2019.

Council supports Australia Day activities at the swimming pools in each town by covering the cost of the pool entry for the day, making it free to all patrons. In an effort to contribute to community spirit and add to celebrations on the day, it is proposed that Council include additional activities at all four swimming pools in the region. The SRO has liaised with the pool operators and a few ideas have been formulated for each site on the day. A summary has been provided for the activities that will be offered at all four swimming pool venues on Australia Day

Lowood Swimming Pool (map attached)

Pool inflatable, thong throwing competition, music, the great Aussie belly flop contest and prizes for the best Aussie themed hat or dress up.

Esk Swimming Pool (map attached)

Throng throwing competition, musical noodles, apple bobs, duck pond games for toddlers, the great Aussie belly flop contest, prizes for the best Aussie themed hat or dress up.

Toogoolawah Swimming Pool (map attached)

Face painting, best dressed competition, toss the thong, backyard cricket, beach frisbee and/or football, volleyball, Australia Day quiz with prizes for the winners, slurpee slurp off, egg and spoon races and lamington eat off.

Kilcoy Aquatic Centre (map attached)

Face painting, best dressed competition, torpedo inflatable, colouring in competition, inflatable thong races, toss the thong, backyard cricket, beach frisbee and/or football, volleyball, Australia Day quiz with prizes for the winners, slurpee slurp off, egg and spoon races and lamington eat off.

It is proposed that Council facilitate additional activities, including: additional pool inflatables, water slides, obstacle course, jumping castles and other complimentary activities ensuring that the activities budget is spread across each of the four pools and provides activities that fit with the specifications of the pool. The SRO has sought various activities such as jumping castles, water slides and water based obstacle equipment for an approximate costing of \$2,000 - \$2,500 per site based on quotations. A map is attached of the proposed approximate locations within the pool grounds where the additional activities will be based. Depending on size and number of activities provided, the SRO will investigate the use of land surrounding the venues.

Additional land and water based inflatable activities at each pool is a cost-effective inclusive approach to maximising involvement and participation on Australia Day.

For the future, it may be appropriate for Council to purchase of a water based inflatable obstacle course for pool based events, not only for Australia Day events but other pool events throughout the season. A proposal to progressively purchase inflatables for all four pools over a two to three-year period, depending on budget, might be a way to ensure each of the pools are well equipped to attract as many customers to the pools as possible. The SRO has sourced two suitable water based inflatables from AFLEX (quotation attached) as an indication of the approximate cost. The combined cost of purchasing 2 inflatables suitable for the Esk and Toogoolawah Swimming Pool is \$7,435 ex GST (Action Dash \$3,895 and Aqua Splash \$3,540). It is recommended that Council purchase two inflatables for use at the Esk and Toogoolawah Swimming Pool and the SRO can utilise the remaining budget to facilitate additional activities at the other two pools (Lowood and Kilcoy).

Attachments

- Overhead map of all four swimming pool venues and the possible location of additional activities.
- AFLEX Pool Inflatable Quotation

Recommendation

THAT Council endorse the additional activities proposed for the 2019 Australia Day celebrations held at all four swimming pool venues and support the purchase of water based inflatables.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT Council endorse the additional activities proposed for the 2019 Australia Day celebrations held at all four swimming pool venues and support the purchase of water based inflatables."

Carried

Volunteer Service Recognition –

The Mayor presented certificates and service badges to Mrs Marilyn Smallwood, Mr Neil Walker and Mrs Terry Walker, who all volunteer at the Fernvale Futures Information Centre in recognition of 10 years' service volunteering with Council. The Mayor thanked Marilyn, Neil and Terry for their voluntary service to Council.

Adjournment of meeting –

The Mayor adjourned the meeting at 10am for morning tea, resuming at 10.18am.

Subject:	Operational Report for October 2018
File Ref:	Governance - Reporting - Officer Reports
Action Officer:	CSSA

Background/Summary - Technical Design Team (Michael Kinion)

This team continues the detailed designs for the 2018-2019 capital works program and have started to prepare projects for future works. They have provided support to the construction crews on the roadwork's at the construction of Fernvale Road, Fernvale, Pryde Street, Lowood, the shared paths at D'Aguiar Highway, Kilcoy and Pipeliner Park, Esk, and Apple

Tree Creek Bridge. The Technical Design team continue to set out traffic counters within the region to maintain our current information and update the asset register with the latest information following completion of works and inspections. The permanent multi-use data counter (horses, pedestrian and cyclists) has been installed on the southern approach to the Esk Pedestrian and presently being commissioned.

Permit	Oct-18	Oct-17
Property Searches	68	44
Land access Permit	72	27
Property Access Applications	17	7
National Heavy Vehicle Regulator Permits – Dwellings	14	15
National Heavy Vehicle Regulator Permits – Other	22	11

Background/Summary – Works Department (Peter Hardie)

Weather Conditions:

Reasonable rainfall over most of the Region for the past month with only minor interruption to Council work and little or no damage.

Gary Eastell - Foreman:

Northern Maintenance Crew (Nigel Valentine)

This crew has completed maintenance on Esk Crows Nest Road and Langtons Lane. The crew has started construction on Fernvale Road, Fernvale. Works will be ongoing for some time.

Excavator crew (Dave Bandit)

There have been five burials during October. This crew is continuing with ongoing drainage maintenance and cleaning up of illegal dumping sites. Other works include construction work on Fernvale Road.

Landfill (Rob Hester)

The waste operations are continuing as normal at Esk Landfill. Liberty One Steel has removed scrap metal.

Wayne Kohler - Foreman:

Southern Maintenance Crew (Thomas Varney)

This crew has now completed the widening and overlay works on Prenzlau Road up to the school with stabilisation and a seal being placed 23 October. The crew has made a start on Pryde Street, Lowood where subsoil drains, kerb and channel, widening and sealing works will be ongoing over the next few weeks.

Esk Concrete Crew (Ron Ratcliff)

This crew has now completed the footpath component of the project in Pipeliner Park in Esk. They were also assisting on Prenzlau Road project widening pipes etc. The crew has also been involved in the setup of two projects in Lowood, namely Walters street drainage and Pryde Street set up for kerb and channel excavation and placement of subsoils. The crew is currently back in Esk for the installation of solar lights in the Pipeliner Park project.

Doug Freeman - Foreman:

Kilcoy 1 Grader Crew (Stuart Gardner)

This crew has completed maintenance work on Hughes Road, Cowah Road, Kimbala Road and Louisavale Road. This crew will continue to work in the area north of Jimna including a grade of Kilcoy Murgon Road before the closedown in December.

Kilcoy 2 Grader Crew (Acting Peter Cobbin)

This crew has now completed maintenance work on Spring Creek Road and Wise Lane. Other works include repairs at the intersection of D'Aguilar Highway and Spring Creek Road. This crew has commenced kerb replacement work in Seib Street, Kilcoy, and some TMR works on D'Aguilar Highway where Council will be constructing a side-track around a slip that requires work between Dam Creek and Wallaby Creek No 1.

Bob Peters – Foreman:**Austroads Patching Crew 1 (Clinton McLeod)**

This crew has continued with ongoing patrols for potholes on both Council and TMR roads, sealing of patches and pavement repairs as required.

Austroads Patching Crew 2 (Craig Thompson)

This crew has continued with ongoing patrols for potholes on both Council and TMR roads, sealing of patches and pavement repairs as required, including work on Prenzlau Road.

Bitumen Crew (James Rolph)

This crew is continuing with ongoing pavement repairs, drainage repairs/cleaning on both Council and TMR roads. The crew has now completed vegetation and drainage clearing on Brisbane Valley Highway.

Bruce Zinn - Foreman:**Bridge Crew: (Chris Wheeler acting ganger)**

This crew has completed approach works on the walkway bridge in Prospect Street, Lowood. The crew is also continuing with Hawthorne Road Bridge replacement; however, a recent run in the river has slowed progress a little. The crew has also made a start on Apple Tree Creek bridge replacement, with the piling contractor expected to be on site week beginning 5 November. Other works include the placement of a bus shelter in Esk.

