



**Minutes of Ordinary Meeting
Held Wednesday 10 October 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 G Smith	(Acting CEO / Director Finance)
Mr M McGoldrick	(Director Corporate and Community Services)
Mr A Johnson	(Director Operations)
Mr P Tabulo	(Director Planning and Development)
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 Whalley

Seconded – Cr Hall

“THAT the Minutes of the Ordinary Meeting held on 26 September 2018 as circulated to all Members of Council be confirmed”.

Carried

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Mayor Lehmann – Thank you**

The Mayor congratulated the organisers of the Mayoral Ball, stating that everyone had a fantastic time and it was a really good show. Thank you to all the sponsors and to all those who came along and dug deep.

Cr Gaedtke - Matters of public interest -

10 October	Farmers' Workshop – Kilcoy Information Centre
10 October	Toogoolawah Show Society – AGM
13 October	Coominya Public Hall Celebrations
13 October	Kilcoy Rodeo and Kilcoy Konvoy
14 October	Esk Community Choir Gala Choral Concert Somerset Civic Centre
16 October	Mt Kilcoy and Sandy Creek Rural Fire Brigade AGM
18 October	Kilcoy Chamber of Commerce Monthly Meeting
20 October	Jacaranda Festival – Esk
20 October	Chappy Dinner – Kilcoy
21 October	Jammin in Esk
24 October	Kilcoy District Progress Alliance Inc. Monthly Meeting

Recognition and sincere congratulations to our local team who are now the PCQ Mounted Games State Champions 2018, and especially to Mikayla Symonds for being awarded the 1st – Australian Champion in Combined Training.

As part of The Courier-Mail's Future SEQ campaign, tickets to the most compelling business and community event in southeast Queensland are now available. Topics will include population growth, development, infrastructure, technology, education, sport and tourism.

Subject:	Economic Development Committee Meeting - August 2018
File Ref:	Community Services - Meetings 2016-2020 Somerset Economic Development
Action Officer:	DPAD

Background/Summary

The meeting of the Committee was held on the 22 August 2018.

Attachments

Draft Minutes of meeting 22 August 2018

Recommendation

THAT the draft minutes of the meeting of the Somerset Economic Development Committee held on the 22 August 2018 be received and the contents noted.

Decision:	Moved - Cr Whalley	Seconded - Cr Ogg
	"THAT the draft minutes of the meeting of the Somerset Economic Development Committee held on the 22 August 2018 be received and the contents noted."	
	<i><u>Carried</u></i>	

Subject:	Request for Refund of Dog Registration Fees
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	MES

Background/Summary

Council received an email from the former resident of 1371 Neurum Road, Mount Archer, advising that she moved from the Somerset Region on 24 August 2018 and is requesting that dog registration fees for her two dogs be refunded for the 2018-2019 financial year. Please refer to the abovementioned email attached.

A review of Council's 2018-2019 schedule to fees and charges reviews that:

- Council offers a refund of 50% of dog registration fees that applies to deceased dogs (before 31 December each year).
- No refund of dog registration fees is offered to residents who move from the Somerset Region.
- For new residents, Council does have a reciprocal arrangement where no dog registration fees are required for a financial year where proof of current registration can be provided for another local government.

Attachment

Email from the former resident of 1371 Neurum Road, Mount Archer (Ref:1064069).

Recommendation

THAT Council not refund dog registration fees paid by the former resident of 1371 Neurum

Road, Mount Archer for the 2018-2019 financial year.

Decision:	Moved - Cr Gaedtke	Seconded - Cr Choat
	"THAT Council not refund dog registration fees paid by the former resident of 1371 Neurum Road, Mount Archer for the 2018-2019 financial year."	
		<u>Carried</u>

Subject:	Planning and Building Services Monthly Report – September 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 September 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, more 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 thirty-nine (39) building approvals were issued in the region for August 2018. This is up on the July total of thirty-seven (37). The percentage of 'Council approved' building applications is 33.3% of all building approvals for the month of August.

Building Compliance Matters

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

Unapproved building works at Esk, Lowood, Minden, Royston and Esk.
Unlawful use of buildings at Wanora, Linville and Vernor.
Pool safety audits at Kilcoy.

Plumbing Compliance Permits and Inspections

The number of plumbing and drainage approvals for September 2018 was 17; this figure is a 10.52% decrease on the figure of 19 for September 2017.

The number of treatment plants on Councils register is 1828 of which 46 or 2.51% 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 Ogg

Seconded - Cr Brieschke

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

Carried

Subject:	Natural Resource Management Monthly Report - September 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 September 2018:

Land for Wildlife

- 20 years of the Land for Wildlife program in South East Queensland was celebrated on the 22 September with a joint Local Government workshop at held at Black Snake Creek Park, Minden, with adjoining Local Governments, Lockyer Valley Regional Council, and Ipswich City Council. Approximately 120 Land for wildlife members attended the event from across the three Council areas. Mayor Graeme Lehmann opened the event on behalf of the three Councils.
- Invitations have been sent out to members to attend the next Somerset, Land for Wildlife workshop to be held at the Queensland Museum in October. This workshop will allow participants to visit the behind the scenes areas of the museum, interact with the specimen collection, and learn how members can provide specimens, or use the reference collection for identification purposes.
- The Somerset Land for Wildlife program welcomed one new Land for Wildlife property to the program in September at Mount Archer.

Somerset Flora and Fauna

- Flying Fox survey (as at early September) indicated the following distributions of Flying Foxes across the known Somerset roosts:

- Linville (Township and Green Hide reserve) – Vacant
 - Kilcoy – Vacant
 - Esk – Usual numbers and extent
 - Lowood – Temporarily vacated, but have since returned
 - Lake Atkinson – Large numbers of Flying Foxes present
- Attendance at a meeting with Moreton Bay Regional Council officers to discuss Fauna crossing (wildlife and traffic) solutions at Neurum Creek (on the joint Council boundary). It is proposed the further discussion will develop some options/staging for Council consideration.
- Preparations are ongoing for the delivery of the Somerset Free Trees Program on October 6, 13, and 20 across Somerset Townships. Species selection and stock acquisition has been completed. In addition, a further 3000 trees (primarily Koala Habitat species) were collected from Arthur Gorrie Correctional Centre on September 24. These trees will be made available free of charge to residents to compliment the official free tree program allocations, and support habitat reinstatement across the Somerset Region. The additional free trees are made possible through our ongoing partnership with Arthur Gorrie Correctional Centre, and SOWN Nursery.

Catchment Management

- Work is underway to provide delivery arrangements for Resilient Rivers funding that has been awarded to Somerset Regional Council to achieve outcomes in the Mid Brisbane River Catchment. Projects will collaboratively deliver:
 - ~\$120,000 for Black Snake Creek rehabilitation;
 - \$105,000 for Recreational investigation of Hills Crossing and Savages Crossing (funding and delivery – in association with SEQ Water engineering design/s);
 - \$85,000 – Landholder incentive program with SEQ Water lead, (Somerset Regional Council is a project oversight committee representative).

A meeting with South East Queensland Council of Mayors, and Seqwater was held on the 21 September to progress arrangements, with draft agreements and contractual documentation anticipated in October.

- The delivery of the Mid Brisbane River On-site Wastewater Risk Mitigation Program (review of Septic systems along the Mid Brisbane Catchment) is ongoing, with the inspection program now complete, and a final report submitted. A proposal regarding an extension of this existing program (stage 2) will be presented for Council consideration at an upcoming meeting

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. Given the success of this model, similar collaborations are being investigated between other Somerset school program/curriculum elements, and local reserve management.

Nil

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

Seconded - Cr Brieschke

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

Carried

Subject:	Toogoolawah Tennis Club Request to Department of Environment and Science for a Heritage Exemption Certificate
File Ref:	DA17957
Action Officer:	SP - MJ

Council's building section has received an application from the Toogoolawah Tennis Club proposing to construct a "hit up wall" in the eastern corner of their existing facility located at Gunyah Street Toogoolawah and described as Lot 1 RP167506. Through the assessment process it was discovered that the subject land is included on the State Heritage Register and as such any building works require consideration by the State. Given the minor nature of the proposal the Department of Environment and Science has suggested a Heritage Exemption Certificate be sought, which would remove the requirement for a development approval and allow the proposal to progress.

A request for an Exemption Certificate must include the following information:

- description of how the development changes the place;
- description of how the proposal directly affects or alters significant heritage features;
- a detailed description of the proposal (site plan, photographs);
- supporting information such as plans, relevant reports or agreements relating to the place.

As the owner of the land it is beneficial for Council to make the request for the Exemption Certificate. As such, a draft Exemption Certificate request has been prepared in accordance with the requirements listed above.

To ensure future requests for Exemption Certificates under the *Queensland Heritage Act 1992* (the Act) can be dealt with in a timely fashion it is also suggested that the delegations to the Chief Executive Officer be amended. The amendment is to include section 72 of the Act which covers applications for Exemption Certificates.

Attachment 1 - Amendment to Existing Delegations
Attachment 2 - Site Plan
Attachment 3 - Draft Exemption Certificate Request

Recommendation

THAT Council make a request to the Department of Environment and Science for a Heritage Exemption Certificate on behalf of the Toogoolawah Tennis Club for the proposed "Tennis Hit Up Wall" at Gunyah Street Toogoolawah and described as Lot 1 RP167506.

THAT Council approve the amended delegation to the Chief Executive Officer as it appears in Attachment 1.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

"THAT Council make a request to the Department of Environment and Science for a Heritage Exemption Certificate on behalf of the Toogoolawah Tennis Club for the proposed "Tennis Hit Up Wall" at Gunyah Street Toogoolawah and described as Lot 1 RP167506.

THAT Council request the club to amend the application to move the wall to the northern end (club house end) along the same boundary.

THAT Council approve the amended delegation to the Chief Executive Officer as it appears in **Attachment 1**."

Carried

Subject:	Request for Temporary Entertainment Event Approval - Mahons Road, Patrick Estate
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	MES

Background/Summary

On 11 September 2018, Council received a temporary entertainment event application from the lessees of 769 Mahons Road, Patrick Estate to hold a rodeo at that address.

The application was subsequently withdrawn because the owner of 769 Mahons Road, Patrick Estate did not consent to the holding of the proposed temporary entertainment event. Please refer to the attached email received by Council on 25 September 2018 requesting a full refund of the \$342 application fee.

The application has been processed through to the information request stage. A review of Councils 2018-2019 schedule of fees and charges reveals that no refund schedule for withdrawn applications is listed specifically for local law application for prescribed activities. The schedule does contain the following refund schedule for withdrawn development applications which do follow a similar process:

• Application – Confirmation Notice	75%
• Referral	50%
• Information request	50%
• Public notification	25%
• Decision	Nil

Attachment

Email from the lessee of 769 Mahons Road, Patrick Estate (Ref: 1066343).

Recommendation

THAT Council refund 50% of the \$342 temporary entertainment event application fee to the lessee of 769 Mahons Road Patrick Estate.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Brieschke

"THAT Council refund 50% of the \$342 temporary entertainment event application fee to the lessee of 769 Mahons Road Patrick Estate."

Carried

Subject:	Development Application No 17198 - Application for a Development Permit for Reconfiguration of a Lot for a Staged Subdivision of one lot into 102 residential lots, new roads, park and one balance lot
File No:	DA17198
Assessment No:	02839-00000-000
Action Officer:	SP-JB

Subject Land

Location	9 Lindemans Road and Clarendon Road, Lowood
Real Property Description	Lot 315 on SP178650
Area	48.6164 hectares
Current land use	Dwelling house and outbuildings
Easements and Encumbrances	Easement A on RP222246 – No 602435728 registered in favour of the Council. The easement provides for stormwater discharge into the site's waterway from the concrete batching plant site, the adjoining land.

Superseded Esk Shire Planning Scheme 2005 (as amended)

Zone	Rural
Precinct	Arable Agricultural Precinct

SEQ Regional Plan

Category	Urban Footprint
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Application

Proposal:	Development Permit for Reconfiguration of a Lot for a Staged Subdivision of one lot into 102 residential lots, new roads, park and one balance rural lot
Level of Assessment	IMPACT
Applicant/s	Stacey Ebert and Dale Jones
Applicants contact details	c/- Bennett and Bennett Surveyors and Planners PO Box 5021 GOLD COAST MAIL CENTRE QLD 9726
Land Owner/s	Stacey Ebert and Dale Jones c/- UPG LORNE RESORT PTY LTD
Date application received	17/10/2017
Date properly made	17/10/2017

Referral Agencies

Concurrence Agencies	Department of Infrastructure, Local Government and Planning (SARA)
Advice Agencies	ENERGEX
Third Party Advice Agencies	Nil

Public Notification

Submissions properly made	Four
Submitters	Six
Properly made	Four
Not properly made	Nil
Total:	4 submissions

RECOMMENDED DECISION

Approve the Development Application No 17198 subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 BACKGROUND

By way of background, the applicant lodged previous Development Application DA15072 on 8 April 2016 for an 88-lot residential subdivision of the subject property. Council considered the proposed subdivision under the former Esk Shire Planning Scheme 2005 (as amended) and refused the development application for the following reasons:

- Not consistent with the intentions of the Somerset Region Planning Scheme, in particular, Strategic Framework elements – 3.3.2 Element – Urban Growth Management, 3.3.6 Element – Industrial development and 3.7.3 Element – Industrial Development.
- Development has not demonstrated compliance with the Environmental Protection (Noise) Policy 2008.
- Development has not demonstrated compliance with the Environmental Protection (Air) Policy 2008.
- Certain matters raised by the submitters were considered to have merit.

Subsequently, the applicant appealed the decision and the matter is currently in with the Planning and Environment Court Brisbane – Appeal No. 2412 of 2016.

Notwithstanding, following this appeal the applicant sought consent from Council to lodge a superseded development application in March 2017. Council approved the request on the 20 April 2017 with advice that the application needs to address the following issues of concern:

- Design the development to avoid or otherwise minimise adverse impacts from emissions that will affect the health and safety, wellbeing and amenity of communities and individuals; and
- Demonstrate how the proposed separation distances between the proposed residential allotments and existing concrete batching plant (23 Lindemans Road) and Council Depot (17 Lindemans Road), achieves development assessment requirement 1 of the State Planning Policy (SPP); and
- Demonstrate how the proposed residential development can achieve the required acoustic quality objectives of the EP (Noise) Policy 2008 – requirement 2 of the SPP; and
- Demonstrate how the proposed development achieves the air quality objectives of the EP (Air) Policy 2008 – requirement 2 of the SPP; and
- Demonstrate compliance with the performance outcomes of the SPP Development Assessment requirements, including Management Areas: acoustic and air quality objectives; and

- Demonstrate that the development proposal cannot be accommodated elsewhere within Lowood, and there is an 'overriding need' for the development, as the proposed development is for reconfiguring a lot for a 'sensitive land use', wholly located within the Lowood Management Area.

Council received the new application DA17198 on 17 October 2017. In this regard the applicant pursued the enquiries suggested by Council and sought technical advice and assessment by industry professionals specialised in the respective fields to address the concerns raised by Council.

The Appeal No. 2412 of 2016 was adjourned by the Court until 11 October 2018 for further review, pending the outcome of this application.

2.0 PROPOSAL

The proposal seeks Council approval to develop 102 residential lots, new roads, park and one balance rural lot over seven stages as follows:

Stage 1 - 1 lot
Stage 2 - 30 lots and park
Stage 3 - 13 lots and park
Stage 4 - 13 lots and park
Stage 5 - 15 lots
Stage 6 - 18 lots
Stage 7 - 13 lots and park
Total - 103 lots and park

The lot sizes range from 800m² to 1202m², one 1558m², one 8884m² lot and a balance lot (Lot 103) with an area of 31.82 hectares. The proposed development involves an area of approximately 15 hectares within the 48.65-hectare property.

The proposed residential layout has been designed to be consistent with the Town Zone Residential Precinct. The proposed frontage width for each lot exceeds 18 metres and minimum lot sizes exceed 600m². Access to the development site will be gained from Clarendon Road forming an intersection with Macadamia Drive to the west.

The development incorporates parkland designed as a separation buffer, with a minimum width 50 metres between the residential allotments and the balance area. The park's design includes a landscaped 4-metre high earth-mound with an acoustic fence 2-metres in height. The proposed parkland comprises a linear park, local park, stormwater devices, shared pathways (footpath and cycle), landscaped open spaces, playgrounds and embellishments.

In addition, the applicant proposes a revegetated buffer within a covenant area on proposed Lots 9 to 29. The buffer is to be along the northern boundary and set back against the adjoining rural land. The Proposal Drawing is provided at Attachment 1.

Officer comments: The applicant proposes that the acoustic fence could be constructed of overlapping timber palings and may be constructed of treated pine. The recommendation below requires the acoustic barrier and fencing to achieve the acoustic quality objectives of the *EP (Noise) Policy 2008* of the State Planning Policy and be designed and constructed in accordance with the Noise and Air Quality Assessment prepared by MWA Environmental. All future works associated with the park will require Operational Works Landscape Applications through which detailed design elements will be provided and reviewed. Accordingly, appropriate conditions of approval provided in this application will facilitate Council requirements with compliance achieved through subsequent operational works approvals.

3.0 STRUCTURE PLAN OF WHOLE SITE

A Structure Plan has been prepared to provide an indication of the potential development of the whole site, i.e. the proposed residential development and the balance lot involving future industrial uses.

The structure plan shows that Council's planning interests under the current Somerset Region Planning Scheme for industrial development on the balance area of the site may still be achieved if the development proposal is approved. For clarity, the applicant is not seeking approval of the Structure Plan.

The key characteristics the structure plan consists of:

- residential lots in a staged development scheme;
- a single balance lot for future industrial uses (subject to a future development application). This land is to be used for low scale agricultural pursuits until development opportunity arises for industrial (or other) development;
- Identifying development constraints such as potential flood inundation and the sites proximity to industrial and agricultural land; and
- identifying all land located below the Q100 flood level as future open space (inclusive of the mapped waterway) to be dedicated to Council in conjunction with any future industrial subdivision occurring on the site.

4.0 SITE DETAILS AND SURROUNDING LAND USES

The site: The site is located on the northern periphery of the town of Lowood. The site contains an area of 48.6164 hectares and is improved by a dwelling house, ancillary rural structures and dams on the southern portion of the site. There is a single easement on the site. The easement is identified as Easement A on RP 222246 – No. 602435728 registered in favour of Council. The easement provides for stormwater discharge into the sites waterway from the concrete batching plant site, the adjoining land Lot 2 RP 200401.

The site slopes east towards the Brisbane River with steep slopes prevailing along the gully lines/waterway which runs through the site from the southern boundary, traversing in a north easterly direction meeting the Brisbane River on the sites eastern boundary.

The site is predominantly devoid of vegetation within the development footprint. Vegetation is limited to the low-lying areas of the site along the internal waterways and river frontage. The site has two road frontages being Clarendon Road and Lindemans Road.

Surrounding land uses: The subject land forms part of the northern boundary of the Lowood Urban Footprint and is surrounded by a range of land uses. Adjoining the site to the south is the Council Depot and a concrete batching plant; to the west is an established residential subdivision and Lowood Golf Course; and to the east and north are rural properties. The Brisbane River forms the eastern boundary of the subject land. The existing Lowood Industrial Estate is located further to the south-east of the site.

5.0 ASSESSMENT - STATE LEGISLATION

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.

5.1 STATE PLANNING POLICY

The State Planning Policy (SPP) provides a comprehensive set of principles which underpin Queensland's Planning System to guide local government and state government in land use

planning and development assessment. Part E of the SPP provided the interim development assessment requirements that must be applied by local government until the SPP has been appropriately integrated into the relevant local planning scheme. As the SPP was not integrated into the Superseded Esk Shire Planning Scheme 2005 a number of the state interests identified in the SPP are relevant to this development that include Biodiversity; Water Quality; Natural Hazards Risk and Resilience; and Emissions and Hazardous Activities.

However, in saying that, most of the state interests are not applicable to the proposed form of development as the proposal is occurring outside of the affected areas (i.e. bushfire and flooding) or occurs in disturbed areas of the site and assessment of environmental considerations (i.e. regulated vegetation) is not applicable. For completeness, an assessment against the applicable SPP State Interests is provided below.

5.1.1 State Interest – Biodiversity

The property is identified as containing Matters of State Environmental Significance (MSES), in this instance regulated vegetation, wildlife habitat and regulated vegetation intersecting a watercourse.