Kilcoy Concrete Crew: (Kerry Kubler acting ganger)

This crew has now completed work on the walkway/bikeway heading east from Kilcoy town. Other works include concrete at Hawthorne Road Bridge replacement, footpath repairs in Linville and drainage pit/lintel repairs in Kilcoy. This will be ongoing until the end of November.

Lyle Crawford – Senior Foreman:**Repair Crew 1: (Jim Walker)**

This crew is continuing with ongoing sign repairs and customer service requests, such as linemarking, including some minor respray jobs for stop lines etc. The crew is continuing with maintenance on footpaths including a pram ramp at Rose Street, Kilcoy. Other works include ongoing tree lopping/trimming clean up, removing rock slides from recent storms as required and TMR maintenance works. This crew has also assisted with work on Pryde Street, Lowood.

Repair Crew 2: (Steve Nutley Ganger)

This crew is continuing with ongoing signage repairs. They have also patrolled and completed various customer service requests in more remote locations. Other works include ongoing tree lopping/trimming clean up, removing rock slides from recent storms as required and TMR maintenance works.

Department of Transport and Main Roads (TMR) – Mary Street, Kilcoy

Council has entered into a contract with TMR for the relocation of underground assets to facilitate future roadworks planned for the D'Aguilar Highway (Mary Street). Queensland Urban Utilities are presently undertaking these works on behalf of Council with works

continuing over the next two to three months.

Charlene Meehan – Parks and Garden Coordinator:

Esk Gardeners:

The garden crew is undertaking normal duties, garden and tree maintenance, and have completed the annual Council free tree events for this year, which was well received and supported by the public.

Esk and Lowood Mowing Crew:

The mowing crew is undertaking garden, tree and park facility maintenance. Crew members are continuing to take leave during this off-peak period.

Kilcoy Mowing Crew & Gardeners

Kilcoy crew is undertaking garden, tree and park facility maintenance. Crew members are also taking annual leave during this off-peak period.

SRC Slasher Operators:

Slasher operators are assisting other parks and garden crews as well as relieving for other team members on annual leave.

Town Stewards:

The town stewards are undertaking their normal duties.

Peter Heath – Workshop Foreman:

Mechanics:

- The mechanics have continued with the ongoing service and maintenance of Council fleet.
- Half yearly inspections and services were carried out on Group 2 floating plant items.
- P.676 Walker mower, P.680 Walker mower and P.226 Forklift (Kilcoy) have had Engine Watchdogs fitted as per Council decision. The rest to be fitted shortly.
- P.223 Caterpillar wheel loader (Esk Depot) injector pump was leaking fuel. Injector pump was removed and has been reconditioned by Rocklea Diesel and pump and has been refitted.
- One repair carried out on Ipswich Waste Services trucks.
- One new lease vehicle has been delivered.
- Monthly check and start test on emergency gensets were carried out at Esk office, Fernvale Futures and Kilcoy depot.
- Quarterly electrical test and tag on Council's portable electrical items and half yearly test and tag on all SES electrical items have been carried out.
- Quarterly trailer inspections have been carried out.
- Half yearly inspections and service were carried out on Group 3 floating plant items.
- Annual certificate of inspection for registration has been carried out by workshop staff on all Council medium trucks and trailers.
- Annual fleet inspection on Council's large trucks and trailers has been carried out by TMR inspectors. Only a few small repairs were required which were fixed on the same day.

Welding Crew:

- Carried out various repairs to Council's assets for parks, gardens and Council buildings.
- Fabricated horseshoe shaped sign frame for Kilcoy Race Club finish post. The frame is currently away being powder coated.
- Small section of damaged guard rail has been repaired on West Road, Patrick Estate.
- Installed hand rail to two sections of footpath on D'Aguilar Highway, Kilcoy shared

footpath project.

- Installed handrail to a section of footpath either side of new pedestrian bridge at Prospect Street, Lowood.
- Carried out various repairs to Council plant.

Hire Plant:

Council has been using hired rollers, excavators and water trucks as required.

Reflect Info:

TMR – RMPC has 1670 defects with 134 accomplishments completed.

Local Roads has 1308 defects recorded with 1029 accomplishments.

Somerset Bridges has 127 completed inspections.

Background/Summary – Customer Service Requests (Debbie Chandler)

Council received 389 customer service requests for the month of October 2018. A copy of the report is attached for your information.

Month	No of CSR's received	For comparison month	No of CSR's received
Jul-18	377	Jul-17	539
Aug-18	365	Aug-17	595
Sept-18	410	Sept-17	456
Oct-18	389	Oct-17	458
		Nov-17	547
		Dec-17	421
		Jan-18	536
		Feb-18	585
		Mar-18	533
		Apr-18	451
		May-18	483
		June-18	409
Total	1541	Total	6013

The top five requests received from customers during the month of October 2018:

- Dog registrations – 34
- Roads/Bridges/Drainage – vegetation – 26
- Wandering dogs - 22
- Roads/Bridges/Drainage – gravel roads - 20
- Roads/Bridges/Drainage – bitumen roads and roadside drainage – 17 each

Recommendation

THAT the report be received.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT the report be received."

Carried

Subject:	Esk Garden and Lifestyle Fair 2019 – Request for Council Support and Use of Pipeliner Park to Hold Event – Saturday 15 June 2019
File Ref:	Council properties / usage / 2017-2018 – council hire agreements and bookings / 2018-2019 – bookings – parks and reserves (1069570)
Action Officer:	CSSA

Background/Summary

The organisers of the Esk Garden and Lifestyle Fair have approached Council seeking approval and support to hold their 2019 Esk Garden and Lifestyle Fair in Pipeliner Park, Esk on Saturday, 15 June 2019.

If approved by Council, this would be the third time this event has been held in Pipeliner Park. The organisers have advised that the past two years have been very successful. In 2018, there were 2,900 people through the gate. They informed Council that 400 people were surveyed, 52% came from outside of the Somerset Region, and 4% were interstate visitors.

It is projected that a similar number of visitors will attend the event in 2019 with approximately 1,000 visitors on site at any one time.

The event will open to the public from 8am to 3pm on Saturday, 15 June 2019. It is proposed to have 118 sites with each site being 3m x 3m. All stallholders will be required to have their own public liability insurance and will be required to supply copies of their public liability insurance to the organisers.

A copy of their proposal and layout plan has been attached for Councillors information.

The organisers propose to wrap the trees with woollen jumpers within the area of Pipeliner Park that is being used for this event on Friday and will be removed on Saturday afternoon when the event has finished.

Organisers including some stall holders will start setting up on Friday, 14 June 2018 with all stallholders to be set up and vehicles removed from Pipeliner Park by 7.30am on Saturday, 15 June 2018. In the application, the organisers have stated that they would require a few members to sleep on site in a campervan Friday night for security. It should be noted that camping on Council land is prohibited under Council's Local Law No 4 (Local Government Areas, Facilities and Road) 2011 and Subordinate Local Law No 4 (Local Government Controlled Areas, Facilities and Roads) 2011.

It is recommended that the organisers be advised that camping is not permitted on Council land and that other arrangements will need to be put in place, for example, maybe hire a security company.

The event organisers are seeking support from Council to assist with the following:

- 18 x extra wheelie bins;
- traffic cones;
- no parking signs;
- bus parking signs;
- bollards;
- barrier signs;

- directional parking signs;
- two disaster management's electronic signs (if available on the day); and
- Access to power.
- Two Council employees to assist

Attachments

Application and layout plan for Pipeliner Park.

Recommendation

THAT Council, under Council's Local Law No. 1 (Administration) 2001 and Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011, grant permission to use Pipeliner Park for the Esk Garden Lifestyle Fair 2019 to be held on Saturday, 15 June 2019 subject to the following conditions:

- The event is to be held between the hours of 8am and 3pm on Saturday, 15 June 2019. Setting up of the event is approved to start at 8am on Friday, 14 June 2019.
- All displays and vehicles are to be removed from the site by 5.30pm on Saturday, 15 June 2019.
- Camping is not permitted on Council land.
- The area is to be kept in a clean and tidy state, and it is required to adequately provide for the collection and disposal of waste generated by the event.
- It is required that the following toilet facilities be provided:

Males			Females	
<i>WC</i>	<i>Urinals</i>	<i>Hand Basins</i>	<i>WC</i>	<i>Hand Basins</i>
4	8	6	12	6

It is noted that the number of toilets to be provided include the number of existing public toilets within Pipeliner Park (Heap Street) and the leased Railway Station. Further, these facilities will require cleaning and/or stocking up of supplies during and after your event, you will be required to ensure that these facilities are kept clean and supplied with the necessary stocks.

- Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.
- All temporary signage for your event must be displayed on private property only and are only to be displayed 14 days prior to the event, and all signage must be removed from display 1-day after the event.
- Ensure that the through traffic is not impeded due to this event.
- Stallholder vehicles accessing the park must only be via the existing walking trails within the park.
- No tent pegs or stakes to be used within the park for setting up of gazebos and bunting unless prior approval on the location has been sought from Council's Parks and Gardens Foreman to ensure no underground services are in the area the tent pegs or stakes are to be placed.

- The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.
- The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.
- The activity must not detrimentally affect the amenity of the area subject of this approval.
- If food is to be sold at the event for profit, a food business licence must be obtained from Council. Some exemptions do apply for non-profit organisations; please contact Council's Environmental Health Section for further information.
- Ensure that the local Police Department has been advised and all required Police Permits have been obtained.
- The organiser of the event, must have public liability insurance in an amount not less than \$10,000,000 and produce documentary evidence of the insurance to Council before the commencement of the event.
- The approval holder will be responsible for ensuring that all operators of activities at this event have current public liability insurance in an amount of not less than \$10,000,000. The approval holder is required to have a copy of all public liability certificates of currencies on hand during the event.
- In the event of prevailing wet weather, a joint inspection of ground conditions is to be conducted with the organiser and Council's Parks and Gardens Foreman. Should the grounds be deemed unsuitable for the purpose of the event and no other arrangements can be made, the event will be cancelled.

FURTHER THAT the Valley of the Lakes Garden Club be advised that Council is able to offer the following assistance and should they wish to take advantage of any or all of the below listed items they should make application to Council for a community assistance grant:

- Supplying 18 x community bins to Pipeliner Park to assist with waste management during the event;
- Supply up to a maximum of 100 x witches hats;
- If available, supply signage including two electronic signs to assist in the control of traffic and pedestrians;
- Provide access to the power supply within Pipeliner Park for the duration of the event;
- Provide two (2) town stewards for a maximum of eight hours on Saturday, 15 June 2019 to assist with setting up and packing down of the park, assisting with the guiding of vehicles in and out of the park, waste management, cleaning and stocking of toilets and ensuring that the site is cleaned and secure at the end of the event on Saturday, 15 June 2018.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Choat

“THAT Council, under Council’s Local Law No. 1 (Administration) 2001 and Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011, grant permission to use Pipeliner Park for the Esk Garden Lifestyle Fair 2019 to be held on Saturday, 15 June 2019 subject to the following conditions:

- The event is to be held between the hours of 8am and 3pm on Saturday, 15 June 2019. Setting up of the event is approved to start at 8am on Friday, 14 June 2019.
- All displays and vehicles are to be removed from the site by 5.30pm on Saturday, 15 June 2019.
- Camping is not permitted on Council land.
- The area is to be kept in a clean and tidy state, and it is required to adequately provide for the collection and disposal of waste generated by the event.
- It is required that the following toilet facilities be provided:

Males			Females	
WC	Urinals	Hand Basins	WC	Hand Basins
4	8	6	12	6

It is noted that the number of toilets to be provided include the number of existing public toilets within Pipeliner Park (Heap Street) and the leased Railway Station. Further, these facilities will require cleaning and/or stocking up of supplies during and after your event, you will be required to ensure that these facilities are kept clean and supplied with the necessary stocks.

- Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.
- All temporary signage for your event must be displayed on private property only and are only to be displayed 14 days prior to the event, and all signage must be removed from display 1-day after the event.
- Ensure that the through traffic is not impeded due to this event.
- Stallholder vehicles accessing the park must only be via the existing walking trails within the park.
- No tent pegs or stakes to be used within the park for setting up of gazebos and bunting unless prior approval on the location has been sought from Council’s Parks and Gardens Foreman to ensure no underground services are in the area the tent pegs or stakes are to be placed.

- The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.
- The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.
- The activity must not detrimentally affect the amenity of the area subject of this approval.
- If food is to be sold at the event for profit, a food business licence must be obtained from Council. Some exemptions do apply for non-profit organisations; please contact Council's Environmental Health Section for further information.
- Ensure that the local Police Department has been advised and all required Police Permits have been obtained.
- The organiser of the event, must have public liability insurance in an amount not less than \$10,000,000 and produce documentary evidence of the insurance to Council before the commencement of the event.
- The approval holder will be responsible for ensuring that all operators of activities at this event have current public liability insurance in an amount of not less than \$10,000,000. The approval holder is required to have a copy of all public liability certificates of currencies on hand during the event.
- In the event of prevailing wet weather, a joint inspection of ground conditions is to be conducted with the organiser and Council's Parks and Gardens Foreman. Should the grounds be deemed unsuitable for the purpose of the event and no other arrangements can be made, the event will be cancelled.

FURTHER THAT the Valley of the Lakes Garden Club be advised that Council is able to offer the following assistance and should they wish to take advantage of any or all of the below listed items they should make application to Council for a community assistance grant:

- Supplying 18 x community bins to Pipeliner Park to assist with waste management during the event;
- Supply up to a maximum of 100 x witches hats;
- If available, supply signage including two electronic signs to assist in the control of traffic and pedestrians;
- Provide access to the power supply within Pipeliner Park for the duration of the event;

- Provide two (2) town stewards for a maximum of eight hours on Saturday, 15 June 2019 to assist with setting up and packing down of the park, assisting with the guiding of vehicles in and out of the park, waste management, cleaning and stocking of toilets and ensuring that the site is cleaned and secure at the end of the event on Saturday, 15 June 2018."

Carried

Subject:	Fernvale Road, Fernvale - Speed Environment
File Ref:	Traffic and Transport / Planning / Traffic Speed
Action Officer:	CD

Background/Summary

Council officers have finalised the design for Fernvale Road, Fernvale budgeted in the 2018-2019 capital works program.

As part of a design review and onsite assessment, a potential hazard was identified on the Fernvale Road Rehabilitation Project. This hazard was embankments between 3 to 5m high with a slope of 1 in 2 (1 vertical to 2 horizontal) adjacent to both sides of the carriageway.

Fernvale Road at this location has a posted speed of 80km/h and is currently sealed to a width of 6m with 1m gravel shoulders. The rehabilitation project plans to widen the road to 7m width with 1.5m, and 2m sealed shoulders providing a total seal width of 10.5m, which reduces the clear zone width to this embankment hazard. This embankment hazard requires an engineering intervention per current engineering practice.

Council officers undertook a risk assessment and evaluation of possible solutions to minimise the risk of this hazard to an acceptable level.

The evaluation identified four possible mitigation measures to this embankment hazard:

1. Remove Hazard

Removal of the hazard of the 1 in 2 embankments would require the shoulders to be widened by approximately 12m to provide a clear zone. The cost of fill material (approximately \$215,000) along with the insufficient road reserve, make this option impractical.

2. Provide Guardrail

Provision of approximately 120m of guardrail on either side of Fernvale Road to mitigate the associated risk would cost approximately \$90,000 with ongoing maintenance costs. The provision of guardrail within the clear zone becomes a hazard in itself.

3. Reduce speed limit to 60km/h

According to engineering design criteria, changing the speed limit through this section would change the probability of encroachment down the embankment from 50% to 33% and reduce the clear zone requirements from 12m to 4.2m. Although the clear zone requirement would still not be achieved, the reduction down to 4.2m along with 33% probability of encroachment provides drivers with a far greater chance of maintaining control of their vehicle and avoiding the potential embankment hazard. This option offers a reduction in risk that is considered acceptable.