The site is predominantly devoid of vegetation within the *development footprint*. Vegetation is limited to the low-lying areas of the site along the internal waterways and Brisbane River frontage. The proposed residential development will occur outside of the area containing MSES and will not impact on the State Interest, achieving compliance with the State Interest - Biodiversity.

5.1.2 State Interest – Water Quality

The matter of water quality has been addressed by the development and technical assessment has been prepared to support this application in the form of a Stormwater Management Plan. This assessment has been prepared in accordance with best management practices.

For Quantity – The applicant proposes the use of a detention basin to reduce the impacts of the subdivision on the downstream water courses. The proposed stormwater detention/bio-retention basin (which accommodates the entire developments quantity/quality treatment) will be constructed as part of stage 2 which is the first stage of the residential subdivision that is required to consider stormwater treatment. The applicant has agreed to include drainage easements over the balance lot to the natural watercourse or legal point of discharge. The applicant proposes to provide these as detailed operational works plans are prepared at each stage.

For Quality – The applicant proposes to include vegetated swales and 2 bio-retention basins. One bio-retention basin is to be included within the detention basin and one at the end of Road 3. The Stormwater Management Plan provides analysis on how the development will meet pollutant reduction targets in accordance with the State Planning Policy.

The proposed residential development design will achieve compliance with the State Interest – Water Quality.

5.1.3 State Interest – natural hazards, risk and resilience

The State's interest in natural hazards, risk and resilience seeks to ensure natural hazards are properly considered in all levels of the planning system. This includes avoiding or mitigating the risks associated with natural hazards to an acceptable or tolerable level.

The matter of sediment and erosion control will be addressed on a stage by stage basis. The submitted Conceptual Stormwater Management Plan provides indicative sediment and

erosion control measures for the development site, using Best Practice Erosion and Sediment Control Guidelines (IECA 2008) for temporary basins operating during construction phase to establish appropriate design parameters. Detailed sediment and erosion control designs will be established in accordance with works associated with future operational works applications to ensure adequate controls are put in place on a case by case basis.

The matter of flooding has been addressed in the overall design. The property is subject to a 1 in 100 AEP flood event but the applicant has provided a layout with residential allotments outside the 1 in 100 AEP flood extents in accordance with the Brisbane River Flood Catchment Study. The majority of the balance area of the proposed development (Lot 103) will be affected by the 1 in 100 AEP flood event; but includes a future area outside flood extents that could be developed.

As stated earlier, the proposed residential development footprint is occurring outside of the affected flood area and the proposed design will achieve compliance with the State Interest – natural hazards, risk and resilience.

5.1.4 State Interest – Emissions and hazardous activities

The SPP State Interest Guideline – Emissions and Hazardous Activities states that community health and safety, sensitive land uses and the natural environment are protected from potential adverse impacts of emissions and hazardous activities, while ensuring the long-term viability of industrial development, and sport and recreation activities.

5.1.5 Management Areas

The State Government has advised that the 'Management Areas' were carried over from SPP5/10: *Air, Noise and Hazardous Materials* into the previous SPP. During the Integrated Review Project undertaken by State Government as part of the planning reform process to align the State Planning Instruments during preparation of the *Planning Act*, it was identified that there was no specific policy or criteria about '*management areas*' in the Emissions and Hazardous Materials state interest. Instead, there are general policies in the SPP about protecting medium impact, high impact, and special industry developments from encroachment by sensitive land uses, and vice-versa. Also, there was some indication that the Interim DA Provisions were not being applied consistently by local governments across Queensland.

The outcome of the Integrated Review Project was that the State removed the 'Management Areas' mapping and Interim DA provision and instead allowed local governments to continue to implement the broader policies relevant to industrial areas in the SPP Emissions and Hazardous State Interest.

As a result, the subject property has been removed from the 'Management Areas' mapping under the State Planning Policy 2016.

5.1.6 Noise and Air Quality Assessment:

MWA Environmental has prepared a 'Noise and Air Quality Assessment' for the applicant and assessed acoustic amenity at the proposed residential allotments against the *Environmental Protection (Noise) Policy 2008* acoustic quality objectives as specifically requested in the Superseded Planning Scheme Request Decision by Council. Their report determined that the relevant indoor and outdoor acoustic quality objectives will be achieved for future dwellings without any requirement for acoustic treatment of houses, based upon all of the proposed park and acoustic treatments being in place, that is the mounds and acoustic fencing.

Council commissioned external consultants to undertake a peer review of the Noise and Air Quality Assessment to ensure that 'acoustic amenity' and 'reverse amenity' issues were

adequately addressed.

In response, the results of the modelling indicate that the highest resultant L_{Amax} noise levels external to dwellings on the proposed residential allotments are 46 dB(A) for the concrete plant and Council depot and 49 dB(A) considering indicative future industrial development.

The DEHP *Guideline – Noise Control – Planning for Noise Control (2015)* states that:

“As a rule, in planning for short-term or transient noise events, for good sleep over eight hours, the indoor sound pressure level measured as a maximum instantaneous value should not exceed approximately 45dBA maxLpA more than 10-15 times per night.”

Thus, the Planning for Noise Control Guideline instantaneous maximum sleep disturbance planning level within sleeping areas of dwellings is 45 dB(A).

The highest predicted L_{Amax} noise level external to a dwelling on a proposed residential allotment is 49dB(A).

The sound transmission loss through an open bedroom window at night will readily exceed 4 dB(A) and therefore, the Planning for Noise Control Guideline instantaneous maximum sleep disturbance planning level will be achieved for future dwellings without any requirement for acoustic treatment of houses, based upon all of the proposed park and acoustic treatments being in place.

‘Controlling Background Creep’ Provisions:

The concept of background creep is where an impact can emerge over time as land is developed. In this case there is concern over the noise and emissions that may emerge from the future industrial area which could have an impact on the residential development proposed in this application.

Part 4 Section 10 of the *Environmental Protection (Noise) Policy (2008)* provides the standards for assessing ‘controlling background creep’ and states the management intent for an activity involving noise which may be referenced for considering the potential for nuisance at residential land uses. Considering the nature of noise emissions from the concrete batching, council work depot and potential industrial estate development, the relevant ‘controlling background creep’ criteria is that specified for ‘noise that varies over time.’

The ‘controlling background creep’ criteria relates to a ‘background plus 5 dB(A)’, criterion assessed as the L_{aeq} statistical parameter. ‘Background plus excess’ noise criteria are commonly considered in the assessment of potential nuisance from a noise generating activity.

Although typical activity rates are low, the Noise and Air Quality Assessment report assessed potential noise amenity impacts from the concrete plant and Council depot over the approved operating hours of the concrete batching plant, being 5am to 6pm Monday to Saturday. The Noise and Air Quality Assessment also noted that typical operating hours for the types of industrial facilities that may be expected on the balance land are 7am to 6pm but that consideration was given to extended operating hours which for the purposes of this assessment are taken to be consistent with the operating hours approved for the concrete batching plant.

Measured ambient background noise levels during the relevant periods of the day are summarised in **Table 1** below, in addition to the associated ‘controlling background creep’

criteria and the corresponding criteria for each period as defined in the Noise and Air Quality Assessment report, for the purpose of assessing the acoustic quality objectives.

Table 1: Summary of Potential Environmental Protection (Noise) Policy (2008) Noise Criteria

OPERATING PERIOD	AVERAGE L _{A90} Db(A)	ADOPTED CONTROLLING BACKGROUND CREEP CRITERIA L _{Aeq} Db(A)	ADOPTED ACOUSTIC QUALITY OBJECTIVE (ASSESSED EXTERNAL TO DWELLING) – L _{Aeq} Db(a)
5am to 6am	40.1	45	40
6am to 7am	42.2	47	40
7am to 6pm	37.5	42	42

As is typical in rural and other areas outside of major urban centres, ambient background noise levels at the subject land are higher in the early morning (5am to 7am) period than through the middle of the day due to the significant transportation noise peak during the early morning period. Thus, the 'controlling background creep' criteria derived for the early morning (5am to 7am) period are higher than for the 7am to 6pm period.

Notwithstanding, it is evident that the *Environmental Protection (Noise) Policy 2008* 'controlling background creep' noise criteria are equivalent to, or less stringent than the noise criteria previously applied in the Noise and Air Quality Assessment Report for assessing the acoustic quality objectives.

As such, the noise modelling presented in the Noise and Air Quality Assessment report demonstrates that the Environmental Protection (Noise) Policy 2008 'controlling background creep' noise criteria will be satisfied at the proposed residential allotments subject to the recommended earth mound / acoustic barrier structure to an overall height of 6 metres to be constructed within the proposed 50-metre-wide buffer zone.

The Peer Review report has concluded that, even with uncertainty around emissions and meteorology the modelling indicates that the proposed residential development is unlikely to be impacted by the batching plant and Council depot if operated in line with the assumptions adopted by MWA. However, the modelling does indicate that the proposed industrial uses between the proposed development and the exiting uses may lead to future conflict with both the industrial uses and the proposed residential uses.

It is concluded that for the types of industrial uses relevant to this assessment there is no expectation that significant low frequency noise characteristics would be evident or result in nuisance at the proposed residential allotments. Specific and unusual circumstances cannot reasonably be assessed at the land use planning phase but rather should be addressed on a case-by-case basis if determined to be relevant to a future industrial development. As such, the proposed residential development achieves compliance with the State Interest – Emissions and Hazardous Activities.

5.2 VEGETATION MANAGEMENT ACT 1999

As per the Department of State Development, Manufacturing, Infrastructure and Planning's Development Assessment Mapping System, the proposed *development footprint* does not contain regulated vegetation. The vegetation is located outside the *proposed 'development footprint'* and within the proposed balance lot and along the banks of the Brisbane River. No vegetation is to be cleared because of this development, therefore, the application did not require referral to the relevant State Department.

5.3 ENVIRONMENTAL PROTECTION ACT 1994

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

6.0 COUNCIL ASSESSMENT

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

6.1 Strategic Framework

An assessment against the Strategic Framework of the Superseded Esk Shire Planning Scheme 2005 (as amended) is provided below.

Desired Environmental Outcomes (DEOs)

<i>Desired Environmental Outcomes</i>		
<i>DEO</i>	<i>Applicant comment</i>	<i>Officer comment</i>
(a) The use of the shire's natural resources is managed on a sustainable basis to meet the needs and aspirations of the community, and maintain environmental, community and economic values.	<p>The proposed development does not affect natural resources. It is considered that the proposed development will not have detrimental impacts to environmental, community and economic values being developed within the core area of the Lowood Township. The design of the proposed subdivision is such that it uses only unconstrained land and does not impact of the remainder of the site for continued low scale rural use or the preservation of the existing natural environment.</p> <p>Additionally, the proposal seeks to utilize a relatively small portion of the existing rural property for urban expansion (located within the 'Lowood Strategic Map C' with the balance land being retained for rural purposes. This is considered to maintain a sustainable use of existing resources.</p>	The site is included as part of the urban footprint which has removed the ongoing agricultural potential of the land.
(b) Esk Shire has a sustainable and diverse rural economy with a wide range of employment opportunities due to the existing industries in areas such as tourism, regional recreation and the establishment of new economic activities.	<p>The proposal is for a residential development so this DEO is only relevant for a limited context.</p> <p>The proposed residential development increases the residential catchment available to the existing and future business uses (rural pursuits, commercial enterprises – tourism etc).</p>	Apart from increasing the number of potential residents because of the development it will not provide a diverse range of employment opportunities.

	<p>The proposal therefore provides an efficient urban form by locating residential activity in close proximity to consumer markets and complementary support services etc. This will assist in reducing development and operational costs encouraging sustainability. The proposed development is supported by the Shaping SEQ, SEQ Regional Plan 2017.</p>	
<p>(c) Effective coordination between infrastructure services, land use planning and economic development activities is achieved, and infrastructure is protected (including transport, water supply and energy corridors) from inappropriate development.</p>	<p>That proposal has demonstrated that it can efficiently maximize connections to existing infrastructure and that any future infrastructure is provided for efficiently. Furthermore, the proposed subdivision does not impact upon the ability of existing infrastructure and services to function in an effective and sustainable manner. Refer to the Knobel Consulting report included in Section 4 of the application.</p> <p>The subject site is not identified as accommodating future infrastructure and will not impact on any future land requirements. With respects to constraints associated with impacts to the land the TTM Consulting report included in Section 4 of the application, addresses any potential impacts from road traffic noise from the sites road frontages and the concrete batching plant site.</p>	<p>The applicant's comments are accepted.</p>
<p>(d) The natural and scenic attributes of the Brisbane Valley are managed and protected to maintain biodiversity and ecological processes, and to promote continued economic development and the health and wellbeing of the community.</p>	<p>The proposed development located within the Lowood Townships core area and comprises an existing rural property which is highly disturbed. The developable portion of the site will not impact upon any "ecologically significant" habitat.</p> <p>The subject site in a specific context offers little contribution to the natural and scenic attributes</p>	<p>The proposed development is not anticipated to have an impact on the natural environment.</p> <p>The development area is a considerable distance from the ecologically significant vegetation and from the Brisbane River. As the</p>

	of the “Brisbane Valley”. Notwithstanding where applicable the proposal has been designed so as to not impact upon the receiving environment.	development will be connected to reticulated sewerage it will reduce the impact on the Brisbane River.
(e) The natural processes and water quality values of the Brisbane River and the Shire’s other waterways and their catchments are maintained and enhanced.	The proposed Greenfield development does not affect natural processes or drainage systems. The proposed development has been designed to ensure that construction and operation will not have detrimental impacts to water based ecosystems. The reports prepared by Knobel Consulting included in Section 4 of the application addresses this particular aspect of the subdivisions design.	The applicant’s comments are accepted.
(f) Places and landscapes of cultural heritage significance in the Shire are protected and managed in keeping with the aspirations of the community and the attainment of economic and other benefits; and a high quality built environment is achieved with development consistent with desired local character and sited so as to minimize the potential adverse impacts of flood, bushfire and landslide.	It is considered that the proposal development will contribute to the creation/promotion of a distinctive local character and a sense of place for the local area. The future residential developments design is also considered consistent with existing character elements within the immediate locality, particularly the new development opposite the site. Additionally, the developable portion of the site proposed to accompany the urban styled allotments has been chosen as it is situated away from both natural and manmade hazards. The proposal is considered to be consistent with the desired character of this ‘urban’ area.	The site is not known to contain areas of cultural heritage significance.
(g) An efficient and compact settlement pattern is achieved for the Shire that is functional and cost effective while also providing for: - the longer term growth opportunities for the four major towns of Esk,	The proposed subdivision through the provision of a variety of lot sizes will increase the range of housing types and thus consumer choice. Assessment of this aspect has been detailed throughout the application.	The subject land is located on the periphery of the urban footprint for the township of Lowood. The land is identified as being suitable for urban development. The subject site is also identified by Section

<p>Lowood, Fernvale and Toogoolawah;</p> <p>- expansion of the villages in very limited circumstances where it is necessary to accommodate an activity which directly services the surrounding rural community;</p> <p>A high quality living environment is maintained in the Shire; land resources are used effectively and development is in harmony with the natural surrounding.</p>	<p>The proposed subdivision achieves generous setbacks to the adjoining concrete batching plant site, a minimum of 300 metres. A 50-metre-wide buffer and rural use will be maintained between the urban lots and the existing industrial activities.</p> <p>The proposed development is located on the most suitable portion of the site well away from any natural hazards as demonstrated by the subdivision proposal plan and the further supporting information.</p> <p>The proposal will facilitate a greater degree of integration between the home and the workplace, and will not compromise the efficiency of business centres by adding to the residential catchment of the Lowood Townships core area. The benefits of such close integration include a reduction in commuter trips and distances travelled, social and economic advantages in strengthening the immediate catchment base for business Centre's, facilitating and safer streets resulting from increased surveillance, particularly after business hours. The proposal therefore should enable increased residential densities in the areas surrounding the Lowood Township.</p>	<p>1.6(c) and the corresponding Lowood – Strategic Map C as forming part of the area which is viewed as being “a logical extension” to the Lowood Township.</p>
<p>(h) Convenient access is achieved to a diversity of housing, services and facilities in established settlements.</p>	<p>The range of lot sizes will accommodate a diversification of housing choice within local areas by introducing opportunities for the development of a wide range of dwelling types in an appropriate location. This supports changing accommodation needs of local communities and a greater social mix will be achieved. Residential consolidation (incl. increased densities) will focus demand toward planned social and</p>	<p>The proposed development will provide additional housing opportunities to residents.</p>

	community infrastructure, and transport facilities.	
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6.2 Overall outcomes – Rural Zone Code

The overall outcomes for the Rural zone are as follows:

Overall Outcomes	Applicant Comment	Officer Comment
The Overall Outcomes Sought for the Rural Zone		
(a) good quality agricultural land is protected from fragmentation and the intrusion of incompatible uses;	<p>As noted the site is located within the Shaping SEQ – SEQ Regional Plan 2017 ‘urban footprint’ and within the ‘growth area’ of the Lowood strategic mapping. The small scale residential development is considered to be a supportable transitional Greenfield development for the subject allotment.</p> <p>Notwithstanding an assessment of the GQAL was undertaken by “LRAM” to confirm the proposals impact on this resource. This assessment concluded that:</p> <p>“The subject lot contains an area along the eastern boundary of the lot which is below the Q100 flood line and which was included in the GQAL overlay because of the quality of the soils.</p> <p>The isolated nature of that better-quality soil area on this lot and the fact that it is not contiguous to other ALC A and B area has resulted in the area not being included in the state interest category as part of an Important Agriculture Area.</p> <p>The development plan for the area restricts the future urban residential area to the western section of the lot on areas of poorer quality grazing only soils well above the flood line.</p> <p>The buffering proposed is a combination of buffer to external grazing uses to the north and wider internal buffers and open spaces. Such buffering will be</p>	The agricultural merit of the subject land has been made irrelevant due to the land's inclusion in the urban footprint.

	more than adequate to mitigate land use conflict.”	
(b) existing rural activities (including intensive animal industries) are protected from encroachment by incompatible uses;	As noted above the intent for some of the “Land in the Rural Zone that is located adjoining or in close proximity to the towns and villages is intended to be used for a range of small scale lower impact rural pursuits that maintain the amenity of the area. Some of this rural zoned land adjacent to the four major towns of the Shire has been identified as a future potential urban growth area in Strategic Maps A to D.” The development includes buffers to address the potential future industrial development as noted on the proposed structure plan. This will equally offer separation to the proposed development and will ensure that the balance rural allotments small scale rural use does not impact to the proposed residential allotments.	The subject land is not located near any intensive rural activities. The subject land, does however, adjoin properties used for low scale rural pursuits (grazing).
(c) development is to maintain or enhance the rural amenity, character, environmental and landscape values of these areas;	Given the sites proximity to the Lowood Town Centre the site is afforded with a more suburban/urban character particularly noting the vicinity/ scale of the residential use on the opposite side of Clarendon Road. Notwithstanding, the proposed development intends to build on and capture the existing amenity afforded to the site including its proximity to existing urban services and infrastructure located approximately 600 metres of the subject land.	As the site is included in the Urban Footprint, the retention of the rural amenity is not considered applicable.
(e) where rural land adjoins areas designated for non-rural uses, appropriate buffer areas are to be provided within a development site;	The subdivision has been designed so that sufficient buffers (20-50 metres wide) will be provided between rural land and the urban residential uses. This buffer forms a physical buffer for the urban allotments to the rural activities dividing the land between activities.	Sufficient buffers have been included in the proposed design.
(f) land is to be used	The residential subdivision uses	The development is

sustainably, consistent with any environmental or physical constraints and within the land's productive capacity;	such a small portion of the land approx. 16.83 ha of the total site area all of which is constraint free and fully serviceable land.	designed to occur on land devoid of any environmental constraints (ie native vegetation and is above known flood impacts).
(g) infrastructure is used sustainably and is protected to ensure its efficient and safe operation.	The proposed urban development in an 'urban' locality to make the best use of available services applicable to a residential subdivision. In this regard, the subject site has access to reticulated water and sewer infrastructure appropriate to support the proposed development.	The proposed development will require connection to a large range of infrastructure. Queensland Urban Utilities (QUU) has provided a Service Advice Notice for the development that relates to several upgrades needed to the water and wastewater systems, but that the development is serviceable. Upgrades include to the wastewater pump station on Lindemans Road and the augmentation of the water supply line.
(h) Land in a Growth Area is developed for urban purposes where demonstrated as being appropriate through a structure planning process.	<p>The subject application is supported by a structure plan which demonstrates that both industrial uses and residential uses can be accommodated on the site and still satisfy Councils potential need for future industrial land if required for the suggested land supply timeline nominated for 2031.</p> <p>The proposed structure plan ensures the proposed development:</p> <ul style="list-style-type: none"> • Contains acceptable urban uses. • Has been designed to incorporate best practice sustainability principles. • Achieves a dwelling density which maximizes yield appropriate to the locality. • Contributes to creating 	<p>The applicant's comments are accepted.</p> <p>A 'Residential Needs Analysis' has been carried out and supports the residential development and proposed use of the balance area.</p>

	<ul style="list-style-type: none"> balanced and affordable communities with a clearly defined range and mix of housing type and price. Have the capacity to be serviced by physical and social infrastructure which can be staged economically to meet the demand. Take place in an appropriate sequence. Respond to development constraints, including mitigating undesirable impacts. Provide for and support the use of walking and cycling. Provides open space. 	
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6.3 SUPERSEDED ESK SHIRE PLANNING SCHEME 2005 (AS AMENDED)

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

Applicable Code	Specific Outcome Compliance	Is Alternative Solution Provided?
Rural Zone Code	Yes	Not required
Reconfiguration of a Lot Code	No	Yes
Applicable Overlay Code	Specific Outcome Compliance	Is Alternative Solution Provided?
Economic Resource Overlays	No	Yes
Biodiversity and Scenic Amenity Overlay Code	Yes	Not required
Major Transport and Energy Corridor and Infrastructure Overlay Code	Yes	Not required
Flood Plain Hazard Overlay Code	Yes	Not required

6.3.1 Reconfiguration of a Lot Code

SO1-Stated Specific Outcomes Sought and Probable Solutions

Element (v): LOT AREA AND DESIGN	
<i>Specific Outcomes</i>	<i>Probable Solutions</i>
SO1 Lots must be of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of	PS1.1 Lot of boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation

<p>improved land management practices and through provision of safe and adequate water supply and sewage disposal.</p> <p>Development involving a realignment of boundaries does not result in:</p> <ul style="list-style-type: none"> - fragmentation of rural lands and loss of land to rural production - conflict between farming and residential uses; - loss of farming flexibility - ribbon development along rural roads - detrimental impacts on areas of ecological and scenic values; - loss of practical access to extractive and mineral resources; or - a net increase in the number of lots within the Rural zone 	<p>AND</p> <p>PS1.2 The minimum lot size is in accordance with the provisions of table 1</p> <p>OR</p> <p>PS1.3 A proposed lot is smaller than provided for in PS1.2, and the reconfiguration is a boundary realignment that would not create any additional lots and would improve the relationship of the lots to natural features, or would otherwise provide for the implementation of improved land management practices</p> <p>OR</p> <p>PS1.4 A proposed lot is smaller than provided for in PS1.2, and accommodates a new farming venture that can be demonstrated to be sustainable on a smaller lot (including demonstration of a secure and reliable water allocation for the venture)</p>
Officer comments	
<p>PS1.1-PS1.4</p> <p>The subdivision comprises a 'Greenfield' development that intends to intensify the residential catchment of Lowood in-line with the intent of the Lowood Strategic Map (C) being the inclusion of rural land for use within the Lowood township for urban purposes. The proposed development will be connected to reticulated infrastructure and services.</p> <p>The proposal complies with the intent of Specific Outcome SO1.</p>	

6.3.2 Economic Resources Code

Element (i) Good Quality Agricultural Land (Map OM1A)	
<i>Specific Outcomes</i>	<i>Probable Solutions</i>
<p>SO1 Development does not reduce the utility and productive capacity of good quality agricultural land in terms of:</p> <ul style="list-style-type: none"> - Farm practices being protected from adjacent uses; - Adjacent uses not compromising agricultural operations; - Avoiding residential uses encroaching onto agricultural land; 	<p>PS1.1 Development is not located on land that is or is adjoining good quality agricultural land identified on OM1A</p> <p>OR</p> <p>PS1.2 Development only occurs on land identified as good quality agricultural land on Map OM1A that has the following characteristics:</p> <ul style="list-style-type: none"> - Slope >12%; or

<ul style="list-style-type: none"> - Incorporating buffers to adjacent incompatible uses; - Defining a boundary between agricultural land and residential areas. 	<ul style="list-style-type: none"> - Soil depth <0.3m; or - 50% rock (>200mm in diameter) <p>And does not result in the alienation or fragmentation of GQAL.</p> <p>OR</p> <p>PS1.3 Where development is for extractive industry purposes, the site is rehabilitated to a state where its agricultural land class is in the category good quality agricultural land.</p>
Applicants' Alternative Solution	
The proposal only occupies a small area of the subject site in the western most portion of the site within the Class C area.	
Planning Comments	
An assessment of the sites GQAL has been undertaken. This assessment confirms that the proposed development will not impact on GQAL and does not reduce the utility and productivity of GQAL either for the subject site or via reverse amenity issues affecting adjoining allotments.	
The development will result in residential uses being located directly adjoining land used for rural purposes. However, inclusion of the land in the Urban Footprint suggests that the agricultural pursuits of the land are no longer relevant, as supported by Shaping SEQ: South East Queensland Regional Plan 2017.	

OTHER PLANNING CONSIDERATIONS

7.1 Trunk Infrastructure and Services

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

7.2 Water and Sewerage Supply

The proposed residential development will be connected to reticulated water supply and sewer. Queensland Urban Utilities (QUU) has provided a Service Advice Notice for the development that relates to several upgrades needed to the water and wastewater systems, but the development is serviceable.

7.3 Stormwater/Drainage and Flooding Constraints

As stated earlier in section 4.3 and 4.4, the proposed residential development footprint is occurring outside of the affected flood area and the proposed design will achieve compliance with the State Interest – Water Quality and Natural hazards, risk and resilience.

7.4 Access/Roads/Traffic Impact Assessment

Access to the development site will be gained from Clarendon Road forming an intersection with Macadamia Drive to the west. Proposed lots 1-8 and 87-101 have dual frontage to Clarendon Road as well as an internal street. There will be no direct access allowed onto Clarendon Road from these lots.

The proposed intersection with Macadamia Drive will be designed with a single point of vehicle ingress/egress (BAR/BAL treatment intersection), the point of access being achieved from

Clarendon Road. This point of ingress/egress will provide access to the proposed residential allotments except for proposed Lot 97 and Lot 103 (balance lot) which will maintain their existing access from Lindemans Road.

The proposed subdivision would result in a four-way intersection with a stop condition for the roads entering Clarendon Road. In addition, the predicted Traffic Counts did not warrant the construction of a channelised intersection in accordance with Council's Design Standards.

Clarendon Road is classified as a Trunk Collector road. A Trunk Collector road is to provide an ultimate design width of 12m with kerb and channel. As this road has an inside curve where parking would not be recommended and then a short distance to the Lindemans Road Intersection, it is recommended that the applicant only widen along the frontage of proposed Lots 8 to 92 and link into the existing kerb and channel.

Regarding the section from Lot 92 to the Lindemans Road intersection, it is recommended that the applicant utilise the existing kerb and channel and extend it to a termination at Lindemans Road without widening.

Lindemans Road fronts the balance area of the site, which is classified as a Trunk Collector road. The balance area of the site (31.82 hectares) is to remain vacant with no new residential lots being created along the frontage. It is recommended that no widening nor kerb and channel be provided along Lindemans Road, as part of this application.

7.5 Bus stops

The application identifies the locations for two proposed bus stops along Clarendon Road, as requested by State Government – Department of Transport and Main Roads. The route is used by a Translink Bus Route between Lowood and Coominya and School Bus Routes.

The location of the two bus stops has been selected based upon the local geometric factors and with reference to available sight distance and road pavement, whilst minimising the effect of constraints relative to adjacent lot boundaries. Approximately 3.0m of pavement widening will occur in each direction to allow for indented bus bays so that through vehicle movements are not impeded. The bus stops will also be offset by approximately 30m such that the bus zones are not directly adjacent.

Because of the limited verge available on the western side of Clarendon Road due to the proximity of the residential dwellings, the northbound bus stop will be provided along the site boundary of the Lowood Golf Club, which will avoid intrusion into existing residential allotments. The recommended bus stop design, has been selected to ensure through vehicle movements are not impeded, and is considered acceptable for the intended use.

There are no objections offered to the proposed Bus Stops with further details being provided during Operational Works stage. State Government, as a referral agency, has recommended conditions for the inclusion of the Bus Stops. A footpath should be provided from the bus stop on the western side of Clarendon Rd to Macadamia Drive.

7.6 Footpaths and Cycle Pathways

The development will provide footpath connectivity from the proposed Bus Stops to the developments internal footpath network.

The applicant has provided a '*Pedestrian Mobility Plan and Landscape Masterplan*' that considers walkability/cycle linkages within the development and to the proposed Local Park. The applicant proposes shared pathways (footpath and cycle) through the drainage/buffer/park area to link with Council's existing network and footpaths throughout the

development.

The applicant hasn't shown a connectivity to Council's existing active transport network (footpath and cycle). It is recommended that the applicant provide a shared path (footpath and cycle) connectivity to Council's existing network along the pathway adjacent to proposed Lot 87 to the connection with Council's existing shared path at the intersection of Lindemans Road and Main Street.

7.7 Esk Shire Council Parkland Strategy 2006

The Esk Shire Council Parkland Strategy dated October 2006 identifies 4 new local parks in residential growth areas for Lowood township. The Parkland Strategy identifies a Local Park within the eastern section of the subject site, adjoining the Brisbane River. The Parkland Strategy identifies the entire property as being designated for residential development. The Parkland Strategy's preferred location of the Local Park is river frontage, to maximise river based open space and recreational experiences.

7.7.1 Proposed location of Parkland

The location of the proposed parkland has been altered in the proposed residential development from that in the Strategy due to the eastern portion of the site being subject to a 1 in 100 AEP flood event and the fact that only part of the subject land is being developed for residential uses.

The Esk Shire Parkland Strategy requires local parks to be located within 500-metres of residential development to service a local neighbourhood within a township and to support connectivity and facilitate walkability. By establishing the proposed parkland along the site's eastern boundary adjoining the proposed residential development introduces connectivity with the existing residential development opposite Clarendon Road, which will also benefit from this proposed open space.

7.7.2 Parkland Function

The parkland will function in multiple roles, as:

- a separation buffer;
- a stormwater detention basin; and
- a recreation area (local park);
- these uses are compatible and for all intents and purposes the parkland will have the appearance as a single element.

While not part of the proposed dedicated parkland, the applicant is also proposing the creation of a 20m wide vegetated buffer strip (covenant) along the rear of proposed lots 9-29 (part of stages 5, 6 and 7). This buffer will occupy approximately 400m² of each lot, and will act as a buffer between the rural land to the north and the future houses and urban activities. The buffer is proposed to be landscaped consistent with vegetation proposed in the parkland.

7.7.3 Embellishment of Parkland

Separation Buffer

The proposed design includes a landscaped 4-metre bunded earth-mound with an acoustic fence 2-metres in height. The length of the mound and fencing will be approximately 615.9m. The applicant is also relying on dense natural tree vegetation and understorey growth to assist with the buffering function, despite the fact that the site is currently devoid of this type of vegetation in these locations.

There will also be buffer fencing provided along the boundaries of residential properties that adjoin the park.

The proposal is shown on Attachments 2-3.

Stormwater detention basin/ bio-retention basins/vegetated swales

The proposed subdivision design includes a stormwater detention basin; two bio-retention basins and vegetated swales.

The stormwater detention basin will reduce the impacts of the subdivision on the downstream water courses and will comprise an area of 2720m² with a volume of 4072m³. The detention basin is to be provided in Stage 2 when the road into the development is constructed. Drainage easements over the balance lot to the natural watercourse and legal point of discharge will be created as part of Operational Works stage.

Two bio-retention basins will be designed as part of the parkland. One bio-retention basin comprising a surface area of 480m² is to be included within the detention basin. The second bio-retention basin comprising an area of 35m² is to be located at the end of Road 3, within the parkland.

Vegetated swales throughout the park design will act as primary treatment devices and convey surface and piped runoff to the bio-retention basins and will also act as overland drainage paths in major storm events. The swales will be heavily vegetated and sited to convey the Q100 runoff from its catchment with adequate freeboard. A Stormwater Management Layout is provided at Attachment 4.

Local Park

The park will have a variety of elements -

- A children's playground with shade sails and soft fall will be provided;
- Multiple 'youth' facilities will be provided, including open kick play area with lawn surface; and half-court basketball court;
- Shelters with seating will be provided;
- Shade sails and natural shading will be facilitated throughout the proposed design

Overall the proposed parkland generally satisfies the broad design principles of the Esk Shire Parkland Strategy as detailed below:

- The park has road frontage of at least 50% and access to on street parking;
- The park will comprise of gradients at or less than 1:20;
- The park is located above the Q100 flood level;
- The design includes a 3-metre wide shared footpath/cycle pathway with access via Clarendon Road.

7.7.4 Parkland Staging

The development is a proposed subdivision in seven stages, with parkland proposed to be delivered with the completion of stages 2, 3, 4 and 7. The applicant has advised the construction and delivery of roads, water, sewer and stormwater infrastructure directs the completion of the parkland. It is indicated that the proposed linear park and most of the stormwater treatments will be constructed in Stage 4 and the early establishment of the linear park is to supplement the need for the Local Park (which contains the majority of the playground infrastructure and the like) until stage 7 is finalised.

Under normal circumstances for delivery of parkland in a residential estate this would be an acceptable role out. However, in this case the separation/buffer function that the park and the embellishments are intending to provide warrants the consideration for an alternative delivery

arrangement.

The applicant contends that the combination of the mound, fence and significant vegetation planting will satisfy the impact from current and future industrial uses. These solutions are critical to the applicant's argument as to why the application should be approved.

It is considered however, that these elements need to be in place with the release of Stage 2, so that all residents who purchase land have the security of the buffering from day one. It also ensures that the vegetation has the maximum amount of time to grow and be at a better age and size to perform the screening and buffering function as the residential development moves closer to the noise sources. The applicant's proposed staging has the elements being constructed in the later stages and only then planting the trees and expecting them to provide relief as they grow.

In a similar way Council should reconsider when it wants to take on the ownership and responsibility for the maintenance of the parkland, the mounds and fencing. These elements are crucial for the applicant in their endeavours to convince Council about whether to approve the application. These elements become Council's assets with Council having to maintain them once they have come off maintenance. The size and nature of such elements has not been considered by Council previously and by their very nature they are a significant response to the future industrial impact. It is out of keeping with the character of residential parkland elsewhere in the region.

To this end, along with the early construction of the entire parkland system, it is also proposed that dedication of the land should be deferred until the land adjacent to the site is developed for industrial purposes. Meaning, the owners retain responsibility for the park, mounds, fences, stormwater detention basins etc maintenance while there is uncertainty about the nature and impact from future industrial uses.

This also helps in the case that should a new industrial use be established which necessitates a review of the buffer standards then it is in the realm of the industrial proponent to resolve, rather than simply relying on what was built in line with this application in what would have been Council's park.

In relation to the proposed northern vegetated buffer (covenant) this should be planted as soon as practical to allow for sufficient time for the trees and shrubs to growth in order to perform their intended function from when a house is occupied.

To be clear on what is being proposed here -

- one, require the elements that make up the components of the parkland to be constructed with the earliest release of new residential lots (Stage 2); and
- two, require the owner of the land to maintain responsibility of the parkland until the adjoining industrial land is developed;
- three, require the northern vegetated buffer to be planted and maintained when the development commences.

7.8 Services

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

7.9 Environment

The proposed development will not result in environmental degradation.

7.10 Heritage

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

7.11 Street Lighting

Street lighting is to be provided in accordance with Australian Standards for residential development.

7.12 Infrastructure Charges

A draft Infrastructure Charges Notice has been prepared for contribution towards the Stormwater Network that is the necessary trunk infrastructure pursuant to section 8.2 of Council's Charges Resolution (No 1) 2018. The draft Infrastructure Charges Notice is provided at Attachment 7.

The Developer is also required to enter into an Infrastructure Agreement with Council. The Developer is responsible for the preparation and costs associated with the Infrastructure Agreement. The Infrastructure Agreement is to relate to Parks and Open Space Network, inclusive of the establishment cost for trunk infrastructure (Local Park) that is the necessary trunk infrastructure pursuant to section 8.2 of Council's Charges Resolution (No 1) 2018.

8.0 PUBLIC CONSULTATION

The matters raised within the submission(s) are outlined below.

8.1 Issues: Amenity, Lifestyle and Character

A summary of the comments provided by submitters include the following:

- Since this development is on the edge of the urban footprint, the size of the blocks should be larger to fit in with the visual amenity of the surrounding rural zone.
- Development of this nature could ruin the character of this incredible town of Lowood and the surrounding picturesque areas.
- Our town of Lowood is unique, stunning and centred on prime real estate close to Brisbane and Toowoomba while still giving people the opportunity to live in the country.
- We are very fortunate and favoured to have the extraordinary Brisbane River flowing gracefully along and through the centre of our region, as well as Wivenhoe right on our door step.
- Lowood is renowned for its friendly country atmosphere. The amenity experienced by the majority of residents of Lowood is enjoyable and one that strengthens the appeal of modern rural living. However, poorly planned, high density subdivisions that are driven by profit, rather than true demographic growth, often results negatively for existing residents. In this instance, the subdivision has been designed to maximise the density of new residential allotments with little consideration for how this will impact the local environment. Namely, the minimum allotment size proposed is very inconsistent with the semi-rural surroundings.
- The introduction of high density suburbia into a semi-rural environment will conflict and detract from the desirable acreage lifestyle enjoyed by current and future residents who own and sell the larger acreage allotments within the vicinity.

Comments:

The subject site is designated within the Urban Footprint, whereby the 'future' intended character of the site is residential and not rural. These concerns have been addressed throughout this report.

The issues raised are not sufficient grounds to recommend refusal of the application.

8.2 Issue: Social Impacts – People, Property and Services

A summary of the comments provided by submitters include the following:

- Concern of the impact on our local people. The area already has a relative lack of opportunities, weak social networks and inadequate community services. Unemployment is an issue and we have witnessed an influx of poor role models that have been attracted to the previous development south west of Prospect Street in Lowood.
- It is considered that Lowood does not have the infrastructure, to cope with another 102 families living in a close community.
- It is important to note that a similar high-density development was approved to the south west of Prospect Street in Lowood (containing low cost housing) which has resulted in a dramatic increase in crime and disturbance to existing residents in the area.
- Request Council to reconsider this development, and if it is to take place, allotments would be better off to be at least 1 acre, as this would increase the standard of homes built, and not encourage rental properties like others in the Lowood area. These areas that have been subdivided into small allotments seem to have a high rate of crime, and we do not want this to happen in our vicinity.

Comments:

An increase in population on the site will result in growth in the trade catchment of local businesses, thereby contributing to improved viability and creating opportunities for further employment. Social issues raised by the submitters are not isolated to Lowood alone nor can it reasonably be assumed that these issues arise because of housing which has typically been developed in the locality. While the concerns raised are generally of a social nature and while they may be real, they are not specifically a planning matter and are not sufficient grounds to recommend refusal of the application.

8.3 Issue: Traffic and Road Traffic Noise Barrier

Concerns raised regarding the traffic entering into and out of Clarendon Road. The transport infrastructure at this point is already of concern without adding more pressure.

Concerns about the proposed 1.8-metre-high road traffic noise barrier as part of the residential development. Instead of providing acoustic fencing along the frontage of the Estate, would it not be better for all concerned to construct a buffer of trees and shrubs.

Comments:

The Traffic Impact Assessment supports the proposed development by demonstrating the proposal will not have any detrimental impact on the local road system and the proposal is not considered to increase the level of risk for pedestrians in this location. For further comments, refer to section 6.4 of this report.

The concerns raised about the road traffic noise barrier were addressed in Peer Review commissioned by Council conducted by Simpson Engineering Group. Clarendon Road is not a major transport corridor under the Esk Shire Planning Scheme 2005, therefore assessment of road traffic noise was not required. However, an inspection revealed the extent of the contours of the subject site with noise barriers along the property boundary.