Given that this section of Fernvale Road also leads to Fernvale Cemetery and access to Honeywood Drive which is a residential estate, it was felt that the 60km/h speed limit could justifiably be moved south from its existing location at Ch750 Fernvale Road (north of Chatham Street), to a new location of Ch1190 Fernvale Road (south of Honeywood Drive).

The cost of this treatment would be minimal and only require the relocation of two signs.

4. No Treatment

Leaving as is and providing no treatment accepting the level of risk associated with this embankment hazard. Council is advised that should this option be supported, that the new constructed road will be outside current engineering best practice.

Attachments

1880_1050_0146_107 - Fairneyview Fernvale Road – Speed Zone Relocation Sheet 1 of 1

Recommendation

THAT Council authorise the extension of the 60km/h speed limit from the present location at Ch750 Fernvale Road, to a new location of Ch1190 Fernvale Road, south of Honeywood Drive.

Decision:	Moved – Cr Brieschke	Seconded - Cr Hall
	<p>"THAT Council authorise the extension of the 60km/h speed limit from the present location at Ch750 Fernvale Road, to a new location of Ch1190 Fernvale Road, south of Honeywood Drive."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Pine Mountain Road - Sandy Creek Bridge Construction - Closure to Through Traffic
File Ref:	Roads / Road Closures / Temporary
Action Officer:	WM

Background/Summary

Quotation 1109 has been called to replace the Sandy Creek culvert on Pine Mountain Road, and a report on this quotation is on the agenda of the General Council meeting of 14 November 2018.

This project is jointly funded through the Bridges Renewal Program No. 3, Ipswich City Council (ICC) and Somerset Regional Council (SRC) as it is a bridge located on the boundary between the two Councils. An initial meeting has been held with representatives of ICC to discuss traffic management and stakeholder notification with ICC not offering any objection to road closure.

To ensure the bridge construction is carried out quickly and safely it is proposed that Pine Mountain Road be closed at Sandy Creek. An alternative route via the Brisbane Valley Highway and Borallon Station Rd is available which is approximately 12km in length.

Should Council desire to keep the road open during the bridge construction a suitable side

track would need to be constructed at a minimum cost of \$100,000 and would be in private property. Additional cost would also be incurred for traffic management and maintenance of traffic control devices (including temporary traffic signals) that is likely to cost a further \$25,000. Accordingly, should Council prefer this option a further \$125,000 needs to be allocated to the bridge construction budget. Further, the duration of the project will be greater due to delays caused by working around motorists.

As a minimum, the proposed road closure would be advertised to the community in the following manner:

- Local newspapers
- Roadside variable message signs
- Letter drops to residents directly affected by the road closure.

Emergency services and bus operators would be directly consulted concerning the road closure. The responsibility for the traffic management around the site will be that of the successful contractor.

Attachments

Nil

Recommendation

THAT Council endorse the closure to through traffic on Pine Mountain Road at the location of Sandy Creek for the duration of the construction of the new bridge, subject to the road closure being advertised.

Decision:	Moved - Cr Ogg	Seconded - Cr Choat
	<p>"THAT Council endorse the closure to through traffic on Pine Mountain Road at the location of Sandy Creek for the duration of the construction of the new bridge, subject to the road closure being advertised."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Quotation 1109 - Sandy Creek Bridge Replacement
File Ref:	Corporate Management - Tendering-Quotations - 2018-2019 - quotations unnumbered
Action Officer:	WM

Background/Summary

A request for quotation was sought under Local Buy Contract BUS244-1013 – Civil Construction and Road Resurfacing, from four suppliers for the replacement of the existing steel arch culvert at Sandy Creek on Pine Mountain Road.

Quotations closed on Wednesday 17 October 2018 with three conforming submissions received from the four suppliers, ranging in value from \$1,006,310.17 to \$1,263,923.21 for the replacement of Sandy Creek culvert on Pine Mountain Road. All figures within this report are exclusive of GST.

Sandy Creek culvert replacement is 50% funded under the Federal Government's Bridge Renewal Program No. 3 (BRP3) with Somerset Regional Council (SRC) and Ipswich City

Council (ICC) also making contributions.

The approved budget for this project is \$995,102, as submitted to BRP3. Hence, the quotations received are outside the approved funding.

In the Memorandum of Understanding with SRC, ICC has stated that their contribution to the project is capped at \$250 000. The budget figure was based on a Pitt and Sherry report for ICC on the possible replacement of this structure and was used in SRC's funding submission. An email was sent on 26 October to ICC requesting that they consider increasing their contribution, but as yet no reply has been received.

Assuming the lowest quotation is accepted the total project cost will be in the order of \$1.3M, including the bridge construction, underground service relocation, State Government levies, project management and contingency.

Council is advised that there have been some savings in the recent Pryde Creek bridge replacement project on England Creek Road which can be used to offset the extra cost of this project.

Quotation Conformance

All quotations received were considered conforming.

Quotation Evaluation

Evaluation of quotations was completed by a quotation assessment team consisting of Designate Director Operations, Andrew Johnson, Works Manager, Stephen Mow, and GHD Engineer, Andrew Walker. The assessment criteria was made available to suppliers with the request for quotation with the criteria consisting of price, track record and experience, methodology and project delivery, and safety and quality.

Conforming Quotation Discussion

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

CPM Group Pty Ltd

CPM has the past experience, knowledge and resources to fulfil this contract and has successfully built several bridges within the Somerset Region. CPM offered the lowest quotation for the bridge being \$1,006,310.17. CPM offer allowed an option for them to take up the bored piling risk on quantity/length as well as rock strength, reducing risk to Council. Should Council wish to take on this risk, CPM would apply a deduction of \$7,500 from their quotation. The assessment team carefully considered this option based on the bridge design and available geotechnical reports and the likelihood of problems being experienced with piling. Based on available information, it is the opinion of the assessment team that the offer proposed by CPM will greatly reduce Council's exposure to risk and considered to represent the best value for money. Based on the likelihood of potential risk, it is suggested that this option by CPM in this instance be accepted. This maintains their total offer of \$1,006,310.17, which remains lower than the next conforming offer.

QBC Pty Ltd

QBC has the past experience, knowledge and resources to fulfil this contract and has successfully built several bridges within the Somerset Region. However, the QBC quote was \$1,247,887.00 which is \$241,576.83 dearer than CPM and when considering other assessment criteria, the quote offered by QBC does not offer any noticeable advantages over the CPM quotation.

Ark Construction Group Pty Ltd

Similarly, ACG has the past experience, knowledge and resources to fulfil this contract and has successfully built several bridges within the Somerset Region. However, the ACG quote was \$1,263,923.21 which is \$257,613.04 dearer than CPM and when considering other assessment criteria, the quote offered by ACG does not offer any noticeable advantages over the CPM quotation.

Based on the quotation assessment, the quotation submitted by CPM Group Pty Ltd is the highest ranked supplier and is considered to offer Council the best value for money for the replacement of Sandy Creek culvert on Pine Mountain Road.

Attachments

Nil

Recommendation

THAT Quotation 1109 being for the replacement of Sandy Creek culvert on Pine Mountain Road be awarded to CPM Group Pty Ltd for the cost of \$1,006,310.17 (Excl GST).

Decision:

Moved - Cr Whalley

Seconded - Cr Ogg

"THAT Quotation 1109 being for the replacement of Sandy Creek culvert on Pine Mountain Road be awarded to CPM Group Pty Ltd for the cost of \$1,006,310.17 (Excl GST)."

Carried

Subject:	Brisbane River Strategic Floodplain Management Plan - Mayor's Introductory Statement
File Ref:	Emergency services / planning / flooding / Brisbane river Catchment Flood Study
Action Officer:	DOPER

Background/Summary

The format of the Brisbane River Strategic Floodplain Management Plan has a foreword by the Minister for State Development, Manufacturing, Infrastructure and Planning and Introductory Statements from the four Local Governments.

The draft Somerset introductory statement was circulated to Councillors on 25 October 2018 seeking feedback.

Draft Introductory Statement

"Living with flooding is a part of life in the Brisbane River catchment. We live in a sub-tropical climate so from time to time we will experience flooding and as a community we need to be informed, ready and resilient."

The floods experienced across Queensland in 2010/11 was the catalyst for change in how we understand our flood risk and plan for the future.

Flood waters cross local boundaries and taking a whole-of-catchment approach allows us to understand the bigger picture and better manage flood risk together.

Local governments will now use the Strategic Plan to inform local floodplain management plans to apply regionally consistent approaches to increase flood resilience in their communities."

Council's endorsement of the wording is now being sought.

Attachments

Nil

Recommendation

THAT Council endorse the wording of the Introductory Statement for use in the Brisbane River Strategic Floodplain Management Plan as follows -

"Living with flooding is a part of life in the Brisbane River catchment. We live in a sub-tropical climate so from time to time we will experience flooding and as a community we need to be informed, ready and resilient.

The floods experienced across Queensland in 2010/11 was the catalyst for change in how we understand our flood risk and plan for the future.

Flood waters cross local boundaries and taking a whole-of-catchment approach allows us to understand the bigger picture and better manage flood risk together.

Local governments will now use the Strategic Plan to inform local floodplain management plans to apply regionally consistent approaches to increase flood resilience in their communities."

Decision:	Moved - Cr Gaedtke	Seconded - Cr Brieschke
	<p>"THAT Council endorse the wording of the Introductory Statement for use in the Brisbane River Strategic Floodplain Management Plan as follows -</p> <p><i>'Living with flooding is a part of life in the Brisbane River catchment. We live in a sub-tropical climate so from time to time we will experience flooding and as a community we need to be informed, ready and resilient.</i></p> <p><i>The floods experienced across Queensland in 2010/11 was the catalyst for change in how we understand our flood risk and plan for the future.</i></p> <p><i>Flood waters cross local boundaries and taking a whole-of-catchment approach allows us to understand the bigger picture and better manage flood risk together.</i></p> <p><i>Local governments will now use the Strategic Plan to inform local floodplain management plans to apply regionally consistent approaches to increase flood resilience in their communities'."</i></p> <p style="text-align: right;"><u><i>Carried</i></u></p>	

Subject:	Community Assistance Grants – Somerset Excellence Bursary 2018 – 2019 – Taj Moor – Doc Id 1069184
File Ref:	Community Relations – Sponsorships – Somerset Excellence Bursaries
Action Officer:	DHRCS

Background/Summary

Council has received an application for financial assistance from Denise Young grandmother of Taj from Lowood. Taj has been selected to represent Queensland in the Go Kan Ryu Karate International, 8-9 years Kyu Kata and Kyu Kumite categories and has been invited to attend the Nationals Tournament being held in Wantirna South, Victoria, 24 November 2018.

This is the first occasion that Taj has applied for an Excellence Bursary.

This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$300 for State Level representation.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant a State Level Sporting Excellence grant of \$300 to Denise Young grandmother of Taj Moor, who has been selected to represent Queensland in the Go Kan Ryu Karate International, 8-9 years Kyu Kata and Kyu Kumite categories and has been invited to attend the Nationals Tournament being held in Wantirna South, Victoria, 24 November 2018.

Decision:	Moved - Cr Brieschke	Seconded - Cr Choat
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"THAT Council approve the application as summarised in this report and grant a State Level Sporting Excellence grant of \$300 to Denise Young grandmother of Taj Moor, who has been selected to represent Queensland in the Go Kan Ryu Karate International, 8 - 9 years Kyu Kata and Kyu Kumite categories and has been invited to attend the Nationals Tournament being held in Wantirna South, Victoria, 24 November 2018."

Carried

Subject:	Community Assistance Grants 2018-2019 Kilcoy Lions Inc. Doc Id 1073944
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

Kilcoy Lions Inc. are seeking funding to assist with the costs associated with providing traffic control and hire of auxiliary equipment for the Kilcoy Christmas Street Carnival event scheduled for Saturday, 8 December 2018.

Amount requested:	\$	2,000
Total cost of project:	\$	12,203

Amount recommended to be granted: \$ 500

Assessor's Summary

The applicant has requested this application be considered by Council outside of the specified funding rounds due to the timelines of the event.

The Kilcoy Christmas Street Carnival aims to provide a free event open to the Kilcoy community giving all residents an opportunity to celebrate Christmas without any financial imposition. The event will offer free music and entertainment, market stalls, and carnival rides.

The applicant has advised that 200-300 persons will attend the event on the northern Service Road of William Street, Kilcoy with the event operating from 5pm until 9pm. The event was approved at Council's Ordinary meeting on Wednesday, 8 August 2018.

Kilcoy Lions state that sufficient funds had been raised to cover the proposed event, however they have only recently become aware of the need for traffic management plan, personnel and equipment required for the event which has imposed additional unexpected costs on the group.

The group has requested Council consider the application favourably.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be considered for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with providing traffic control and hire of auxiliary equipment for the Kilcoy Christmas Street Carnival event on Saturday, 8 December 2018.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Ogg
	<p>"THAT the application as summarised in this report be considered for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with providing traffic control and hire of auxiliary equipment for the Kilcoy Christmas Street Carnival event on Saturday, 8 December 2018."</p> <p style="text-align: right;"><i>Carried</i></p>	

Subject:	Community Assistance Grants - Somerset Excellence Bursary 2018 - 2019 - Samantha Bremner - Doc Id 1075320
File Ref:	Community Relations - Sponsorships - Somerset Excellence Bursaries
Action Officer:	DHRCS

Background/Summary

Council has received an application for financial assistance from Denise Bremner mother of Samantha Bremner from Fernvale. Samantha has been selected as a member of the Metropolitan West School Sport 10-12 years cricket team and has been invited to compete at the Queensland School Sport Championships being held in Wynnum West and Birkdale

from 4-7 November 2018.

Samantha has been the recipient one regional level sporting bursary from Council in 2017-2018 totalling \$100, being in support of selection in her chosen sporting field, cricket.

This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$100 for Regional Level representation.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Denise Bremner mother of Samantha Bremner, who has been selected as a member of the Metropolitan West school sport 10-12 years cricket team and has been invited to compete at the Queensland School Sport Championships being held in Wynnum West and Birkdale from 4-7 November 2018.

Decision:	Moved - Cr Choat	Seconded - Cr Brieschke
<p>"THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Denise Bremner mother of Samantha Bremner, who has been selected as a member of the Metropolitan West school sport 10 - 12 years cricket team and has been invited to compete at the Queensland School Sport Championships being held in Wynnum West and Birkdale from 4 - 7 November 2018."</p> <p style="text-align: right;"><u>Carried</u></p>		

Subject:	Community Assistance Grants 2018-2019 Esk Branch Qld Country Women's Association Doc Id 1073810
File Ref:	Community Relations – Sponsorships – Donations
Action Officer:	DHRCS

Background/Summary

To assist with additional costs associated with installation of disabled toilet and ramp as part of the facilities improvement project at the Esk CWA Hall in Heap Street, Esk.

Amount requested:	\$	4,890
Total cost of project:	\$	43,767
Amount recommended to be granted:	\$	4,890

Assessor's Summary

The applicant has requested their application be considered by Council outside of the specified funding rounds as they wish to complete facility improvements as soon as possible to benefit all users of the CWA Hall by providing more accessible facilities.

Esk Branch of the Queensland Country Women's Association had a community assistance grant approved in September 2017 to reimburse Council building and plumbing fees associated with the proposed facility improvements at the Esk CWA Hall. The upgrade consisted of installation of a toilet and construction of a storage room.

On review of the proposed improvements by Council's building certifiers, the group have been made aware that the installation of a toilet at the facility would generate a requirement for the installation of a disabled access bathroom facility and ramp access.

Quotes have been provided for the additional costs associated with the proposed upgrade and further assistance is being sought for the increase in the original scope of works of \$4,890.

Consideration is also required of the increase in Council fees approved for reimbursement in September 2017 with a projected increase from \$1,292 to \$1,806. Projected increase consists of:

Council lodgement fee:	increase from \$ 211 to \$ 216
Building assessment and inspection fee:	\$ 526.....\$1,021
Plumbing and inspection fees:	\$ 555.....\$ 569

Esk Branch of the Queensland Country Women's Association were successful in application for a Gambling Community Benefit Grant of \$35,000 for this project.