While there is no requirement for acoustic screen fencing to be required along the Clarendon Road frontage the development will be conditioned to require the applicant to fence that boundary with a 1.8m fence to ensure that no vehicle access occurs from those lots that have a dual street frontage arrangement.

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

8.4 Issue: Conflict with the intent of the Planning Scheme

While the land is identified as being within the Lowood Growth Area, the Superseded Planning Scheme states:

“Land that is identified as a Growth Area and within the Urban Footprint of the SEQ Regional Plan 2005-2006 is not necessarily suitable for urban development. Land suitable for urban development will be identified in a structure plan. In accordance with Policy 8.9.1 of the SEQ Regional Plan 2005-2026, a structure plan must be prepared and adopted for all Growth Areas prior to development.”

The Structure Plan of the Superseded Planning Scheme identifies Lowood as an ‘Urban Centre’, with ‘growth potential to the north of the existing town and as a logical extension to the east, south and south-west.’ The land subject to the Development Application is identified as being within the northern extent of the Lowood Growth Area. The Strategic Map for Lowood goes further by identifying areas within the town that are earmarked for local planned growth, albeit reliant on the provision of infrastructure and services.

It is clear from the Superseded Planning Scheme that Council’s intent for the subject land is to be part of the future growth of Lowood. It is also clear that this land is better suited for an expansion of land uses associated with Service Trade and Industries given:

- Existing service, trade and industrial land uses immediately adjacent and in close proximity to the subject land; and
- Provision of a buffer from the majority of Lowood’s Residential land in the form of Park and Recreation land (e.g. the Lowood Recreation Complex and Lowood Golf Club) and lower density Residential land uses.

The establishment of higher density residential land at this location is inconsistent with the intended use of the land, as indicated by the Superseded Planning Scheme’s rural zoning, and the most appropriate future use of the land for services, trades or industry, as indicated by its inclusion in the Lowood Growth Area directly adjacent to existing, established Service Trade and Industry precinct.

Comments:

Under the Esk Shire Planning Scheme 2005 there was no strategic direction indicating industry as the preferred land use pattern. It was intended to be residential under the Planning Scheme.

As Council is aware under the current Somerset Region Planning Scheme Version Three it was intended to be Industrial, however, with the change to the Management Area under the State Planning Policy it has weakened Council’s ability to sustain an industrial structure plan over the entire site. This is based, however, on the applicant demonstrating compliance with noise, air and amenity issues. While this has been achieved through the proposed dedication and construction of park and landscape mounds there are concerns about the effectiveness of the proposed buffer when the adjoining industrial area is ultimately developed.

8.5 Issue: Sufficient Availability of Residential Land Supply

The need for greater availability of residential land in and around Lowood is made clear through the SEQ Plan, which states:

... (the) Somerset Region is to accommodate an additional 6,500 dwellings within an

urban footprint which directs urban growth primarily towards Lowood and Fernvale in the southern part of the region and Kilcoy in the northern part of the region.

This is reflected in the Superseded Planning Scheme through the identification of large tracts of Residential land which have historically been (and currently remain) used for rural endeavours, and the inclusion of this land in the Lowood Growth Area. As the demand for Residential land increases it is appropriate to encourage the subdivision and development of those areas as a priority.

Where Council deems it necessary to convert Rural zoned land to residential land uses, the focus would rightly be on that land within the Lowood Growth Area. However, it is more appropriate and desirable to do so on Rural land located between existing pockets of Residential zoning. An example would be that land located along Prospect Street. This would facilitate retention of separation between future Residential uses and the Services Trade and Industries precinct in the north-east of the Lowood Growth Area.

It is therefore considered inappropriate to establish further residential development in close proximity to service and industrial uses where there is sufficient supply of residential zoned land and more appropriate rural zoned land available for such uses within the Lowood Growth Area.

Comments:

The applicant engaged the services of Location IQ to undertake an overview of the economic need for a residential lot subdivision over part of the subject site; and the balance of the site being developed for future industrial purposes based on the development plan.

Overall, the research indicates that there is strong potential for a mix of residential and industrial uses at the proposed site, with a clear community and economic need for the proposed development.

There are not sufficient grounds to recommend refusal of the application.

8.6 Issue: Reverse Amenity Impacts

By the nature of concrete batching, surrounding land can be subject to amenity impacts such as traffic movements, noise and air quality. Holcim's Lowood Concrete Batching Plant operates under development approval conditions and environmental obligations regulating such impacts, however there remains the potential for intensified residential development to result in conflict between existing, lawfully operating industrial uses and new sensitive land uses.

It is understood noise modelling has been undertaken to support the application which found an earth mound / acoustic barrier up to 6.0m height is required to achieve the noise criteria at the proposed residential allotments. It is also noted that further noise modelling was undertaken in relation to the potential future development of industry on the balance land east of the residential subdivision, however it is unclear if this model incorporated the existing industrial uses as well as the potential future industrial development to confirm the potential cumulative effects of noise.

Similarly, air quality modelling has been presented to demonstrate the potential impacts of existing and potential future industrial uses on the proposed residential subdivision, which found that no specific air quality amelioration measures are required. However, it is noted that the results presented in Table 10 of the MWA Environmental 'Noise and Air Quality Assessment' indicates Total Suspended Particles (TSP) results of 35.1 ug/m³ and advises that this result complies with the Air Quality Objective of 25 ug/m³ identified in this table – it is

unclear if this result is in error, for example the objectives for TSP and PM₁₀ have been confused, however it is clear that both the TSP and PM₁₀ results presented in Table 10 exceed the Objective of 25 ug/m³. Despite this modelling, and assuming the results are cumulative of both existing and potential future industrial uses, there remains a risk to Lowood's existing and future industrial precinct that the encroachment of sensitive land uses would impose undue impacts on the ongoing operation and viability of industry.

Comment:

The concerns raised about the reverse amenity impacts were addressed in Peer Reviews commissioned by Council. While it should be noted that the future industrial uses don't form part of this application and any associated impacts will be addressed as part of future development applications, the proposal to defer the dedication and maintenance responsibility of the park, mound and barrier fence is considered to be a reasonable response to the concerns that there will be future impacts should the adjoining land have incompatible uses. This is not sufficient grounds to recommend refusal of the application.

9.0 STATE AGENCY REFERRALS

There were referral agencies to this application, in accordance with the provisions of the *Planning Regulation 2017*.

9.1 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 in Council's Schedules of Approval for the development application. Referral response reference 1711-2341 SRA and dated 1 May 2018. Refer to Attachment 5 and Schedule 4 of the recommended conditions.

9.2 Advice Agency

Energex as an Advice Agency has assessed the proposed development against the purposes of the Electricity Act 1994 and Electrical Safety Act 2002 and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. Referral response reference HBD 5882024 359601 and dated 6 November 2017. Refer to Attachment 6 and Schedule 5 of the recommended conditions.

10.0 CONCLUSION

In summary, it is considered that:

- the applicant has demonstrated:
 - that the proposed residential development can achieve the required acoustic quality objectives of the *EP (Noise) Policy 2008* – requirement 2 of the SPP, albeit with substantial design elements, being with amongst other things, the 4m high mound and 2m high fence;
 - that the proposed development achieves the air quality objectives of the *EP (Air) Policy 2008* – requirement 2 of the SPP;
 - compliance with the State Planning Policy 2017 State Interests;
 - compliance with Shaping SEQ: SEQ Regional Plan 2017;
 - compliance with the Superseded Esk Shire Planning Scheme 2005 (as amended) in that the subdivision comprises a 'Greenfield' development that intends to intensify the residential catchment of Lowood in-line with the intent of the Lowood Strategic Map (C), being the inclusion of rural land for use within the Lowood township for urban purposes;

Further Council needs to consider that:

- the early provision of appropriate separation buffers, acoustic barriers and earth mounding will achieve the relevant acoustic and air quality objectives required by Council for all the proposed residential allotments from the start of the estate;
- while future industrial uses on the balance lot do not form part of this application, it is argued that the applicant must have long term responsibility to protect the future residents of the estate which it is proposing, by taking responsibility for the ownership and maintenance of the park and buffering elements, which they strongly contend will function appropriately. Therefore, ensuring that any impacts from future industrial uses on Lot 103 requiring changes to the parkland elements can be mitigated by the applicant or the proponents of the industrial uses;
- the removal of the 'Management Area' mapping for Industrial Uses from the subject site as part of the planning reform process, has weakened the case for the land to be developed for industry rather than residential;
- the balance of the land (proposed Lot 103) is constrained and will be used in the interim for rural uses.

Based on the above it is recommended that Council approve the application subject to conditions.

11.0 ATTACHMENTS

1.	Plan of Proposed Lots 1-103, Park and New Road Cancelling Lot 315 on SP178650 at 9 Lindemans Road, Lowood over 7 Stages, Plan No: 13341_005_PRO_B, sheets 1-4, dated 16/02/2018 prepared by Bennett and Bennet.
2.	Structure Diagrams and Elevations –Buffer Planting, Fences and Walls, and Circulation and Stormwater – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.
3.	Landscape Masterplan – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.
4.	Stormwater Management Layout Plan Drawing No. P109 Issue C dated 02-03-18 Project No. K2796 for 9 Lindemans Road Lowood and prepared by Knobel Consulting.
5.	Referral Agency response: Department of State Development Manufacturing Infrastructure and Planning reference 1711-2341 SRA dated 1 May 2018 – conditions apply.
6.	Referral Agency response: ENERGEX reference HBD 5882024 359601 dated 6 November 2017 – conditions apply.
7.	SRC Draft Infrastructure Charges Notice.

12.0 RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for Reconfiguring a Lot involving a Staged Subdivision of one lot into 102 residential lots, new roads, park and one balance lot on land described as Lot 315 on SP178650 situated at 9 Lindemans Road and Clarendon Road, Lowood, 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		
No	Condition	Timing
1.1	Carry out the development in general 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
	Plan of Proposed Lots 1-103, Park and New Road Cancelling Lot 315 on SP178650 at 9 Lindemans Road, Lowood over 7 Stages, Plan No: 13341_005_PRO_B, sheets 1-4, dated 16/02/2018 prepared by Bennett and Bennet.	
	Structure Diagrams – Buffer Planting and Fences and Walls – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.	
	Landscape Masterplan – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.	
	Conceptual Stormwater Management Plan Document No. K2796-0023 dated 22 September 2017 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.	
	Conceptual Stormwater Management Plan Document No. K2796-0023-B dated 20 March 2018 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.	
	Stormwater Management Layout Plan Project No. K2796 Drawing No. P109 Issue C dated 02-03-2018 prepared by Knobel Consulting.	
	Traffic Impact Assessment Report Number 620.11915-RO1 dated 8 September 2017, prepared by SLR Consulting.	
	Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 13 October 2017.	
	Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 26 March 2018.	
	Peer Review – Reverse Amenity Assessment – Residential subdivision 9 Lindemans Road Lowood Job: 18-135 dated 10 July 2018 prepared by Astute Environmental Consulting Pty Ltd.	
	Infrastructure Report prepared for proposed Residential Subdivision Lot 315 on SP178650 9 Lindemans Road, Lowood, for Jones Family Trust, dated 22 September 2017, File No: K2796-0022, prepared by Knobel Consulting.	
	Queensland Urban Utilities Service Advice Notice Ref: 17-SRV-29198 dated 15 September 2017.	

	Residential Needs Analysis prepared for Stacey Ebert and Dale Jones for 9 Lindemans Road, Lowood, prepared by Location IQ dated September 2017.	
1.2	Comply with relevant provisions of the Superseded Esk Shire Planning Scheme 2005 (as amended), Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises during the staged project.	During construction works for each stage
1.4	Pay to Council any outstanding rates, 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 endorsement of the subdivision plan for each stage
1.5	Pay to council the current amount at the time of payment, per lot for the issue of new valuations by the Department of Natural Resources, Mines and Energy (DNRME). The amount is currently set at \$36 per lot per the Fees and Charges 2018/2019.	Prior to endorsement of the subdivision plan for each stage
	Infrastructure Agreement	
1.6	<p>The Developer is required to enter into an Infrastructure agreement with Council.</p> <p>The Developer is responsible for the preparation and costs associated with this Infrastructure agreement. The Infrastructure Agreement is to relate to the following:</p> <ul style="list-style-type: none"> Parks and Open Space Network, inclusive of the establishment cost for trunk infrastructure (Local Park) that is the necessary trunk infrastructure pursuant to section 8.2 of Council's Charges Resolution (No 1) 2018. 	Prior to endorsement of the subdivision plan for Stage 2
SCHEDULE 2 - ENGINEERING		
No.	Condition	Timing
	ENGINEERING	
2.1	<p>The Applicant is to complete each stage of the development in sequence in general accordance with drawing Plan of Proposed Lots 1-103, Park and New Road, prepared by Bennett + Bennett and dated 16/02/2018.</p> <p>The Applicant is not to submit to Council the Plan of Survey for a stage for endorsement until the Applicant has received endorsement of the Plan of Survey for the preceding stage.</p>	As indicated
2.2	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Works for each stage

2.3	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for each stage
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to endorsement of the subdivision plan for each stage
2.5	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to endorsement of the subdivision plan for each stage
	OPEN SPACE/PARK/LANDSCAPING	
2.6	The entire Local Park and Linear Park, open space and drainage, inclusive of solid block or concrete acoustic fence (gap free and achieve a minimum surface density of 12.5kg/m ²), mounds and all recreation elements and paths shall be constructed at the time of developing Stage 2.	Prior to endorsement of the subdivision plan for Stage 2
2.6.1	The land required for condition 2.6 shall be retained in the ownership of the owner of proposed lot 103, until lot 103 has been developed and it is determined that there is no need to require additional acoustic elements in the parkland to address the impact of future industrial uses.	Until lot 103 has been developed and it is determined that there is no need to require additional acoustic elements in the parkland to address the impact of future industrial uses
2.6.2	The developer shall maintain the Local Park and Linear Park, open space and drainage, inclusive of solid acoustic fencing, mounds and all recreation elements and paths while under its ownership and in accordance with a Management Agreement to be entered into with Council.	In accordance with Management Agreement
2.6.3	The developer shall plant the vegetated buffer (covenant) along the rear of proposed lots 9-29. This area shall be delineated and protected from earthworks during the construction of the estate.	Prior to endorsement of the subdivision plan for Stage 2
2.7	All entry statements, fences, batters for lots, and retaining walls must be located entirely within private land and not within the public road reserve.	At all times
2.8	The developer is to prepare and landscape the site in general accordance with the approved Landscape	Prior to endorsement of the subdivision

	Masterplan prepared by Form Landscape Architects and dated 21 March 2018, or as otherwise approved by Council.	plan for Stage 2
2.9	<p>Submit a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> • Comply with the <i>Somerset Development Standards</i>. • To enhance the appearance of the development internally and externally. • To make a positive contribution to the streetscape; • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • The number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by the Council are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at 	As part of Operational works for Stage 2

	<p>least 1.8 metres (at maturity);</p> <ul style="list-style-type: none"> ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; • A minimum of 70% of landscaped areas must be retained as a permeable surface. • Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times during the maintenance period. 	
2.10	A 1.8m high timber paling fence shall be provided along the Clarendon Road frontage of proposed lots 1-8 and 87-101. The detailed design elements are to be achieved through subsequent operational works applications.	Prior to endorsement of the subdivision plan for the relevant stage
	GENERAL SERVICES	
2.11	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to endorsement of the subdivision plan for each stage
2.12	The applicant must provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to endorsement of the subdivision plan for each stage
2.13	Electricity/telecommunication/water supply/sewer drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Prior to endorsement of the subdivision plan for each stage
2.14	Where serviced by kerb and channel, place brass markers in the kerb line at each service crossing. (Water, Sewer, Electricity and telecommunications)	Prior to endorsement of the subdivision plan for each stage
	BUILDING ABOVE FLOOD LEVEL	
2.15	The lots are to be created for buildings to be designed and constructed a minimum of 300mm above the Defined Flood Level (DFL).	Prior to endorsement of the subdivision plan for each stage
2.16	Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study.	Prior to endorsement of the subdivision plan for each stage
	EARTHWORKS	
2.17	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization.	At all times
2.18	All dams that are across proposed lot boundaries shall be removed.	Prior to endorsement of the subdivision plan for the relevant

		stage
2.19	Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to endorsement of the subdivision plan for the relevant stage
2.20	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.21	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	
2.22	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to endorsement of the subdivision plan for the relevant stage
2.23	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for the relevant stage
2.24	Road reserve and carriageway widths to be in accordance with the <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for the relevant stage
2.25	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.	During construction of the works; and at all times
2.26	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to endorsement of the subdivision plan for the relevant stage
2.27	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to endorsement of the subdivision plan for the relevant stage
2.28	Provide verge and access in accordance with <i>Somerset</i>	As part of

	<i>Regional Council Development Standards.</i>	Operational Works for the relevant stage
2.29	<p>Upgrade the intersection of Clarendon Road and Proposed Road 1 including signage, line marking and pavement and surfacing design in accordance with the Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> and Austroads <i>Guide to Road Design</i>. Applicant is required to construct:</p> <p>BAR and BAL design to all turning movements.</p> <p>All intersection upgrade requirements are at the applicant's expense. All intersection upgrade requirements are to be completed prior to the plans of survey being registered.</p>	As part of the Operational Works for the relevant stage
2.30	<p>Applicant is required to design Clarendon Road to the ultimate design carriageway width of 12m including kerb and channel and verge from proposed Lot 8 through to Lindemans Road. Applicant is required to construct the following:</p> <p>a) 12m wide carriageway including kerb and channel and verge adjacent to and for the full frontage of the development from proposed Lot 8 to proposed Lot 92 and tie into the existing kerb and channel.</p> <p>b) 7m wide carriageway including kerb and channel and verge adjacent to and for the full frontage of the development from proposed Lot 91 to Lindemans Road.</p>	As part of the Operational Works for the relevant stage
2.31	The applicant shall protect and retain the existing Jacaranda trees planted along Clarendon Rd, if such are to be removed than they must be replaced by either the same species or a new species of the equivalent age and size.	Operational Works for the relevant stage
	STREET NAMES	
2.32	<p>Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.</p> <p>The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with Council's standards.</p>	As part of the Operational Works for the relevant stage
	KERB AND CHANNEL	
2.33	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with Councils Development Manual and Standard Drawings.	As part of the Operational Works for the relevant stage
	FOOTPATHS	
2.34	Provide concrete footpaths and shared paths in general	As part of

	accordance with Pedestrian Mobility Plan 13.341-005-MIS-A prepared by Bennet + Bennett dated 25/03/2018 and in accordance with <i>Somerset Regional Council Development Standards</i> .	Operational Works for the relevant stage
2.35	Provide a concrete footpath connection from the development to the proposed bus stops along Clarendon Road.	As part of Operational Works for the relevant stage
2.36	Provide a concrete cycle path (shared path) connection to Councils existing network on Main Street in accordance with <i>Somerset Regional Council Development Standards</i> . The path shall include the pathway along proposed lot 87 to the connection with the existing cycle path (shared path) at the intersection of Lindemans Road and Main Street.	As part of Operational Works for the relevant stage
	STREET LIGHTING	
2.37	<p>Install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows:</p> <ul style="list-style-type: none"> i) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5 ii) Collector Roads – Lighting Category P4. <p>Install all street lighting on the same side as footpaths, where applicable.</p> <p>Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).</p>	Prior to endorsement of Subdivision Plan for each stage
	VEHICLE ACCESS	
2.38	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of Subdivision Plan for each stage
2.39	Landowners are 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 applicant must advise all potential purchasers accordingly.	At all times
	EASEMENTS	
2.40	<p>Provide an easement over stormwater and inter-allotment drainage located within private property to the downstream tributary.</p> <p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in</p>	Prior to endorsement of Subdivision Plan for each stage