The group are the only remaining active CWA branch in the towns of Toogoolawah, Moore, Harlin, Esk and Somerset Dam.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be considered for funding and \$4,890 be granted through the Community Assistance Grants budget allocation; plus, GST if applicable, to assist with the costs associated with the installation of a disabled access bathroom facility as part of the facility improvement project at the Esk CWA Hall in Heap Street, Esk.

THAT Council fees associated with the project be granted through the Community Assistance Grants budget allocation to a maximum of \$1,806; plus, GST if applicable, upon proof of receipt of payment as reimbursement of Council building and plumbing fees associated with facility improvements at the Esk CWA Hall in Heap Street, Esk.

Decision:

Moved - Cr Choat

Seconded - Cr Whalley

"THAT the application as summarised in this report be considered for funding and \$4,890 be granted through the Community Assistance Grants budget allocation; plus, GST if applicable, to assist with the costs associated with the installation of a disabled access bathroom facility as part of the facility improvement project at the Esk CWA Hall in Heap Street, Esk.

THAT Council fees associated with the project be granted through the Community Assistance Grants budget allocation to a maximum of \$1,806; plus, GST if applicable, upon proof of receipt of payment as reimbursement of Council building and plumbing fees associated with facility improvements at the Esk CWA Hall in Heap Street, Esk."

Carried

Subject:	Sponsorship - Kilcoy Race Club Inc - Esk Jockey Club [Doc 1072719]
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	CEO

Background/Summary

Council is in receipt of a request from the Kilcoy Race Club Inc seeking \$1,000 sponsorship to support Kilcoy Race Club's Australia Day race meeting to be held on Sunday 27 January 2019.

Council has previously offered sponsorship to the Kilcoy Race Club and the Esk Jockey Club in the sum of \$1,000 to support the race clubs.

Attachment

Letter from Kilcoy Race Club Inc dated 23 October 2018

Recommendation

THAT Somerset Regional Council provide the Kilcoy Race Club Inc with the sum of \$1,000, plus GST, such amount to be granted through the advertising budget allocation, for sponsorship of an Australia Day race on Sunday 27 January 2019.

THAT Somerset Regional Council provide the Esk Jockey Club with the sum of \$1,000, plus GST, such amount to be granted through the advertising budget allocation, for sponsorship of a race in 2019, date to be advised.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Hall
	<p>"THAT Somerset Regional Council provide the Kilcoy Race Club Inc with the sum of \$1,000, plus GST, such amount to be granted through the advertising budget allocation, for sponsorship of an Australia Day race on Sunday 27 January 2019.</p> <p>THAT Somerset Regional Council provide the Esk Jockey Club with the sum of \$1,000, plus GST, such amount to be granted through the advertising budget allocation, for sponsorship of a race in 2019, date to be advised."</p> <p style="text-align: right;"><i><u>Carried</u></i></p>	

Subject:	Somerset Regional Art Gallery - The Condensery - Policy Amendment
File Ref:	Museums and Galleries Management - Customer Liaison
Action Officer:	TVISO

Background/Summary

Council requested on Wednesday, 24 October 2018 that officers review the booking policy and procedures for the Somerset Regional Art Gallery – The Condensery.

The current booking guidelines and fee structure was adopted by Council on Wednesday, 23 November 2016, and is as follows:

Fee structure for Arts / Art Workshops (other than exhibitions) to be held at the Condensery gallery:

- (i) a full day fee (bookings equal to or more than 4 hours duration) - \$100
- (ii) a half day fee (bookings of less than 4 hours duration) - \$50
- (iii) bond (as deemed by the Chief Executive Officer refundable upon the property being left in a clean and tidy condition. Interest is not payable by Council on deposits. GST applies only on default) - \$250
- (iv) key bond (when a key is made available outside opening hours, regardless of hirer) - \$10
 - Arts / Art Workshops held and organised by Arts groups based in the Somerset Region be excluded from the requirement to pay a bond.
 - Any proposed bookings that would require the moving of artworks be refused.
 - Only art related performances and workshops are permitted to use the Somerset Regional Art Gallery – The Condensery building space.

It is recommended, based on councillor feedback, that the last dot point:

- Only art related performances and workshops are permitted to use the Somerset Regional Art Gallery – The Condensery building space.

be amended to allow for other events, that showcase the gallery to the travelling public, to be held at the gallery.

Proposed replacement wording -

- That in addition to art related performances and workshops, other promotional events be permitted to be held in the Somerset Regional Art Gallery – The Condensery, if they support the promotion of the gallery to the visiting public and if a Councillor is available to open/close the facility and be present for the event duration, if outside of ordinary business hours.

Attachments

Nil

Recommendation

THAT the current Somerset Regional Art Gallery – The Condensery policy and procedure for bookings be amended from:

- Only art related performances and workshops are permitted to use the Somerset Regional Art Gallery – The Condensery building space

to the following:

THAT in addition to art related performances and workshops, other promotional events be permitted to be held in the Somerset Regional Art Gallery – The Condensery, if they support the promotion of the gallery to the visiting public and if a Councillor is available to open/close the facility and be present for the event duration, if outside of ordinary business hours.

Decision:	Moved - Cr Brieschke	Seconded - Cr Hall
<p>"THAT the current Somerset Regional Art Gallery – The Condensery policy and procedure for bookings be amended from:</p> <ul style="list-style-type: none"> - Only art related performances and workshops are permitted to use the Somerset Regional Art Gallery – The Condensery building space <p>to the following:</p> <p>THAT in addition to art related performances and workshops, other promotional events be permitted to be held in the Somerset Regional Art Gallery – The Condensery, if they support the promotion of the gallery to the visiting public and if a Councillor is available to open/close the facility and be present for the event duration, if outside of ordinary business hours."</p> <p style="text-align: right;"><u>Carried</u></p>		

Subject:	Tourism and Promotions Report - October 2018
File Ref:	Tourism - Promotions
Action Officer:	CMM

Background

The following is the end of monthly summary of activities relating to the four visitor information centres in Somerset (Esk, Fernvale, Kilcoy and Toogoolawah) for October 2018.

Visitor Statistics

	<i>Somerset</i>	<i>Brisbane</i>	<i>Other SEQ</i>	<i>Rest of Queensland</i>	<i>Interstate</i>	<i>International</i>	<i>Total</i>
<i>Esk VIC</i>	57	128	91	31	89	19	415
<i>Kilcoy VIC</i>	166	132	124	57	112	43	634
<i>Fernvale VIC</i>	230	110	63	44	28	27	502
<i>SRAG and TVIC</i>	201	137	83	26	27	8	482

Visitor Motivators

The top three reasons visitors attended each respective centre.

	<i>First</i>	<i>Second</i>	<i>Third</i>
<i>Esk VIC</i>	Maps and directions	Glen Rock Gallery	Tourist drives
<i>Kilcoy VIC</i>	Maps and directions	Caravan and camping	Tourist drives
<i>Fernvale VIC</i>	Directions and Maps	Brisbane Valley Rail Trail	Tourist Drives

<i>SRAG and TVIC</i>	SRAG Exhibition	Other (Group Tours and Workshops)	Heritage
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Merchandise Sold

The top three merchandise items sold at each centre.

	<i>First</i>	<i>Second</i>	<i>Third</i>	<i>Total \$ Value</i>
<i>Esk VIC</i>	Post card	Water bottle	Magnet	\$24
<i>Kilcoy VIC</i>	Stubby cooler	Water bottles/ magnet	Bumper sticker	\$88
<i>Fernvale VIC</i>	Post card	Water bottle	Magnet	\$61
<i>SRAG and TVIC</i>	Magnet	Stubby cooler/ Post Card	Post card	\$6

Volunteers

	<i>Active Volunteers</i>	<i>Non-Active Volunteers</i>	<i>Total</i>	<i>Resignations</i>	<i>New Volunteers</i>
<i>Esk VIC</i>	10	2	12	0	0
<i>Kilcoy VIC</i>	13	4	17	0	0
<i>Fernvale VIC</i>	19	0	19	0	0
<i>SRAG and TVIC</i>	10	4	14	0	0
	52	10	62	0	0

Volunteer Acknowledgement / Engagement

The next volunteer famil is scheduled on Wednesday, 5 December 2018. This famil is the annual Christmas Famil and a celebration of International Volunteers Day.