	<p>accordance with Queensland Urban Drainage Manual (QUDM). The applicant is to provide to Council certification from the surveyor that the easements are correctly located over infrastructure. The easement is to be dedicated at no cost to Council.</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p> <p><i>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</i></p>	
	STORMWATER	
2.41	Stormwater Drainage shall be constructed in general accordance with Conceptual Stormwater Management Plan, prepared by Knobel Consulting and dated 20 March 2018.	As part of Operational Works for each stage
2.42	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 Standards</i> .	As part of Operational Works for each stage
2.43	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.44	Attenuate the difference between pre and post developed flows.	As part of Operational Works for each stage
2.45	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works for each stage
2.46	Fill, compact and grade all low-lying land being subdivided to ensure each allotment is drained adequately by gravitation to the drainage system within the proposed development.	Prior to the endorsement of the Plan of subdivision for relevant stage
2.47	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and Council standards.	As part of Operational Works for relevant stage
2.48	<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 for the relevant stage
2.49	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater	Prior to endorsement of the subdivision

	as a result of any site works undertaken as part of the proposed development.	plan for the relevant stage
	EROSION AND SEDIMENT CONTROL	
2.50	<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 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 staged project
2.51	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 during the staged project
2.52	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 applications for the staged project
2.53	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 during the staged project
2.54	<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 during the staged project
2.55	All declared weeds and pests are to be removed from the	During operations of

	subject land and kept clear of such nuisance varieties.	the staged project
2.56	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.	As part of Operational Works for each stage
SCHEDULE 3 - ENVIRONMENTAL		
No.	Condition	Timing
	Noise	
3.1	Construct an earthen mound and solid block or concrete acoustic barrier as is detailed in the report titled "Noise and Air Quality Assessment – 9 Lindemans Road, Lowood" prepared by MWA Environmental dated 26 March 2018 that: <ul style="list-style-type: none"> is located in accordance with details provided in the Noise and Air Quality Assessment; achieves an overall height of 6 metres above the natural ground level of the proposed alignment; Complies with the design detailed in the Noise and Air Quality Assessment; achieves a surface area density not less than 12.5 kg/m²; and has no air gaps (including at the base and between panels). 	Prior to endorsement of the subdivisional plan for Stage 2
3.2	Construct the Type 2 acoustic barrier as is detailed in the report titled "Noise and Air Quality Assessment – 9 Lindemans Road, Lowood prepared by MWA Environmental dated 26 March 2018 that: <ul style="list-style-type: none"> is located in accordance with the details provided in the Noise and Air Quality Assessment; achieves a surface area density not less than 10 kg/m²; and has no air gaps (including at the base and between panels). 	Prior to endorsement of the subdivision plan for Stage 2
3.3	Provide certification from a suitably qualified acoustic consultant that: <ul style="list-style-type: none"> the earthen mound/acoustic barrier has been constructed in accordance with the specifications of (3.1) above. the Type 2 acoustic barrier has been constructed in accordance with the specifications of 3.2 above. The earthen mound/acoustic barrier has been designed to achieve the acoustic quality objectives of the <i>EP (Noise) Policy 2008</i> of the State Planning Policy. 	Prior to endorsement of the subdivision plan for Stage 2
SCHEDULE 4 – REFERRAL AGENCY		
Department of State Development, Manufacturing, Infrastructure and Planning		

Concurrence Agency Response: Recommend conditions apply	
No.	Condition
4.1	Pursuant to section 56 of the <i>Planning Act 2016</i> the Department of State Development, Manufacturing, Infrastructure and Planning, as a <i>Concurrence Agency</i> , has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and advises Council that conditions apply.
4.2	Concurrence Agency response dated 1 May 2018 and referenced 1711-2341 SRA.
4.3	Concurrence Agency response will be attached to Council's Decision Notice for DA17198.
SCHEDULE 5 – REFERRAL AGENCY	
ENERGEX	
Advice Agency Response: Recommend conditions apply	
No.	Condition
5.1	Pursuant to Schedule 10, Part 9 of the <i>Planning Act 2016</i> , <i>Energex</i> as an Advice Agency has assessed the impact of the proposed development having regard to the Electricity Act 1994 and advises that conditions apply.
5.2	Advice Agency response dated 6 November 2017 and referenced HBD 5882024 359601.
5.3	Advice Agency response will be attached to Council's Decision Notice for DA17198.
SCHEDULE 6 – ADVISORY NOTES	
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 four (4) years starting the day the approval takes effect.	
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the <i>Planning Regulation 2017</i> .	
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .	
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.	
The form <i>Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]</i> must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.	

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

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

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

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

Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.

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

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:

Plan of Proposed Lots 1-103, Park and New Road Cancelling Lot 315 on SP178650 at 9 Lindemans Road, Lowood over 7 Stages, Plan No: 13341_005_PRO_B, sheets 1-4, dated 16/02/2018 prepared by Bennett and Bennet.

Structure Diagrams – Buffer Planting and Fences and Walls – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.

Landscape Masterplan – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.
Conceptual Stormwater Management Plan Document No. K2796-0023 dated 22 September 2017 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.
Conceptual Stormwater Management Plan Document No. K2796-0023-B dated 20 March 2018 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.
Stormwater Management Layout Plan Project No. K2796 Drawing No. P109 Issue C dated 02-03-2018 prepared by Knobel Consulting.
Traffic Impact Assessment Report Number 620.11915-RO1 dated 8 September 2017, prepared by Sentinel Property Group.
Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 13 October 2017.
Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 26 March 2018.
Peer Review – Reverse Amenity Assessment – Residential subdivision 9 Lindemans Road Lowood Job: 18-135 dated 10 July 2018 prepared by Astute Environmental Consulting Pty Ltd.
Infrastructure Report prepared for proposed Residential Subdivision Lot 315 on SP178650 9 Lindemans Road, Lowood, for Jones Family Trust, dated 22 September 2017, File No: K2796-0022, prepared by Knobel Consulting.
Queensland Urban Utilities Service Advice Notice Ref: 17-SRV-29198 dated 15 September 2017.
Residential Needs Analysis prepared for Stacey Ebert and Dale Jones for 9 Lindemans Road, Lowood, prepared by Location dated September 2017.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

“THAT Council approve the Development Application for a Development Permit for Reconfiguring a Lot involving a Staged Subdivision of one lot into 102 residential lots, new roads, park and one balance lot on land described as Lot 315 on SP178650 situated at 9 Lindemans Road and Clarendon Road, Lowood, 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

No	Condition	Timing
1.1	Carry out the development in general 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
	Plan of Proposed Lots 1-103, Park and New Road Cancelling Lot 315 on SP178650 at 9 Lindemans Road, Lowood over 7 Stages, Plan No: 13341_005_PRO_B, sheets 1-4, dated 16/02/2018 prepared by Bennett and Bennet.	

	Structure Diagrams – Buffer Planting and Fences and Walls – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.	
	Landscape Masterplan – reference DA01 171205 dated 21 March 2018 at 9 Lindemans Road Lowood c/- Bennett and Bennett and prepared by Form Landscape Architects.	
	Conceptual Stormwater Management Plan Document No. K2796-0023 dated 22 September 2017 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.	
	Conceptual Stormwater Management Plan Document No. K2796-0023-B dated 20 March 2018 for Residential subdivision Lot 315 on SP178650 at 9 Lindemans Road, Lowood for Jones Family Trust, prepared by Knobel Consulting.	
	Stormwater Management Layout Plan Project No. K2796 Drawing No. P109 Issue C dated 02-03-2018 prepared by Knobel Consulting.	
	Traffic Impact Assessment Report Number 620.11915-RO1 dated 8 September 2017, prepared by SLR Consulting.	
	Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 13 October 2017.	
	Noise and Air Quality Assessment for Residential Subdivision 9 Lindemans Road Lowood prepared for Jones Family Trust c/- Bennett and Bennett, prepared by MWA Environmental dated 26 March 2018.	
	Peer Review – Reverse Amenity Assessment – Residential subdivision 9 Lindemans Road Lowood Job: 18-135 dated 10 July 2018 prepared by Astute Environmental Consulting Pty Ltd.	
	Infrastructure Report prepared for proposed Residential Subdivision Lot 315 on SP178650 9 Lindemans Road, Lowood, for Jones Family Trust, dated 22 September 2017, File No: K2796-0022, prepared by Knobel Consulting.	
	Queensland Urban Utilities Service Advice Notice Ref: 17-SRV-29198 dated 15 September 2017.	
	Residential Needs Analysis prepared for Stacey Ebert and Dale Jones for 9 Lindemans Road, Lowood, prepared by Location IQ dated September 2017.	
1.2	Comply with relevant provisions of the Superseded Esk Shire Planning Scheme 2005 (as amended), Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises during the staged project.	During construction works for each stage
1.4	Pay to Council any outstanding rates, 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 endorsement of the subdivision plan for each stage

1.5	Pay to council the current amount at the time of payment, per lot for the issue of new valuations by the Department of Natural Resources, Mines and Energy (DNRME). The amount is currently set at \$36 per lot per the Fees and Charges 2018/2019.	Prior to endorsement of the subdivision plan for each stage
	Infrastructure Agreement	
1.6	<p>The Developer is required to enter into an Infrastructure agreement with Council.</p> <p>The Developer is responsible for the preparation and costs associated with this Infrastructure agreement. The Infrastructure Agreement is to relate to the following:</p> <ul style="list-style-type: none"> Parks and Open Space Network, inclusive of the establishment cost for trunk infrastructure (Local Park) that is the necessary trunk infrastructure pursuant to section 8.2 of Council's Charges Resolution (No 1) 2018. 	Prior to endorsement of the subdivision plan for Stage 2
SCHEDULE 2 - ENGINEERING		
No.	Condition	Timing
	ENGINEERING	
2.1	<p>The Applicant is to complete each stage of the development in sequence in general accordance with drawing Plan of Proposed Lots 1-103, Park and New Road, prepared by Bennett + Bennett and dated 16/02/2018.</p> <p>The Applicant is not to submit to Council the Plan of Survey for a stage for endorsement until the Applicant has received endorsement of the Plan of Survey for the preceding stage.</p>	As indicated
2.2	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Works for each stage
2.3	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for each stage
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to endorsement of the subdivision plan for each stage
2.5	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:</p> <ul style="list-style-type: none"> Plans and specifications must be prepared and 	Prior to endorsement of the subdivision plan for each stage

	<ul style="list-style-type: none"> 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. 	
	OPEN SPACE/PARK/LANDSCAPING	
2.6	The entire Local Park and Linear Park, open space and drainage, inclusive of solid block or concrete acoustic fence (gap free and achieve a minimum surface density of 12.5kg/m ²), mounds and all recreation elements and paths shall be constructed at the time of developing Stage 2.	Prior to endorsement of the subdivision plan for Stage 2
2.6.1	The land required for condition 2.6 shall be retained in the ownership of the owner of proposed lot 103, until lot 103 has been developed and it is determined that there is no need to require additional acoustic elements in the parkland to address the impact of future industrial uses.	Until lot 103 has been developed and it is determined that there is no need to require additional acoustic elements in the parkland to address the impact of future industrial uses
2.6.2	The developer shall maintain the Local Park and Linear Park, open space and drainage, inclusive of solid acoustic fencing, mounds and all recreation elements and paths while under its ownership and in accordance with a Management Agreement to be entered into with Council.	In accordance with Management Agreement
2.6.3	The developer shall plant the vegetated buffer (covenant) along the rear of proposed lots 9-29. This area shall be delineated and protected from earthworks during the construction of the estate.	Prior to endorsement of the subdivision plan for Stage 2
2.7	All entry statements, fences, batters for lots, and retaining walls must be located entirely within private land and not within the public road reserve.	At all times
2.8	The developer is to prepare and landscape the site in general accordance with the approved Landscape Masterplan prepared by Form Landscape Architects and dated 21 March 2018, or as otherwise approved by Council.	Prior to endorsement of the subdivision plan for Stage 2
2.9	<p>Submit a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> Comply with the <i>Somerset Development Standards</i>. To enhance the appearance of the development internally and externally. To make a positive contribution to the streetscape; 	As part of Operational works for Stage 2

	<ul style="list-style-type: none"> • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • The number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by the Council are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity); ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; • A minimum of 70% of landscaped areas must be retained as a permeable surface. • Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times during the maintenance period. 	
2.10	<p>A 1.8m high timber paling fence shall be provided along the Clarendon Road frontage of proposed lots 1-8 and 87-101. The detailed design elements are to be achieved through subsequent operational works applications.</p>	<p>Prior to endorsement of the subdivision plan for the relevant stage</p>

	GENERAL SERVICES	
2.11	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to endorsement of the subdivision plan for each stage
2.12	The applicant must provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to endorsement of the subdivision plan for each stage
2.13	Electricity/telecommunication/water supply/sewer drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Prior to endorsement of the subdivision plan for each stage
2.14	Where serviced by kerb and channel, place brass markers in the kerb line at each service crossing. (Water, Sewer, Electricity and telecommunications)	Prior to endorsement of the subdivision plan for each stage
	BUILDING ABOVE FLOOD LEVEL	
2.15	The lots are to be created for buildings to be designed and constructed a minimum of 300mm above the Defined Flood Level (DFL).	Prior to endorsement of the subdivision plan for each stage
2.16	Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study.	Prior to endorsement of the subdivision plan for each stage
	EARTHWORKS	
2.17	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization.	At all times
2.18	All dams that are across proposed lot boundaries shall be removed.	Prior to endorsement of the subdivision plan for the relevant stage
2.19	Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to endorsement of the subdivision plan for the relevant stage
2.20	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.21	Any fill, cut and other stored material must be contained within properties comprising the development application.	At all times

	Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	
	ROADWORKS	
2.22	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to endorsement of the subdivision plan for the relevant stage
2.23	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for the relevant stage
2.24	Road reserve and carriageway widths to be in accordance with the <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of the subdivision plan for the relevant stage
2.25	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.	During construction of the works; and at all times
2.26	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to endorsement of the subdivision plan for the relevant stage
2.27	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to endorsement of the subdivision plan for the relevant stage
2.28	Provide verge and access in accordance with <i>Somerset Regional Council Development Standards</i> .	As part of Operational Works for the relevant stage
2.29	Upgrade the intersection of Clarendon Road and Proposed Road 1 including signage, line marking and pavement and surfacing design in accordance with the Department of Transport and Main Roads <i>Road Planning and Design Manual (RPDM)</i> and Austroads <i>Guide to Road Design</i> . Applicant is required to construct: BAR and BAL design to all turning movements. All intersection upgrade requirements are at the applicant's expense. All intersection upgrade requirements are to be completed prior to the plans of survey being registered.	As part of the Operational Works for the relevant stage

2.30	<p>Applicant is required to design Clarendon Road to the ultimate design carriageway width of 12m including kerb and channel and verge from proposed Lot 8 through to Lindemans Road. Applicant is required to construct the following:</p> <p>a) 12m wide carriageway including kerb and channel and verge adjacent to and for the full frontage of the development from proposed Lot 8 to proposed Lot 92 and tie into the existing kerb and channel.</p> <p>b) 7m wide carriageway including kerb and channel and verge adjacent to and for the full frontage of the development from proposed Lot 91 to Lindemans Road.</p>	As part of the Operational Works for the relevant stage
2.31	The applicant shall protect and retain the existing Jacaranda trees planted along Clarendon Rd, if such are to be removed than they must be replaced by either the same species or a new species of the equivalent age and size.	Operational Works for the relevant stage
	STREET NAMES	
2.32	<p>Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.</p> <p>The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with Council's standards.</p>	As part of the Operational Works for the relevant stage
	KERB AND CHANNEL	
2.33	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with Councils Development Manual and Standard Drawings.	As part of the Operational Works for the relevant stage
	FOOTPATHS	
2.34	Provide concrete footpaths and shared paths in general accordance with Pedestrian Mobility Plan 13.341-005-MIS-A prepared by Bennet + Bennett dated 25/03/2018 and in accordance with <i>Somerset Regional Council Development Standards</i> .	As part of Operational Works for the relevant stage
2.35	Provide a concrete footpath connection from the development to the proposed bus stops along Clarendon Road.	As part of Operational Works for the relevant stage
2.36	Provide a concrete cycle path (shared path) connection to Councils existing network on Main Street in accordance with <i>Somerset Regional Council Development Standards</i> . The path shall include the pathway along proposed lot 87 to the connection with the existing cycle path (shared path) at the intersection of Lindemans Road and Main Street.	As part of Operational Works for the relevant stage

	STREET LIGHTING	
2.37	<p>Install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows:</p> <ul style="list-style-type: none"> i) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5 ii) Collector Roads – Lighting Category P4. <p>Install all street lighting on the same side as footpaths, where applicable.</p> <p>Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).</p>	Prior to endorsement of Subdivision Plan for each stage
	VEHICLE ACCESS	
2.38	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Standards</i> .	Prior to endorsement of Subdivision Plan for each stage
2.39	Landowners are 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 applicant must advise all potential purchasers accordingly.	At all times
	EASEMENTS	
2.40	<p>Provide an easement over stormwater and inter-allotment drainage located within private property to the downstream tributary.</p> <p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM). The applicant is to provide to Council certification from the surveyor that the easements are correctly located over infrastructure. The easement is to be dedicated at no cost to Council.</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p> <p><i>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</i></p>	Prior to endorsement of Subdivision Plan for each stage
	STORMWATER	
2.41	Stormwater Drainage shall be constructed in general	As part of

	accordance with Conceptual Stormwater Management Plan, prepared by Knobel Consulting and dated 20 March 2018.	Operational Works for each stage
2.42	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 Standards</i> .	As part of Operational Works for each stage
2.43	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.44	Attenuate the difference between pre and post developed flows.	As part of Operational Works for each stage
2.45	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works for each stage
2.46	Fill, compact and grade all low-lying land being subdivided to ensure each allotment is drained adequately by gravitation to the drainage system within the proposed development.	Prior to the endorsement of the Plan of subdivision for relevant stage
2.47	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and Council standards.	As part of Operational Works for relevant stage
2.48	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 for the relevant stage
2.49	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	Prior to endorsement of the subdivision plan for the relevant stage
EROSION AND SEDIMENT CONTROL		
2.50	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. Should the developer fail to complete the works determined	At all times during the staged project

	by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.	
2.51	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 during the staged project
2.52	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 applications for the staged project
2.53	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 during the staged project
2.54	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching; iii) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated because of the operations shall be disposed of to an approved disposal facility.	At all times during the staged project
2.55	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties.	During operations of the staged project
2.56	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.	As part of Operational Works for each stage
SCHEDULE 3 - ENVIRONMENTAL		
No.	Condition	Timing
	Noise	
3.1	Construct an earthen mound and solid block or concrete acoustic barrier as is detailed in the report titled "Noise and Air Quality Assessment – 9 Lindemans Road, Lowood" prepared by MWA Environmental dated 26 March 2018 that:	Prior to endorsement of the subdivisional plan for Stage 2

	<ul style="list-style-type: none">• is located in accordance with details provided in the Noise and Air Quality Assessment;• achieves an overall height of 6 metres above the natural ground level of the proposed alignment;• Complies with the design detailed in the Noise and Air Quality Assessment;• achieves a surface area density not less than 12.5 kg/m²; and• has no air gaps (including at the base and between panels).	
3.2	<p>Construct the Type 2 acoustic barrier as is detailed in the report titled “Noise and Air Quality Assessment – 9 Lindemans Road, Lowood prepared by MWA Environmental dated 26 March 2018 that:</p> <ul style="list-style-type: none">- is located in accordance with the details provided in the Noise and Air Quality Assessment;- achieves a surface area density not less than 10 kg/m²; and- has no air gaps (including at the base and between panels).	Prior to endorsement of the subdivision plan for Stage 2
3.3	<p>Provide certification from a suitably qualified acoustic consultant that:</p> <ul style="list-style-type: none">• the earthen mound/acoustic barrier has been constructed in accordance with the specifications of (3.1) above.• the Type 2 acoustic barrier has been constructed in accordance with the specifications of 3.2 above.• The earthen mound/acoustic barrier has been designed to achieve the acoustic quality objectives of the <i>EP (Noise) Policy 2008</i> of the State Planning Policy.	Prior to endorsement of the subdivision plan for Stage 2
SCHEDULE 4 – REFERRAL AGENCY Department of State Development, Manufacturing, Infrastructure and Planning Concurrence Agency Response: Recommend conditions apply		
No.	Condition	
4.1	Pursuant to section 56 of the <i>Planning Act 2016</i> the Department of State Development, Manufacturing, Infrastructure and Planning, as a <i>Concurrence Agency</i> , has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and advises Council that conditions apply.	
4.2	Concurrence Agency response dated 1 May 2018 and referenced 1711-2341 SRA.	
4.3	Concurrence Agency response will be attached to Council’s Decision Notice for DA17198.	
SCHEDULE 5 – REFERRAL AGENCY ENERGEX		

Advice Agency Response: Recommend conditions apply	
No.	Condition
5.1	Pursuant to Schedule 10, Part 9 of the <i>Planning Act 2016</i> , <i>Energex</i> as an Advice Agency has assessed the impact of the proposed development having regard to the Electricity Act 1994 and advises that conditions apply.
5.2	Advice Agency response dated 6 November 2017 and referenced HBD 5882024 359601.
5.3	Advice Agency response will be attached to Council's Decision Notice for DA17198.
SCHEDULE 6 – ADVISORY NOTES	
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 four (4) years starting the day the approval takes effect.	
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the <i>Planning Regulation 2017</i> .	
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .	
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.	
The form <i>Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]</i> must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.	
The Plan of Subdivision will not be released until all works for each stage are completed to Council's satisfaction or uncompleted works are suitably bonded.	
The completion of relevant documentation and a pre- start meeting with Council's Technical Officer, supervising Engineer and the Contractor is required prior to any works starting at the site.	
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .	
All Operational Work is to comply with relevant codes for design and construction.	
Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.	

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

Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.

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

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 17815 - Application for a Development Permit for a Reconfiguration of a Lot by subdivision of 1 lot into 3 lots
File No:	DA17815
Assessment No:	80589-50000-000
Action Officer:	SP-JB

Subject Land

Location	Kennedy Street, Winya
Real Property Description	Lot 99 SP289184
Area	33.62 hectares
Current land use	Vacant
Easements and Encumbrances	ARP887549 and BSP219391 – access purposes

Somerset Region Planning Scheme Version Three

Zone	General Residential
Precinct	Park Residential precinct

SEQ Regional Plan

Category	Urban Footprint
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Application

Proposal:	Reconfiguration of a Lot by subdivision of 1 lot into 3 lots
Level of Assessment	CODE assessable
Applicant/s	United Development Corporation ATF Jaystar Unit Trust c/- Urban Systems Pty Ltd Unit 4/24 Kurilpa Street WEST END QLD 4101
Land Owner/s	United Development Corporation
Date application received	5 July 2018
Date properly made	16 July 2018
Referral Agencies	
Concurrence Agencies	Department of State Development, Manufacturing, Infrastructure and Planning
Advice Agencies	Nil
Third Party Advice Agencies	Nil

RECOMMENDED DECISION

Approve the Development Application No. 17815 subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 BACKGROUND

The site currently has approval under DA13821 for the creation of 30 park residential lots over two stages. Stage 1a has been finalised creating 16 lots. Stage 1b will have an area of 6.37 hectares and create 14 lots. The approval includes the creation of a 3.08-hectare park adjacent to Kilcoy Creek that will be subject to inundation during a Q100 flooding event and will also contain a detention basin, which forms part of a stormwater management plan.

The site also has approval under DA16114 to reconfigure the site into four lots, with three of them created as residential lots and a larger balance area which will be developed as park residential lots under DA13821. Stage 1 will create a single lot with an area of 849m², and Stage 2 will create the final lots with areas of 1,287m² and 2,324m².

2.0 PROPOSAL

The proposal seeks approval to create three management lots, comprising the following lot areas and proposed uses:

- Lot 20 - 4460m² in area and management lot associated with DA13821;
- Lot 21 - 23.71 hectares and management lot for the balance area of the site; and
- Lot 22 - 9.46 hectares and management lot associated with Stage 1b of DA13821.

Proposed Lot 20 will gain access from Kennedy Street. Proposed Lot 21 will gain access from Pine Tree Drive; and proposed Lot 22 will gain access from Atherton Place.

3.0 SITE DETAILS AND SURROUNDING LAND USES

The site: The site is large, irregular in shape and is largely devoid of vegetation except for scattered stands in the east and along the Kilcoy Creek boundary. Its boundaries are defined to the north by adjoining properties, to the east by an adjoining property and Kilcoy Creek; to the south by adjoining property and Wade Street; and to the west by other properties, Kennedy Street and Kilcoy Murgon Road.

The site's topography is undulating, with a ridge running north-east from Kennedy Street through the centre and flatter areas adjoining Kilcoy creek and the north-western boundary. Slopes across the site vary, but for over 70% of the site they are less than 12.5%. The site is not known to be prone to slip, subsidence or erosion. A small portion of the site in the east, adjacent to Kilcoy Creek, may be inundated during a Q100 flood event.

Surrounding land uses: The site forms part of the northern area of the Kilcoy Urban Footprint. Adjoining the site to the south and west is an established residential area, with lot sizes varying between 800m² and 9965m². The properties adjoining to the north and east are large and rural in nature.

4.0 ASSESSMENT - STATE LEGISLATION

This application is made under the provisions of the *Planning Act 2016*. As such it is subject to the requirements of 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 Development Assessment Mapping System, the proposed development footprint does not contain regulated vegetation requiring further referral.

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.

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Reconfiguring a Lot code	Yes	Yes
Services, works and infrastructure code	Yes	Yes
Transport, access and parking code	Yes	Yes
Applicable Overlay Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Catchment management overlay code	Yes	Yes
Flood hazard overlay code	Yes	Yes
Infrastructure overlay code	Yes	Yes
Landslide hazard overlay code	Yes	Yes

The proposed development complies with all the relevant acceptable outcomes of the above codes.

6.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

The following items of trunk infrastructure and services applicable to the proposed

development are individually addressed below.

6.1 Water Supply and Sewerage

The site is located within an area serviced by a reticulated water supply network. The connection will require a separate water approval from QUU.

The site is not located within an area serviced by a reticulated sewerage network. Each management lot can contain onsite sewerage treatment.

6.2 Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. However, the land owner must ensure that stormwater is connected to a legal point of discharge and designed in accordance with the Queensland Urban Drainage Manual.

6.3 Roads/Transport

The proposed development is for management lots associated with existing development permits for DA13821 and DA16114.

Pine Tree Drive ends in a cul-de-sac on proposed Lot 21 constructed as part of the conditions of DA13821. It is recommended that the applicant provide an easement over the existing sealed vehicle turnaround and table drain located within proposed Lot 21. This easement may be extinguished as part of any future subdivision. It is noted that the end of Atherton Place similarly already includes an easement.

As part of DA16114, the development was to provide inter-allotment drainage from proposed Lot 20 through proposed Lot 21 to the drainage easement of Lot 7. It is recommended that the applicant provide a drainage easement to allow for this on proposed Lot 21 to allow for the works to be done in the future.

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

6.4 Infrastructure Charges

A draft Infrastructure Charges Notice has been prepared for contribution towards the Stormwater Network and Parks and Open Space Network that is the necessary trunk infrastructure pursuant to section 8.2 of Council's Charges Resolution (No. 1) 2018. The draft Infrastructure Charges Notice is provided at Attachment 3.

6.5 Services

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

6.6 Environment

The proposed development will not result in environmental degradation.

6.7 Heritage

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

7.0 STATE AGENCY REFERRALS

Concurrence Agencies

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 in Council's Schedules of Approval for the development application. Referral response is provided at Attachment 2 and Schedule 3 of the recommended conditions.

Advice Agencies

There are no Advice Agencies relating to this application.

8.0 CONCLUSION

The proposed development creates three management lots associated with existing development permits DA13821 and DA16114. The proposal complies with all the relevant acceptable outcomes of the Planning Scheme codes and State Planning provisions. It is recommended that the application be approved subject to reasonable and relevant conditions.

9.0 ATTACHMENTS

1.	Proposed Reconfiguration Drawing No 3862_P1 sheet no. 1 of 1 dated 16/5/2018, for Kennedy Street, Kilcoy, prepared by ONF Surveyors.
2.	State Development, Manufacturing, Infrastructure and Planning referral agency response referenced 1808-6607 SRA dated 14 September 2018.
3.	Draft Infrastructure Charges Notice - SRC.

10.0 RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by subdivision of 1 lot into 3 lots on land described as Lot 99 on RP289184, situated at Kennedy Street, Winya 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		
No	Condition	Timing
1.1	Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval: - Proposed Reconfiguration Drawing No 3862_P1 sheet no. 1 of 1 dated 16/5/2018, for Kennedy Street, Kilcoy, prepared by ONF Surveyors.	At all times
1.2	Comply with relevant provisions of the Somerset Region Planning Scheme Version Three, Planning Scheme Policies and Local Laws.	At all times
1.3	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council' and/or levied but not fully paid over the subject land.	Prior to Plan of Subdivision Endorsement Request
1.4	Pay to Council the amount of \$36 per lot for the issue of new valuations by the Department of Environment and Resource Management, current at the time of payment per the Schedule of Fees and Charges.	Prior to Plan of Subdivision Endorsement Request

1.5	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing.	Prior to Plan of Subdivision Endorsement Request
SCHEDULE 2 – Engineering <i>Assessment Manager</i>		
No	Condition	Timing
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Prior to Plan of Subdivision Endorsement Request
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Plan of Subdivision Endorsement Request
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to Plan of Subdivision Endorsement Request
Easements		
2.4	<p>Provide a drainage easement for inter-allotment drainage from proposed Lot 20, through proposed Lot 21 and to the existing easement of Lot 7.</p> <p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM).</p> <p>The easement is to be dedicated at no cost to Council. All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p>	Prior to Plan of Subdivision Endorsement Request
2.5	<p>Provide an easement at the end of Pine Tree Drive for the vehicle turnaround area and table drain located within proposed Lot 21.</p> <p>The easement widths must extend to include top of batters and provide suitable means to enable maintenance operations to occur without encroachment onto private property.</p> <p>The easement is to be dedicated at no cost to Council. All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p>	Prior to Plan of Subdivision Endorsement Request

	General Services	
2.6	Connect the development to reticulated water supply infrastructure, electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to Plan of Subdivision Endorsement Request
2.7	The applicant must provide written evidence (eg. Connection certificate) from each service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Plan of Subdivision Endorsement Request
	Vehicle Access	
2.8	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> .	Prior to Plan of Subdivision Endorsement Request
2.9	The landowner is responsible for construction and maintenance of vehicular access, from the road carriageway to property boundary in accordance with Council's Policy and Standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times
	Stormwater	
2.10	Ensure Stormwater drainage is directed to a lawful point of discharge.	At all times
2.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream or downstream landholders.	At all times
SCHEDULE 3 – REFERRAL AGENCY		
Concurrence Agency Response		
Department of State Development, Manufacturing, Infrastructure and Planning		
3.1	Pursuant to section 56 of the <i>Planning Act 2016</i> the Department of State Development, Manufacturing, Infrastructure and Planning, as a <i>Concurrence Agency</i> , has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and advises Council that conditions apply.	
3.2	Concurrence Agency response and Statement of Reasons dated 14 September 2018 and referenced 1808-6607 SRA.	
3.3	Concurrence Agency response will be attached to Council's Decision Notice for DA17815.	
SCHEDULE 4 – ADVISORY NOTES		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</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 four (4) years starting the day the approval takes effect.
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the <i>Planning Regulation 2017</i> .
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
The form <i>Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]</i> must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.

Attachments for the Decision Notice include:

1.	Proposed Reconfiguration Drawing No 3862_P1 sheet no. 1 of 1 dated 16/5/2018, for Kennedy Street, Kilcoy, prepared by ONF Surveyors.
2.	State Development, Manufacturing, Infrastructure and Planning referral agency response referenced 1808-6607 SRA dated 14 September 2018.
3.	Infrastructure Charges Notice - SRC.

Decision:

Moved - Cr Gaedtko

Seconded - Cr Whalley

"THAT Council approve the Development Application for a Development Permit for a Reconfiguration of a Lot by subdivision of 1 lot into 3 lots on land described as Lot 99 on RP289184, situated at Kennedy Street, Winya 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

No	Condition	Timing
1.1	Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval: - Proposed Reconfiguration Drawing No 3862_P1 sheet no. 1 of 1 dated 16/5/2018, for Kennedy Street, Kilcoy, prepared by ONF Surveyors.	At all times

1.2	Comply with relevant provisions of the Somerset Region Planning Scheme Version Three, Planning Scheme Policies and Local Laws.	At all times
1.3	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council' and/or levied but not fully paid over the subject land.	Prior to Plan of Subdivision Endorsement Request
1.4	Pay to Council the amount of \$36 per lot for the issue of new valuations by the Department of Environment and Resource Management, current at the time of payment per the Schedule of Fees and Charges.	Prior to Plan of Subdivision Endorsement Request
1.5	A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing.	Prior to Plan of Subdivision Endorsement Request
SCHEDULE 2 – Engineering <i>Assessment Manager</i>		
No	Condition	Timing
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Prior to Plan of Subdivision Endorsement Request
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Plan of Subdivision Endorsement Request
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to Plan of Subdivision Endorsement Request
Easements		
2.4	<p>Provide a drainage easement for inter-allotment drainage from proposed Lot 20, through proposed Lot 21 and to the existing easement of Lot 7.</p> <p>The easement widths may vary but must extend to include top of batters of open drains and/or flood paths and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with Queensland Urban Drainage Manual (QUDM).</p> <p>The easement is to be dedicated at no cost to Council. All easement documentation shall be prepared by the proponent</p>	Prior to Plan of Subdivision Endorsement Request

	in a form satisfactory to Council's Solicitor.	
2.5	<p>Provide an easement at the end of Pine Tree Drive for the vehicle turnaround area and table drain located within proposed Lot 21.</p> <p>The easement widths must extend to include top of batters and provide suitable means to enable maintenance operations to occur without encroachment onto private property.</p> <p>The easement is to be dedicated at no cost to Council. All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p>	Prior to Plan of Subdivision Endorsement Request
	General Services	
2.6	Connect the development to reticulated water supply infrastructure, electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to Plan of Subdivision Endorsement Request
2.7	The applicant must provide written evidence (eg. Connection certificate) from each service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Plan of Subdivision Endorsement Request
	Vehicle Access	
2.8	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> .	Prior to Plan of Subdivision Endorsement Request
2.9	The landowner is responsible for construction and maintenance of vehicular access, from the road carriageway to property boundary in accordance with Council's Policy and Standards. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times
	Stormwater	
2.10	Ensure Stormwater drainage is directed to a lawful point of discharge.	At all times
2.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream or downstream landholders.	At all times
SCHEDULE 3 – REFERRAL AGENCY Concurrence Agency Response Department of State Development, Manufacturing, Infrastructure and Planning		
3.1	Pursuant to section 56 of the <i>Planning Act 2016</i> the Department of State Development, Manufacturing, Infrastructure and Planning, as a <i>Concurrence Agency</i> , has assessed the impact of the proposed development having regard to land use and transport coordination and the state-controlled road network and	

	advises Council that conditions apply.
3.2	Concurrence Agency response and Statement of Reasons dated 14 September 2018 and referenced 1808-6607 SRA.
3.3	Concurrence Agency response will be attached to Council's Decision Notice for DA17815.
SCHEDULE 4 – ADVISORY NOTES	
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</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 four (4) years starting the day the approval takes effect.	
This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9. Section 69 of the <i>Planning Regulation 2017</i> .	
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .	
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.	
The form <i>Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]</i> must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.	
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards."	
<u>Carried</u>	

Subject:	Development Application No 17997 - Application for a Development Permit for Material Change of Use for a Caretaker's accommodation
File No:	DA17997
Action Officer:	PO - RC
Assessment No:	04230-10000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	4570 Brisbane Valley Highway, Moombra
Real Property Description	Lot 214 on CSH2248
Area	21.211 hectares

Current land use	Dwelling house, Domestic outbuildings and cattle grazing
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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	Caretaker's accommodation
Level of Assessment	Code
Applicant/s	Dully's Designer Homes
Applicants contact details	c/- Bcert Consulting Pty Ltd PO Box 4584 Toowoomba East QLD 4350 Attn: Lynette Prince-Large Email: lynette@bcertconsulting.com.au

Date application received	10 September 2018
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Date properly made	17 September 2018
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Referral Agencies

Concurrence Agencies	Nil
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Public Notification

Not required

RECOMMENDED DECISION

Approve the Development Application No 17997 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish a Caretaker's accommodation in the eastern region of the site and has a proposed setback in excess of 15m from all boundaries of the site. The development will be single storey, reaching a maximum height of no more than 8.5m above the ground level. The applicant has stated the proposed Caretaker's accommodation will be occupied by a caretaker for the cattle grazing use on the same site. Access to the Caretaker's accommodation will be from Mcgraths Road. The proposed site, floor and elevation plans are provided at Attachments 1, 2 and 3.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is an irregular shaped rural property and its boundaries by the Brisbane Valley Highway to the south-west, Mcgraths Road and neighbouring property to the south, and by a larger neighbouring property to the remaining directions. The site is relatively clear and the proposed development footprint is not known to be prone to subsidence, erosion or inundation. The site is also currently used for cattle grazing.

The surrounding land uses are predominately rural and consisting of mixed size allotments. The site is not located 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.

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
Caretaker's accommodation code	Yes	Complies
Service, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Complies
Scenic amenity overlay code	Yes	Complies

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 sewerage network, and so conditions will be included requiring the installation of 45,000L of water storage capacity for potable and general domestic use and any on-site effluent disposal system is to be compliant with 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 a Caretaker's accommodation, providing residence for a caretaker for the cattle grazing use on the same site and is considered to be of a low scale residential use. The proposed development complies with all applicable acceptable outcomes of the assessment benchmarks.

9.0 ATTACHMENTS

1. Site plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 01, Issue 4, Dated 10 September 2018.
2. Floor plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 02, Issue 4, Dated 10 September 2018.
3. Elevations, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 03, Issue 4, Dated 10 September 2018.

RECOMMENDED DECISION

THAT Council approve the Development Application No. 17997 for a Development Permit for a Material Change of Use for a Caretaker's accommodation on land described as Lot 214 on CSH2248 and situated at 4570 Brisbane Valley Highway, Moombra 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		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Site plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 01, Issue 4, Dated 10 September 2018.	
	Floor plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 02, Issue 4, Dated 10 September 2018.	
	Elevations, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 03, Issue 4, Dated 10 September 2018.	
1.2	Comply with the relevant provisions of the Somerset Region	At all times

	Planning Scheme, Planning Scheme Policies and Local Laws.	
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 caretaker's accommodation.	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 for the caretaker's accommodation.	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 caretaker's accommodation is only to be occupied by the caretaker of the non-residential use on the premises.	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	The landowner is responsible for construction and maintenance	At all times

	<p>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>	
	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, 	During construction phase

	<ul style="list-style-type: none"> 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. 	
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 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 structures proposed may require their own planning approval and will be assessed on its own merits.		

Attachments for the Decision Notice include:

- Site plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 01, Issue 4, Dated 10 September 2018.
- Floor plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 02, Issue 4, Dated 10 September 2018.
- Elevations, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 03, Issue 4, Dated 10 September 2018.

- Site plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No. 18.083, Drawing No. 01, Issue 4, Dated 10 September 2018.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

“THAT Council approve the Development Application No. 17997 for a Development Permit for a Material Change of Use for a Caretaker’s accommodation on land described as Lot 214 on CSH2248 and situated at 4570 Brisbane Valley Highway, Moombra 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, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 01, Issue 4, Dated 10 September 2018.	
	Floor plan, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 02, Issue 4, Dated 10 September 2018.	
	Elevations, Designed and Prepared by BDH at Draftit Building Design and Drafting, Project No 18.083, Drawing No. 03, Issue 4, Dated 10 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 caretaker’s accommodation.	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 for the caretaker’s accommodation.	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 caretaker's accommodation is only to be occupied by the caretaker of the non-residential use on the premises.	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	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. <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>	At all times
Erosion and sediment control		
2.7	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:	At all times

	<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>	
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		
<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 *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 structures proposed may require their own planning approval and will be assessed on its own merits."

Carried

Subject:	Temporary Entertainment Event – Bottle Tree Hotel Bull Ride - Friday 12 October 2018
File:	Environmental Management/Reports/Environmental Health Reports
Action Officer:	MES
Ref:	1068576

Background/Summary

Council has received a temporary entertainment event application to hold a Bull Ride from Glanvale Pty Ltd trading as Bottle Tree Hotel, Glamorgan Vale. The bull ride is proposed for Friday 12 October 2018 in the car park of the Bottle Tree Hotel, 664 Glamorgan Vale Road, Glamorgan Vale. The event proposed to be operated from 5pm until 2am.

Council regulates this activity through *Local Law No. 1 (Administration) 2011*, and *Subordinate Local Law 1.12 (Operation of Temporary Entertainment Events) 2011*.