Room Bookings

	<i>Number of Room bookings/hires</i>	<i>Total \$ value from Room bookings/hires</i>
<i>Esk VIC</i>	0	\$0
<i>Kilcoy VIC</i>	8	\$334
<i>Fernvale VIC</i>	29	\$2809
<i>SRAG and TVIC</i>	1	\$0 (Remembrance Poppy Workshop)
<i>Fernvale Community Hall</i>	21	\$369
<i>Fernvale Showgrounds</i>	1	\$59

Somerset Regional Art Gallery – The Condensery

Current exhibition: Somerset Senior Students Exhibition

Artists: Kilcoy, Toogoolawah and Lowood High Schools, Grade 11 and 12 Visual Arts

Students

Exhibition period: Saturday, 29 September until Sunday, 4 November 2018.

The exhibition celebrates and supports the achievements of our senior visual arts students showcased in the exhibition at the gallery.

Next exhibition: An End to Conflict Exhibition

Artists: The exhibition is presented by Toogoolawah and District History Group Inc.

This exhibit commemorates the 100-year anniversary of the signing of the Armistice. The historical display will include a series of paintings, Why Way, by artist Merton Chambers, a Remembrance Poppy installation by artists Jayne Hodge, Chris Just and the wider Somerset community. The display will also include various historical items highlighting Stanley Dallas, Air Ace, Dr Edith Fox, the Esk Hospital, The Australian Cycle Corp and Light Horse.

The opening event for this exhibition will occur on Saturday, 10 November 2018 between 2pm – 4pm.

Workshops

A Remembrance Poppy Making Workshop was held on Saturday, 20 October between 11am – 3pm at the Somerset Regional Art Gallery – The Condensery. There were about 20 participants who attended the workshop. All poppies made from the workshop will be included in the Remembrance Poppy installation that will be on display in the November exhibition, An End to Conflict.

Bus Tours

Three bus tours were welcomed to the gallery in October. Linville State School visited the gallery on Wednesday, 24 October. The school were provided a history discussion and a gallery tour along with an activity drawing sheet based on landscape drawings.

The Incapacitated Return Serviceman Association and Kawana Waters Probus Groups visited the gallery on Thursday, 25 October. Each group was provided a talk on the exhibition and history of the building. The Kawana Water Probus Group also took advantage of the afternoon tea option offered to pre-booked tours. About 85 extra guests visited the gallery during October due to pre- booked group visits.

PHAB Architects provided an architectural tour of the gallery to 24 people on Saturday, 27 October.

Glen Rock Art Gallery (inside Esk Visitor Information Centre)

Glen Rock Gallery exhibitions coordinated by SASI include:

Artist: Ron Orr and Sue Howard

Friday, 28 August 2018 to Wednesday, 24 October 2018

Artist: Fernvale Artists

Friday, 26 October 2018 to Wednesday, 28 November 2018

Events

2018 Somerset Christmas Light Competition and Trail

The 2018 Somerset Christmas Light Competition and Trail entries have opened and they will close on Friday, 23 November 2018. Judging will be held during the week of Monday, 3 December to Sunday, 9 December.

2019 Australia Day Awards

Planning is underway for the 2019 Somerset Australia Day Awards Ceremony and morning tea.

Award nominations opened on Monday, 24 September. Nominations close on Friday, 30 November 2018. All nominees, nominators and residents will be invited to attend an Australia Day Awards presentation and morning tea.

Experience Somerset Exhibition and Tourism Guide Launch

The launch of the next Experience Somerset Visitor Guide, online image library and exhibition will be held in February at the Somerset Regional Art Gallery – The Condensery. The team continues to create content for the guide and prepare the online image library for the launch. The team is planning for the launch event and official invitations will be sent out in January 2019.

Sales for the Experience Somerset Tourism Guide continued with booking deadline for advertising extended until Wednesday, 17 October 2018. Planning for the Experience Somerset Exhibition is underway.

Promotions

Creating online content for free listings with the Australian Tourism Data Warehouse is ongoing. This will increase online presence for tourism in Somerset. Operators have been encouraged to create their own ATDW listing. Regional events have also been added to ATDW to be distributed to various websites including Visit Brisbane and Queensland.com. Brisbane Marketing have advised that they will only accept events listed on ATDW.

Events are continually updated on the Experience Somerset website.

Electronic signs – events placed on signs throughout the region.

Graphic design and promotional material/merchandise to support all events is created by the tourism team on an ongoing basis.

The Brisbane Valley Rail Trail, Esk Caravan Park and NRMA Lake Somerset Holiday Park featured on TV program Creek to Coast on Saturday, 20 October.

Council will again advertise in the 2019 edition of Wot's on in Queensland Event, Markets and Festival.

Engagement

The tenth monthly tourism visitor email newsletter was sent out Monday, 15 October 2018 to 1,643 recipients (1,473 visitor database, 100 council database).

Database	New subscribers in past month	Unsubscribed	Opened	Clicks	Total subscribers
Visitors	0	70	457	66	1473
Council	100	0	24	3	100

Most popular enews story

Brisbane Valley Rail Trail – Toogoolawah to Moore

The eighth bimonthly tourism operator email newsletter was sent out Monday, 15 October 2018 to 104 recipients.

Database	New subscribers in past month	Unsubscribed	Opened	Clicks	Total subscribers
Operators	1	0	41	12	104

Most popular enews story

Experience Somerset visitor guide – booking deadline extended

NB: The information and articles being circulated through the electronic newsletter are being sourced and produced by the tourism team. Each VISO is responsible for writing a minimum of one article focusing on a Somerset tourism attraction or event in the region for use in the monthly newsletter. These articles are also displayed on the Experience Somerset tourism site as blog posts.

Social Media Overview

Facebook Pages

Experience Somerset – 2003 likes (an increase of **18** on previous month)

Somerset Regional Art Gallery – the Condensery - 370 likes (an increase of **10** on previous month)

Somerset Rail Trail Fun Run - 1035 likes (no change)

Reel Wivenhoe Classic Facebook page - 666 likes (an increase of **4** on previous month)

Instagram account

Experience Somerset – 705 followers (an increase of **6** on previous month)

Experience Somerset Website Statistics

Total pages views: 4216

	First	Second	Third
Top three audience locations	Brisbane (1772)	Sydney (178)	Gold Coast (154)
Top three referrers	somerset.qld.gov.au (129)	wedshed.com.au (108)	Facebook (95)

Other:

- The tourism team are continuing to work on a strategic development plan to improve its interactions with tourism operators (existing and potential) in the region over the next 12-18 months. Expected completion early 2019.
- Council's tourism team are working on guidelines *for use* document for the use of Council's tourism logo, Somerset. Real Country. Real Adventure, prior to encouraging its use by third parties. This is in draft format.
- Work continues on updating and managing the new Experience Somerset online image catalogue due for release in February 2019.
- The 2019-2020 Somerset visitor guide advertising prospectus has been distributed to Somerset tourism operators. The advertising booking deadline was extended to 17 October 2018. The guide will be released in February 2019.
- Council placed a full-page advertisement in the News LTD publication "Explore" which is an A4 magazine inserted into the Gatton Star. It was published on 24 October and Council's ad focuses on the Brisbane Valley Rail Trail.

- The Somerset Regional Art Gallery – The Condensery has been published in Phaidon's latest architectural book Red: architecture in Monochrome. This will assist in creating international awareness of the building.
- Council has secured a site at the South Queensland Caravan, Camping, Boating, Fishing and 4x4 Expo to be held at Nambour from Friday, 26 April to Sunday, 28 April 2019.

Attachments

Nil

Recommendations

THAT the report be received.

Decision:	Moved – Cr Whalley	Seconded - Cr Choat
	"THAT the report be received."	
		<u>Carried</u>

Subject:	Reel Wivenhoe Classic Proposal
File Ref:	Officer Reports
Action Officer:	CMM

Background/Summary

Council is in receipt of a proposal from Andrew Mitchell of Fishing Freshwater for management and organisation of Somerset Regional Council's Reel Wivenhoe Classic fishing tournament on Wivenhoe Dam.