Assessment of Application

Under section 9 of *Local Law No. 1 (Administration) 2011*, Council may grant an approval for an application for a temporary entertainment event 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
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Officer Comment	<p>The applicant has provided verbal advice that an application to extend the liquor licence has been made however at this stage a liquor licence has not been granted to cover the event.</p> <p>Council's planning and development section has advised that no development approval is required for the proposed event.</p>
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	The applicant has provided an event management plan for the event detailing provisions for public safety and environmental harm.
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	Not applicable.
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 No. 1.12 (Operation of Temporary Entertainment Events) 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 freehold land.
Criteria – LL, section 9(1)(g)	If the application relates to a prescribed activity mentioned in section 5(b) - the grant of the approval would be consistent with any requirements or criteria specified in the relevant <i>Local Government Act</i> in relation to the approval.
Officer Comment	Not applicable.
Criteria – SLL,	The design and construction of the place of the temporary entertainment

section 4(1)	event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
Officer Comment	The applicant has provided an event management plan for the event detailing provisions for public safety. The rodeo is a National Rodeo Association sanctioned event to be operated by contractor Xtreme Rodeo Productions.
Criteria – SLL, section 4(2)	Entertainment provided at the place must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.
Officer Comment	It is unlikely that the event will unreasonably detract for the amenity of the area.
Criteria – SLL, section 4(3)	Entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood.
Officer Comment	<p>The applicant has provided an event management plan for the event detailing provisions for public safety and environmental harm. Noise from the activity will be regulated by the Office of Liquor and Gaming Regulation and environmental nuisance can be appropriately conditioned if the event is approved.</p> <p>It is also noted that Council received no complaints following the most recent bull ride held at this site on 18 April 2018.</p>
Criteria – SLL, section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer Comment	A satisfactory number of toilets and sanitary conveniences are proposed for the event and can be appropriately conditioned.
Criteria – SLL, section 4(5)	Adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event.
Officer Comment	An adequate number of waste bins are proposed for the event and must be serviced by an appropriately licensed waste transporter.
Criteria – SLL, section 4(6)	Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
Officer Comment	The applicant has provided a traffic management plan. Council's Operation Department has advised that no issues in relation to traffic have been experienced regarding previously bull rides held at the site.

Discussion

Council has not received the following:

- A copy of a liquor licence to cover the event.
- A public liability insurance certificate of currency for the event.

As mentioned above, the applicant has indicated that he fully intends to provide the required information as soon as possible. Considering the timeframe until the proposed event and history of limited complaints regarding to the operation of similar events at this site over the past few years; it is considered appropriate to recommend approval of the application subject to the applicant addressing outstanding matters and the final approval of the Chief Executive Officer.

Attachments

Traffic Management Plan relating to the event.

Recommendation

THAT the Council approve the application subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must provide Somerset Regional Council with a copy of a liquor licence that covers the event by no later than 11 October 2018.
1.2	The approval holder must, by not later than 10 October 2018 provide Somerset Regional Council with a copy of a public liability insurance certificate of currency for a minimum of \$10 million dollars and must note Somerset Regional Council as an interested party.
1.3	The approval holder must operate the event in accordance with the traffic management plan produced by Action Traffic that was submitted with the application.
1.4	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.
1.5	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.6	The temporary entertainment event is limited to the operation of a bull ride on Lot 1 SP271740, parking on Lot 3 RP814369, between the hours of 5pm on Friday 20 April and 2am on Saturday April 2018. Overnight camping is to be provided on Lot 12 RP226795 from Friday 12 October to Saturday 13 October 2018.
1.7	The approval holder must provide the following number of toilets and sanitary conveniences: <p>Event location:</p> <p>Males: 4 toilets, 8 urinals and 3 hand basins. Females: 13 toilets and 3 hand basins. Unisex: 1 disabled toilet</p> <p>Camp ground:</p> <p>Unisex: 2 toilets and 2 hand basins</p>

1.8	The approval holder must provide at least 10 x 240L waste bins that are to be serviced by an appropriately licensed waste contractor.
1.9	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 business. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council no later than 16 April 2018.
1.10	<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>
1.11	The temporary entertainment event must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.12	The approval holder must implement appropriate dust mitigation measures to ensure the temporary entertainment event does not cause a dust nuisance to surrounding sensitive receptors.
1.13	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.
1.14	The approval holder must provide appropriate lighting in all areas of the temporary entertainment event including the proposed parking area on Lot 3 RP814369 and camping area on Lot 12 RP226795 to ensure the safety of the public.
1.15	<p>All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times:</p> <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.16	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.
1.17	The temporary entertainment event is limited to the hours of 5pm until 2am commencing on Friday 12 October 2018. Music provided as part of the event must cease at no later than 1am.

1.18	The approval holder must conduct an 'emu parade' of the parking and residential streets around the event site to remove any accumulated litter the day following the event.
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Decision:

Moved - Cr Choat

Seconded - Cr Brieschke

"THAT the Council approve the application subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must provide Somerset Regional Council with a copy of a liquor licence that covers the event by no later than 11 October 2018.
1.2	The approval holder must, by not later than 10 October 2018 provide Somerset Regional Council with a copy of a public liability insurance certificate of currency for an minimum of \$10 million dollars and must note Somerset Regional Council as an interested party.
1.3	The approval holder must operate the event in accordance with the traffic management plan produced by Action Traffic that was submitted with the application.
1.4	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.
1.5	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.6	The temporary entertainment event is limited to the operation of a bull ride on Lot 1 SP271740, parking on Lot 3 RP814369, between the hours of 5pm on Friday 20 April and 2am on Saturday April 2018. Overnight camping is to be provided on Lot 12 RP226795 from Friday 12 October to Saturday 13 October 2018.
1.7	The approval holder must provide the following number of toilets and sanitary conveniences: <p>Event location: Males: 4 toilets, 8 urinals and 3 hand basins. Females: 13 toilets and 3 hand basins. Unisex: 1 disabled toilet</p> <p>Camp ground: Unisex: 2 toilets and 2 hand basins</p>
1.8	The approval holder must provide at least 10 x 240L waste bins that are to be serviced by an appropriately licensed waste contractor.
1.9	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 business. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council no later than 16 April 2018.
1.10	<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>
1.11	The temporary entertainment event must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.12	The approval holder must implement appropriate dust mitigation measures to ensure the temporary entertainment event does not cause a dust nuisance to surrounding sensitive receptors.
1.13	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.
1.14	The approval holder must provide appropriate lighting in all areas of the temporary entertainment event including the proposed parking area on Lot 3 RP814369 and camping area on Lot 12 RP226795 to ensure the safety of the public.
1.15	<p>All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times:</p> <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.16	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.
1.17	The temporary entertainment event is limited to the hours of 5pm until 2am commencing on Friday 12 October 2018. Music provided as part of the event must cease at no later than 1am.
1.18	<p>The approval holder must conduct an ‘emu parade’ of the parking and residential streets around the event site to remove any accumulated litter the day following the event."</p> <p style="text-align: right;"><u>Carried</u></p>

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

Background/Summary

Financial reports

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

2017/2018 financial statements have been provided to Council's auditors for auditing.

Grants

- On 7 September 2018 Council lodged a second stage 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. This would enable this very large project to be undertaken with day labour.

Rates

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

- \$1.54 million – 31 January 2018
- \$1.52 million – 30 July 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, payments had been received for 17 of these properties leaving 10 sale actions in progress for a total of \$0.06 million.

Contract matters

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 has potentially entered into purchase contracts for a value greater than \$200,000 as indicated in the attached payments listing including:

- Local Government Workcare - \$312,081 – workcover insurance - payment 39660

Road maintenance detail

Councillors have previously requested additional information about road maintenance:

	Rural (\$000's)	Urban (\$000's)	Total (\$000's)
Bitumen road maintenance	201	40	241
Gravel road maintenance	821	14	835
Roadside drainage	185	30	215
Culvert maintenance	2	-	2
Vegetation maintenance	57	48	105
Traffic furniture	39	18	57
Linemarking	2	16	18

Total actual year to date	1,307	166	1,473
Expected pro-rata budget year to date	1,004	174	1,178

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

Kavanaghs Rd Buaraba (gravel) Ch0-Ch2840	\$50,660
Monsildale Rd (gravel) Ch12000-Ch19100	\$38,128
Gregors Creek Rd (bitumen) Ch3120-Ch4950	\$34,896
Zischkes Rd (gravel) Ch20-Ch2300	\$30,981
Yielo Rd (gravel) Ch0-Ch5100	\$29,039
Esk Crows Nest (gravel) Ch26120-Ch34090	\$27,878
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
Westvale Rd (gravel) Ch1340-Ch13550	\$23,022
Gregors Creek Rd (bitumen) Ch4950-Ch5530	\$21,841
Sunday Creek Rd (gravel) Ch1690-Ch3390	\$20,530
Buaraba Creek Rd (gravel) Ch3800-Ch4770	\$19,486
E Summervilles Rd (gravel) Ch770-Ch2850	\$19,382
Ann St Esk (bitumen) Ch240-Ch430	\$18,769
Handley Rd (gravel) Ch0-Ch1640	\$16,838
Banks Ck England Ck Rd (gravel) Ch0-Ch2900	\$16,827
Black Jack Creek Rd (gravel) Ch730-Ch3640	\$16,309
Tungi Rd (gravel) Ch0-Ch2500	\$15,890
Fernvale Rd (bitumen) Ch2250-Ch5100	\$15,353
Tooloorum Rd (gravel) Ch0-Ch4430	\$15,081
Clarendon Rd (bitumen) Ch5750-Ch8860	\$14,841
Tooloorum Rd (gravel) Ch4430-Ch7560	\$13,784
Roseborough Rd (gravel) Ch60-Ch2340	\$13,578
Boyces Rd (gravel) Ch0-Ch2460	\$13,412
Woodgate Rd (gravel) Ch0-Ch2800	\$13,172
Langtons La (gravel) Ch3210-Ch5050	\$13,141
Wunulla La (gravel) Ch1580-Ch2400	\$12,801
Dunore Rd (gravel) Ch0-Ch2060	\$12,375
Subtotal	\$634,955

Attachments

Financial reports and payment listings

Recommendation

THAT the reports including payments presented totalling \$7,247,162.14 be received.

Decision:	Moved – Cr Choat	Seconded - Cr Hall
	"THAT the reports including payments presented totalling \$7,247,162.14 be received."	
		<u>Carried</u>

Subject:	Acquisition of valueless land in Fairney View
File Ref:	Rates - sale of land for overdue rates
Action Officer:	DFIN

Background/Summary

Sections 148 to 151 of the Local Government Regulation 2012 are attached along with a map of property L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road Fairney View.

There are three years of accumulated overdue rates on this property and these exceed the valuation of the land. It is recommended that the land be acquired for overdue rates.

Lot 2 RP28883 is:

- Surrounded by road reservations
- 1,821 square metres in area
- Shown as being either significant or extreme flood hazard land in Council's records

Attachments

Sections 148 to 151 of the Local Government Regulation 2012
Map of L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road

Recommendation

THAT Council resolves to acquire for overdue rates or charges land described as L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road Fairney View under section 149 of the Local Government Regulation 2012.

THAT following acquisition of L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road Fairney View, this land be dedicated as road.

Decision:	Moved - Cr Choat	Seconded - Cr Brieschke
	<p>"THAT Council resolves to acquire for overdue rates or charges land described as L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road Fairney View under section 149 of the Local Government Regulation 2012.</p> <p>THAT following acquisition of L 2 RP28883, 34648-00000-000 at Fairneyview Fernvale Road Fairney View, this land be dedicated as road."</p> <p style="text-align: right;"><u>Carried</u></p>	

Subject:	Sale of land for overdue rates actions - 31 properties totalling \$200,521 in overdue rates
File Ref:	Rates - sale of land for overdue rates
Action Officer:	DFIN

Background/Summary

Council's Revenue Policy includes a requirement that Council is to receive twice each financial year recommendations for sale of lands for overdue rates actions covering all properties for which actions may legally be commenced. There is an alternative process where the overdue

rates and charges exceed the valuation of a property.

A recommendation is now presented in accordance with this policy for properties where there are three years of overdue rates.

The sale of lands process allows property owners between 3 and 6 months after Council issues a legal notice in which to fully pay overdue rates and avoid a statutory sale process.

Recommendation

- THAT the property described as L 6 RP20803 at 16 South Street Esk Qld 4312 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (00349-50000-000).
- THAT the property described as L 22 RP189649 at 17 Carralluma Crescent Fernvale Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (00893-00000-000).
- THAT the property described as L 17 SP125067 at 176C Main Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01134-60000-000).
- THAT the property described as L 19 RP32304 at 7 Short Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01223-00000-000).
- THAT the property described as L 91 SP201579 at 8 McInnes Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01326-33100-000).
- THAT the property described as L 48 RP32284 at 30 Park Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01357-00000-000).
- THAT the property described as L 4 RP156368 at Brisbane Valley Highway Wivenhoe Pocket Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02433-95000-000).
- THAT the property described as L 4 RP853165 at 2656 Forest Hill Fernvale Road Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02618-73000-000).
- THAT the property described as L 354 SP223249 at 17 Tawney Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02699-40700-000).

- THAT the property described as L 19 RP859267 at 113 Reinbotts Road Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02778-10000-000).
- THAT the property described as L 1 RP50125 at 43 Lukritzs Road Tarampa Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02905-80000-000).
- THAT the property described as L 145 SP181471 at 10 Eckart Court Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-07500-000).
- THAT the property described as L 82 SP166445 at 13 Harpeng Drive Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-10100-000).
- THAT the property described as L 11 SP206002 at Gehrke Court Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-72990-000).
- THAT the property described as L 23 SP100872 at 206 Rose Avenue Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03106-08800-000).
- THAT the property described as L 262 SP145184 at 888 Clarendon Road Clarendon Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03632-00000-000).
- THAT the property described as L 2 RP185372 at 343 Silverleaves Road Mount Beppo Qld 4313 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (04853-00000-000).
- THAT the property described as L 8 RP158896 at 7699 Brisbane Valley Highway Braemore Qld 4313 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (05096-00000-000).
- THAT the property described as L 2 RP212778 at 109 Hills Road Borallon Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (35386-00000-000).
- THAT the property described as L 117 LX2540 at 7 Finch Lane Jimna Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80006-00000-000).

- THAT the property described as L 91 LX2538 at 28 Dingo Parade Jimna Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80025-50000-000).
- THAT the property described as L 1 RP3328 at 49 Mary Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80110-00000-000).
- THAT the property described as L 3 RP59341 at 51 Mary Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80110-00000-000).
- THAT the property described as L 3 RP840833 at 13 Ethel Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80156-90000-000).
- THAT the property described as L 10 RP119307 at 14 Stewart Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80228-00000-000).
- THAT the property described as L 2 RP187004 at 23 Kropp Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80394-00000-000).
- THAT the property described as L 3 RP183691 at 15 Saleyard Road Winya Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81061-70000-000).
- THAT the property described as L 2 SP211493 at Saleyard Road Winya Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81061-70000-000).
- THAT the property described as L 14 SP152646 at Billy Green Drive Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81125-31200-000).
- THAT the property described as L 7 RP18094 at 39 Pooles Road Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81127-20000-000).
- THAT the property described as L 8 RP18094 at 46 Villeneuve Road Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard

to legal requirements. (81127-30000-000).

Decision:

Moved - Cr Gaedtke

Seconded - Cr Hall

"THAT the property described as L 6 RP20803 at 16 South Street Esk Qld 4312 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (00349-50000-000).

THAT the property described as L 22 RP189649 at 17 Carralluma Crescent Fernvale Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (00893-00000-000).

THAT the property described as L 17 SP125067 at 176C Main Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01134-60000-000).

THAT the property described as L 19 RP32304 at 7 Short Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01223-00000-000).

THAT the property described as L 91 SP201579 at 8 McInnes Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01326-33100-000).

THAT the property described as L 48 RP32284 at 30 Park Street Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (01357-00000-000).

THAT the property described as L 4 RP156368 at Brisbane Valley Highway Wivenhoe Pocket Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02433-95000-000).

THAT the property described as L 4 RP853165 at 2656 Forest Hill Fernvale Road Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02618-73000-000).

THAT the property described as L 354 SP223249 at 17 Tawney Street Lowood Qld 4311 be sold by way of auction for overdue rates or

charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02699-40700-000).

THAT the property described as L 19 RP859267 at 113 Reinbotts Road Lowood Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02778-10000-000).

THAT the property described as L 1 RP50125 at 43 Lukritzs Road Tarampa Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (02905-80000-000).

THAT the property described as L 145 SP181471 at 10 Eckart Court Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-07500-000).

THAT the property described as L 82 SP166445 at 13 Harpeng Drive Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-10100-000).

THAT the property described as L 11 SP206002 at Gehrke Court Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03105-72990-000).

THAT the property described as L 23 SP100872 at 206 Rose Avenue Minden Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03106-08800-000).

THAT the property described as L 262 SP145184 at 888 Clarendon Road Clarendon Qld 4311 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (03632-00000-000).

THAT the property described as L 2 RP185372 at 343 Silverleaves Road Mount Beppo Qld 4313 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (04853-00000-000).

THAT the property described as L 8 RP158896 at 7699 Brisbane Valley Highway Braemore Qld 4313 be sold by way of auction for overdue

rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (05096-00000-000).

THAT the property described as L 2 RP212778 at 109 Hills Road Borallon Qld 4306 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (35386-00000-000).

THAT the property described as L 117 LX2540 at 7 Finch Lane Jimna Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80006-00000-000).

THAT the property described as L 91 LX2538 at 28 Dingo Parade Jimna Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80025-50000-000).

THAT the property described as L 1 RP3328 at 49 Mary Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80110-00000-000).

THAT the property described as L 3 RP59341 at 51 Mary Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80110-00000-000).

THAT the property described as L 3 RP840833 at 13 Ethel Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80156-90000-000).

THAT the property described as L 10 RP119307 at 14 Stewart Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80228-00000-000).

THAT the property described as L 2 RP187004 at 23 Kropp Street Kilcoy Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (80394-00000-000).

THAT the property described as L 3 RP183691 at 15 Saleyard Road Winya Qld 4515 be sold by way of auction for overdue rates or charges

with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81061-70000-000).

THAT the property described as L 2 SP211493 at Saleyard Road Winya Qld 4515 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81061-70000-000).

THAT the property described as L 14 SP152646 at Billy Green Drive Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81125-31200-000).

THAT the property described as L 7 RP18094 at 39 Pooles Road Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81127-20000-000).

THAT the property described as L 8 RP18094 at 46 Villeneuve Road Villeneuve Qld 4514 be sold by way of auction for overdue rates or charges with an auction reserve and other terms of the process to be set by the Chief Executive Officer having regard to legal requirements. (81127-30000-000)."

Carried

Subject:	Somerset Mayoral Gala Ball Fund - Toogoolawah Fire 20 and 21 September 2018
File Ref:	Community Relations - Sponsorships - Mayoral Gala Charity Ball Fund
Action Officer:	DCORP

Declaration of Real / Perceived Conflict of Interest

Cr Helen Brieschke declared a perceived / real conflict of interest in this matter (as defined by the *Local Government Act 2009* section 175D) by reason of the fact that she is an executive member of the Toogoolawah Progress Association and directly involved with the distribution of funds from the Mayoral Charity Fund to the Progress Association to be distributed to those affected by the bushfires.

Decision:	Moved - Cr Whalley	Seconded - Cr Hall
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“THAT Cr Brieschke does not have either a real conflict of interest or perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.”

Carried

Background/Summary

The Toogoolawah Progress Association have been liaising with residents affected by the Fire. There are approximately 90 properties, approximately 50 residents/families and several thousand hectares around Toogoolawah and Mt Beppo. Significant damage was recorded within the area with two residences being destroyed. Cr Brieschke in her role on the Executive of the Toogoolawah Progress Association has undertaken the work of visiting residents and collating a list of needs and suggested opportunities for assistance.

The Policy for the contribution is attached. Contributions from the fund are at the discretion of the Mayor and Deputy and if included in the decision, Councillors. The amount and use is also discretionary. The only requirement is that the funds be diverted to a not for profit organisation first in this instance the Toogoolawah Progress Association.

Attachments

Policy - Mayoral Gala Ball Fund Distribution Policy
Request for Assistance Tracking Map

Recommendation

THAT Council receive the report.

Decision:	Moved - Cr Choat	Seconded - Cr Whalley
	"THAT Council receive the report."	
		<u>Carried</u>

Subject:	Somerset Libraries' Officer Report - August 2018
File Ref:	Officer's report
Action Officer:	Regional Librarian

Background/Summary

9091 visits to Somerset Libraries were recorded in the month from 1 – 31 August 2018. **1032** attendances have been recorded at community program sessions and outreach events where library staff presented a variety of literacy opportunities and activities.