Fishing Freshwater are proposing to organise, in conjunction with Somerset Regional Council, the Reel Wivenhoe Classic event on Wivenhoe Dam for three consecutive years starting from 2019.

Their proposal includes a direction to increase day visitors to the event particularly on the Saturday of each tournament at Wivenhoe Dam. This proposal includes additional family friendly activities and a day/evening festival including live entertainment and fireworks. The day attractions and evening entertainment is open to everyone not just competitors.

A detailed proposal from Fishing Freshwater is attached (confidential attachment).

Based on the attached proposal, Council officers are recommending that Council engage Fishing Freshwater for the next three consecutive years to deliver the Reel Wivenhoe Classic at Wivenhoe Dam and associated family friendly festival for \$40,000 in 2019, \$35,000 in 2020 and \$35,000 in 2021. If Council commits to engaging Fishing Freshwater for the next three-years, Fishing Freshwater will also deliver the Reel Somerset Classic each year, at Somerset Dam, in March/April for the same contractual fee.

In addition to the above contractual costs, a Council marketing and promotional budget (including sundry expenses) of about \$6000 for the first two years would be considered appropriate. It is envisaged that this marketing budget will need to increase in the third year if a headline act is engaged as more promotions would need to occur.

It is also recommended that Council consider allocating an additional budget of \$25,000 for a future Reel Wivenhoe Classic event to secure a prominent head-line act. If Council were to approve this budget allocation, Fishing Freshwater will provide, at no additional cost to Council, all the required stage and lighting requirements needed to secure and cater for the headline act.

Attachments

Confidential - Reel Wivenhoe Classic Proposal. DOC ID: 1069061

Recommendation

THAT the contents of the report be noted and supported.

THAT because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders and that Council engages Andrew Paul Mitchell trading as Fishing Freshwater (ABN: 53 615 034 262) to organise Somerset Regional Council's Reel Wivenhoe Classic event on Wivenhoe Dam for the next three years and Reel Somerset Classic on Somerset Dam for the next three years subject to key performance indicators being achieved annually.

THAT the Chief Executive Officer be authorised to enter into a contract with Fishing Freshwater subject to the conditions set out in the attachment.

Decision:

Moved - Cr Whalley

Seconded - Cr Hall

"THAT the contents of the report be noted and supported.

THAT because of the specialised nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders and that Council engages Andrew Paul Mitchell trading as Fishing Freshwater (ABN: 53 615 034 262) to organise Somerset Regional Council's Reel Wivenhoe Classic event on Wivenhoe Dam for the next three years and Reel Somerset Classic on Somerset Dam for the next three years subject to key performance indicators being achieved annually.

THAT the Chief Executive Officer be authorised to enter into a contract with Fishing Freshwater subject to the conditions set out in the attachment."

Carried

Subject:	Glamorgan Vale Water Board - Proposed Changes to Election Process for Category 2 Water Boards
File Ref:	Government relations - local and regional government liaison - Regional Local Government Liaison - 2016 - 2020 [Doc ID 1076259]
Action Officer:	CEO

Decision:

Moved - Cr Whalley

Seconded - Cr Hall

"THAT Council write to the Minister for the Department of Natural

Resources Mines and Energy objecting to the change to the *Water Act 2000* and the method of appointing directors to Category 2 Water Authorities.”

Carried

Meetings authorised by Council

Nil

Mayor and Councillor Reports

Cr Gaedtke - Councillor report -

25 October Ken and Annie's Music Campout – Toogoolawah
 25 October Esk QCWA 95th Birthday Celebrations
 27 October Bush Breakfast Under the Trees – Toogoolawah
 27 October Toogoolawah Tennis 110th Anniversary Celebrations
 27 October Toogoolawah Clay Target Club Competition
 29-31 October 122nd LGAQ Annual Conference – Brisbane
 31 October Kilcoy and District Progress Alliance Inc. monthly meeting
 01 November Brisbane Valley Heritage Trails monthly meeting – Toogoolawah
 07 November Somerset Dam and District Progress Association monthly meeting
 07 November Rural Minds Forum – Esk
 07 November Brisbane Valley Kilcoy Landcare meeting – Kilcoy
 08 November On Site Inspection – Harlin
 08 November Kilcoy State School P & C Assn monthly meeting
 09 November Kilcoy High School 56th Annual Awards Ceremony
 10 November An End to Conflict – Exhibition by Toogoolawah and District History Group Inc. – The Condensery
 10 November Brisbane Valley Rail Trail – Sunset and Night Ride Esk to Moore – Function at The Condensery
 11 November Fernvale Memorial Park – Unveiling and Dedication Ceremony
 11 November Lowood Sub Branch RSL – Remembrance Day
 12 November Councillor Integrity Training – Esk
 13 November Brisbane Valley of the Lakes Annual General Meeting – Esk
 13 November Citizenship Ceremony – Esk
 13 November Tourism Advisory Committee Meeting – Esk
 13 November Somerset Region Community Enterprise Ltd 9th AGM - Lowood

I have been overwhelmed by the number of events and commemorations that are being organised by mostly volunteers in our region, and what a wonderful job these community members do. Well done, we certainly have strong communities in our beautiful region.

I thank Council for approving my request to attend the 122nd Local Government Association of Queensland's Annual Conference. I found the conference to be informative and very professionally presented. I also enjoyed the opportunity to network with many other Councillors on a state-wide basis.

Cr Gaedtke also noted her attendance last night at the Bendigo Bank AGM.

Cr Choat - Councillor report -

24/10/2018 Council General Meeting and Workshop – Council Chambers Esk
 27/10/2018 St Andrews Anglican Church Bush Breakfast Toogoolawah

30/10/2018	Toogoolawah State High Annual Awards Ceremony
1/11/2018	St Edmunds College Annual Awards Ceremony
8/11/2018	Resident site visits Solar Farm Development Application
8/11/2018	Meeting on Youth Engagement strategies Council Chambers Esk
9/11/2018	Kilcoy State High Annual Awards Ceremony
10/11/2018	Lowood Just Dance Community Recital
11/11/2018	Fernvale Community Association Armistice and Memorial Unveiling
11/11/2018	Esk Community Remembrance/Armistice Commemorations
11/11/2018	Esk Grand Hotel Anzac Commemoration Wall Dedication
13/11/2018	Fernvale Neighbourhood Watch General Meeting

Cr Brieschke - Councillor report

27 October	BV Rail Trail Yarraman to Toogoolawah Ride Bush Breakfast at Anglican Church grounds, Toogoolawah Ken and Annie's Music Campout, Toogoolawah Showgrounds Toogoolawah Tennis Courts 110 th Anniversary
30 October	Toogoolawah High School Awards Ceremony
2 November	Meeting with resident
6 November	BV Bulls meeting, Esk Recreation Grounds
7 November	BV Kilcoy Landcare Special General meeting, Kilcoy
8 November	Visit with residents regarding Solar Farm Development Application
11 November	Remembrance Day Service, Toogoolawah
12 November	Councillor Training, Esk
13 November	Citizenship Ceremony, Esk
14 November	SRC Tourism Advisory Committee meeting, Esk

Driver Safety Course sponsored by the Bendigo Bank –

I had the opportunity to take three young men, including my son to the Driver Safety Course at Willowbank Raceway on Saturday. The full day course was very comprehensive, involving education on everything from checking tyres to emergency breaking in vehicles supplied by the Centre. This course has been made available at an affordable price to members of respective communities by the Bendigo Bank - South West Qld Community Cluster of South Burnett, Rosewood, Kalbar, Stanthorpe, Lowood and Fernvale branch committees. The next course supported by the Cluster is proposed for February and I encourage all young drivers to take advantage of the valuable experience that can be learnt from the Driver Safety Program.

Cr Hall - Councillor report

Cr Hall noted that the opening of the Toogoolawah Historical Society's display at The Condensery at Toogoolawah held on Saturday 10 November 2018 was really well done and it was a credit to them.

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

Nil

Closure of Meeting***Summary***

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.35am.