Somerset Libraries' statistical snapshot for 1 – 31 August 2018:

Somerset Libraries	2017	2018
Customer Service		
Visits to library branches (Appendix A)	6767	9091
Enquires answered	2087	2188
New membership (Appendix B)	94	105
Loans of library stock (Appendix C)	4725	5573
eBook loans (Appendix C)	127	132
eAudio loans (Appendix C)	55	67
Digital magazines (Appendix C)	12	24
Total loans	5017	5796

Reservations of library stock (Appendix C)	1167	1343
Computer usage (Appendix D)		
Hours of public computer use	616	1794
Hours of Broadband for seniors kiosk use	217	125
Total hours of computer usage	833	1919
IT training (Appendix E)		
BFS Training	4	7
eDevice Training	17	14
Community programs (Appendix F)		
Storytime attendances	290	266
Outreach and events attendances	61	766
Total community program attendances	376	1032

Science Week

Somerset Libraries ran a variety of activities for all ages to highlight science week which ran from 11 – 19 August this year.

Kilcoy Library ran three sessions over the week which catered to our youngest and oldest customers. 30 adults and children took part in a play dough and bubbles story time session. Six school aged children took part in the after-school slime making session and seven adults participated in our first hands on robotics session for adults. In an informal setting with morning tea provided, participants had some hands-on fun with robotic devices such as spheros, codybots and the Osmo program.

Book Week

Established in 1945, the **Children's Book Council of Australia (CBCA)** is a not-for-profit, volunteer run organisation which aims to engage the community with literature for young Australians.

Each year the CBCA hosts Children's Book Week and presents annual awards to books of literary merit, for outstanding contribution to Australian children's literature.

This year's CBCA Book Week theme *Find Your Treasure* inspired schools, libraries and communities across the country to celebrate Australian children's books and reading through book character parades, creative displays and engaging activities.

Somerset Libraries helped to highlight and celebrate book week across the region.

Kilcoy staff were able to visit two schools throughout the week. A visit to Mt Kilcoy State School saw staff helping to judge the best book week costume. A hard task as the majority of the 120 pupils were dressed up for this year's festivities. A visit to Kilcoy State school saw staff reading to 63 children from years prep to Year Two.

During Kilcoy's regular library story time session, We Rock day care with 30 children and 18 adults came to celebrate book week. Children were dressed as their favourite characters and after some songs and stories, they made their own pirate hats and glittery beards to take home.

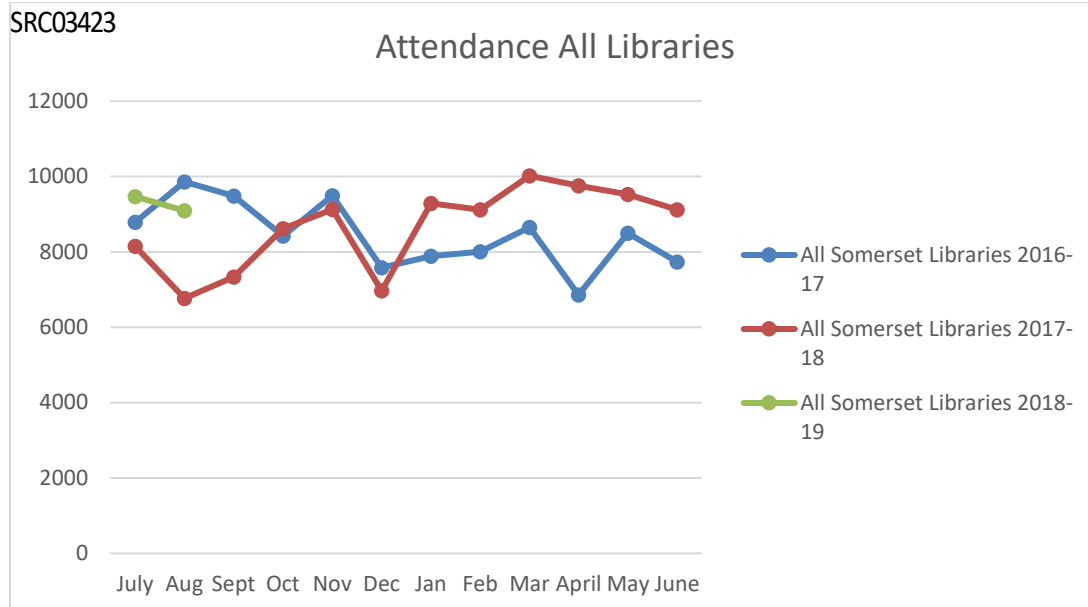
Toogoolawah Library had 26 children and adults. Children enjoyed the book *Squirrel Me Timbers*, colouring in and decorating their own treasure chests.

Seniors Week

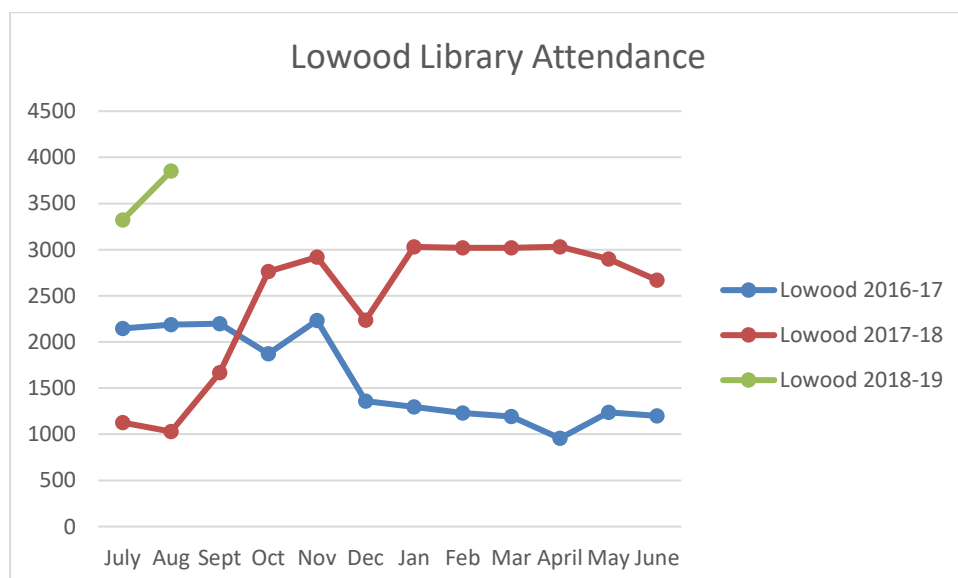
Library staff took part in council's senior week event held at the civic centre. Staff promoted the library service, events and stock such as the library service's collection of audio books and online eResources.

Visitor figures

Library visits across the region are slightly down on visits from this time last year.



Lowood library continues to perform exceptionally well with a 274% increase in visitors from August 2017 to August 2018.



Attachments

Nil

Recommendation

THAT the Somerset Libraries' report August 2018 be received.

Decision:

Moved - Cr Ogg

Seconded - Cr Choat

"THAT the Somerset Libraries' report August 2018 be received."

Carried

Subject: Brisbane Valley Rail Trail (BVRT) - Linville Station
File Ref: Economic Development - Projects - Rail Trails
Action Officer: DCORP

Background/Summary

The BVRT Ambassadors met with Council staff on 21 June 2018. At that meeting the Ambassadors were advised to undertake a planning and costing exercise to determine whether their proposal to rehabilitate the carriages at Linville siding was possible and that they had a plan around the works to be carried out and the ongoing repairs and maintenance.

For Council's consideration the Ambassadors have prepared a plan with costings. They have also obtained the support of the Department of Transport and Main Roads (DTMR - letter attached). The support letter from the Department of Transport and Main Roads also indicates that the Department would assist the Ambassadors with the removal and disposal of the unusable carriages.

Part of the Business Plan from the Ambassadors is a request for Council to surrender the lease Council has with the State over the land and allow for the Ambassadors to lease the land directly from DTMR. The current arrangements are that Council's lease expires in 2036. Council has a yearly lease arrangement with conditions with DTMR.

Council has a sub-lease arrangement with the Pioneer Charity and Sporting Club Inc. It is probably this latter arrangement that the Ambassadors are seeking to take over – the yearly sub-lease to Council.

Attachments

BVRT – Ambassadors Business Plan Linville Station and Carriages
 Department of Transport and Main Roads – Letter of Support

Recommendation

THAT Council indicate their support for Transport and Main Roads to remove the carriages as indicated and for the Plan as put forward by the BVRT Ambassadors and support the BVRT Ambassadors in their pursuit of their own lease/tenure over the Linville Station area, while ensuring that Council retains its control for enforcement of Local Laws and other purposes.

Decision:

Moved – Cr Hall

Seconded - Cr Gaedtke

"THAT Council indicate their support for Transport and Main Roads to

Carried

Subject:	Building Better Regions Funding - Submissions for funding and Council's portion of funding
File Ref:	Grants and Subsidies - Programs - Building Better Regions Fund
Action Officer:	DCORP

Background/Summary

On 28 September 2018 Council were advised by the Department of Infrastructure, Transport and Regional Development that the Commonwealth Government had opened another round of the Building Better Regions Fund. This programme has eligibility requirements that are a good fit for Council projects. The programme is a dollar for dollar (at least) fund. The projects need to be completed by December 31, 2021 and need to have a total project cost between \$40,000 and \$20 million with the Commonwealth funding half and Council or other contributors the other half as a minimum.

Potential candidate projects for submission to the fund are as follows:

- (1) Kilcoy Racecourse Development – Total Cost \$922,575 for the demolition of the existing grand stand and the construction of a new catering function area, seating and viewing areas.
- (2) Fernvale Indoor Sports Centre Upgrade – Total Cost \$450,040 for the installation of a new gymnastics pit, alteration to the aerobics/gym rooms and alteration to the centre storage facilities. Costs would need obtained for (1) the upgrade of the security systems for the centre to enable the gym to extend hours and for (2) the gymnastics and other fixed equipment for the centre (Costs not yet known).

Each of these projects is in a different state of planning, project development and funding.

Attachments

- (1) Funding announcement details from the Building Better Regions web site
- (2) Fact Sheet for the Building Better Regions Fund
- (3) Cost Estimates for Upgrades to the Fernvale Indoor Sports Centre
- (4) Copy of e-mail correspondence (Confidential attachment provided separately)

Recommendation

THAT Council applies for funding under the Building Better Regions fund for the following projects:

- (1) Kilcoy Racecourse Development and Fernvale Indoor Sports Centre Upgrade if the Kilcoy Racecourse Development application under the State Building our Regions programme is unsuccessful – funding of \$778,565, (being 60% of the Kilcoy Racecourse Development and 50% of the Fernvale Indoor Sports); or
- (2) Fernvale Indoor Sports Centre Upgrade – 50% funding \$225,020; and

THAT Council commit to fund the projects funding in the 2018/19 and/or 2019/20 financial year.

Decision:

Moved – Cr Hall

Seconded - Cr Whalley

“THAT Council applies for funding under the Building Better Regions fund for the following projects:

- (1) Kilcoy Racecourse Development and Fernvale Indoor Sports Centre Upgrade if the Kilcoy Racecourse Development application under the State Building our Regions programme is unsuccessful – funding of \$778,565, (being 60% of the Kilcoy Racecourse Development and 50% of the Fernvale Indoor Sports); or
- (2) Fernvale Indoor Sports Centre Upgrade – 50% funding \$225,020; and

THAT Council commit to fund the projects funding in the 2018/19 and/or 2019/20 financial year."

Carried

Subject:	BVRT Bicycle Event – Brisbane Valley Rail Trail Association - 27 October 2018
File Ref:	Roads - road closures - temporary
Action Officer:	DOPER

Background/Summary

The Brisbane Valley Rail Trail Association (BVRT Association) are planning a large bicycle event from Yarraman to Toogoolawah on 27 October 2018.

To facilitate the ride, the BVRT Association are organising coaches to transfer people and trucks to transport bicycles.

BVRT Association is seeking Council support to cordon off an area of Cressbrook Street southbound parking bays outside the Toogoolawah Station on the morning of 27 October 2018 to coordinate the safe movement of passengers and bikes.

The BVRT Association has requested the loan of about 30 traffic cones to cordon off the area. The parking bays will re-open for public use by about 8am.

The BVRT Association advised that they will be consulting with local business people about the event and the short-term closure of parking bays.

Further, the BVRT Association will manage the removal and safe storage of traffic cones.

Attachments

Nil

Recommendation

THAT Council provides no objection to the Brisbane Valley Rail Trail Association for the short-term closure of the parking bays in Cressbrook Street, Toogoolawah, on the morning of 27 October 2018, subject to the Association consulting with local businesses.

THAT Council loan the Brisbane Valley Rail Trail Association up to 30 traffic cones to facilitate the short-term closure of the parking bays.

Decision: Moved - Cr Gaedtke Seconded - Cr Whalley

"THAT Council provides no objection to the Brisbane Valley Rail Trail Association for the short-term closure of the parking bays in Cressbrook Street, Toogoolawah, on the morning of 27 October 2018, subject to the Association consulting with local businesses.

THAT Council loan the Brisbane Valley Rail Trail Association up to 30 traffic cones to facilitate the short-term closure of the parking bays."

Carried

Subject: Operational Report - September 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. It has provided support to the construction crews on roadworks at Prenzlau Road, Prenzlau, Fernvale Road, Fernvale, the shared paths at D'Aguilar Highway, Kilcoy, Pipeliner Park, Esk, Hawthorne Bridge and Prospect Street Bridge, Lowood. 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.

Permit	Sept-18	Sept-17
Property Searches	67	61
Land access Permit	59	23
Property Access Applications	11	11
National Heavy Vehicle Regulator Permits – Dwellings	8	9
National Heavy Vehicle Regulator Permits – Other	7	6

Background/Summary – Works Department (Peter Hardie)

Weather Conditions:

Once again, there has been little rainfall (some hail storms) over the region for this month.

Gary Eastell - Foreman:

Northern Maintenance Crew (Nigel Valentine)

This crew has completed maintenance work on Mountford Road, Monks Road, Norwood Lane, Cressbrook Caboonbah Road, Braemore Lane and Grieves Road and are currently on Esk Crows Nest Road. The crew has started construction on Fernvale Road, Fernvale.

Excavator crew (Dave Bandit)

There have been four burials during September. This crew has been ongoing with drainage maintenance and clean up of illegal dumping sites. Other works include construction of beams at Esk Cemetery.

Landfill (Rob Hester)

The waste operations are continuing as normal at Esk Landfill.

Wayne Kohler - Foreman:**Southern Maintenance Crew (Thomas Varney)**

The crew is still widening Prenzlau Road towards the school and will continue for the next few weeks.

Esk Concrete Crew (Ron Ratcliff)

This crew is continuing the footpath project in Pipeliner Park, Esk and assisting on Prenzlau Road project.

Doug Freeman - Foreman:**Kilcoy 1 Grader Crew (Stuart Gardner)**

This crew has completed work on Mt Kilcoy Road (south), Kerrs Lane, Wunulla Lane, Deer Reserve Road, Many Views Road, Shallcross Road, Gaults Lane and Richter Road. It will start working on Hughes Road, Cowah Road, Kimbala Road, Yabba Road and Louisavale Road.

Kilcoy 2 Grader Crew (Acting Peter Cobbin)

This crew has now completed work on Tooloorum Road, Kipper Creek Road, Framptons Road and Brighton Hills Road. It is currently working on Springs Creek Road, Wise Lane and Nurinda Road.

Bob Peters – Foreman:**Austrroads Patching Crew 1 (Clinton McLeod)**

This crew has continued with ongoing patrols for potholes on both Council and TMR roads, and other pavement repairs including sealing patches and edge repairs on Forest Hill Fernvale Road.

Austrroads 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.

Bitumen Crew (James Rolph)

This crew is continuing with ongoing pavement repairs, drainage repairs/cleaning on both Council and TMR roads. Other works include repairs on Patrick Estate Road, Muckerts Lane and Sandy Creek Road. TMR pavement repairs on Forest Hill Fernvale Road and currently completing vegetation and drainage clearing on Brisbane Valley Highway.

Bruce Zinn - Foreman:**Bridge Crew: (Chris Wheeler acting ganger)**

This crew is continuing with approach works on the walkway bridge in Prospect Street, Lowood. However, this is being done in conjunction with Hawthornes Road Bridge replacement with the intention to have the top concrete slab in place shortly.

Kilcoy Concrete Crew: (Kerry Kubler acting ganger)

This crew is continuing with work at the walkway/bikeway heading east from Kilcoy town. This project is not too far from completion.

Lyle Crawford – Senior Foreman:**Repair Crew 1: (Jim Walker)**

This crew is continuing with ongoing sign repairs and customer service requests, such as linemarking in Kilcoy, Lowood and Toogoolawah as required, including some minor respray jobs for stop lines etc. It is continuing with maintenance on footpaths including Mount Tarampa School pram ramp and ongoing tree lopping/trimming as required.

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, cleaned up rocks from Esk Kilcoy Road for TMR – RMPC and crack sealing on Neurum Road.

Charlene Meehan – Parks and Garden Coordinator:**Esk Gardeners:**

The garden crew is undertaking normal duties, garden and tree maintenance, and preparation for Council free tree events in October 2018.

Esk and Lowood Mowing Crew:

The mowing crew is undertaking garden, tree and park facility maintenance. Crew members are taking leave during this off-peak period.

Kilcoy Mowing Crew and 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.
- P.256 and P.259 Dynapac rollers have had Engine Watchdogs fitted as per Council decision with the rest to be fitted in the near future.
- P.788 Council took possession of a second-hand trailer from DAF for environmental services which has been checked over and is waiting for transfer of the registration.
- One repair was carried out on IWS trucks.
- Monthly check and start test on emergency gensets were carried out at Esk office, Fernvale Futures and Kilcoy Depot
- Half yearly inspections and services were carried out on Group two floating plant items.

Welding Crew:

- Carried out various repairs to Council assets for parks, garden and Council buildings.
- Fabricated and galvanised picnic table and chair sets for parks and gardens.
- Fabricated and galvanised 36 large angle brackets for Hawthorne Bridge culverts.
- Fit new seat in front of Toogoolawah Red Cross.
- Carried out operation inspections on all playground equipment in the region.
- 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 1557 defects with 102 accomplishments completed.

Local Roads has 1209 defects recorded with 936 accomplishments.

Somerset Bridges has 100 completed inspections. A new round of inspections have started.

Background/Summary – Customer Service Requests (Debbie Chandler)

Council received 410 customer service requests for the month of September 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-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	1152	Total	6013

The top five requests received from customers during the month of September 2018:

- Miscellaneous dog requests - 50
- Livestock wandering at large - 34
- Roads/Bridges/Drainage - vegetation - 27
- Roads/Bridges/Drainage - traffic furniture - 23
- Roads/Bridges/Drainage - gravel - 20

Recommendation

THAT the report be received.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT the report be received."

Carried

Subject: Community Assistance Grants - Somerset Excellence Bursary 2018 - 2019 - Hayden Molkentien - Doc Id 1067324
File Ref: Community Relations - Sponsorships - Somerset Excellence Bursaries
Action Officer: DHRCsw

Background/Summary

Council has received an application for financial assistance from Kylie Molkentien, mother of Hayden from Lowood. Hayden has been selected for the Metropolitan West School Sport 13-19 years Regional Track and Field Team and has been invited to compete at the 2018 Track and Field State Championships being held in Nathan, Queensland, 25-28 October 2018.

Hayden was the recipient of a Regional Level grant in July of this year when he attended 2018 Queensland Rugby League State Junior Carnival held in Mackay.

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 Kylie Molkentien mother of Hayden Molkentien, who has been selected for the Metropolitan West School Sport 13-19 years Regional Track and Field Team and has been invited to compete at the 2018 Track and Field State Championships being held in Nathan, Queensland, 25-28 October 2018.

Decision:

Moved - Cr Whalley

Seconded - Cr Brieschke

"THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Kylie Molkentien mother of Hayden Molkentien, who has been selected for the Metropolitan West School Sport 13-19 years Regional Track and Field Team and has been invited to compete at the 2018 Track and Field State Championships being held in Nathan, Queensland, 25-28 October 2018."

Carried

Subject:	Somerset Garden Competition 2018 and 2019
File Ref:	Officers reports
Action Officer:	KVISO

Background/Summary

The second Somerset Garden Competition held from June to August 2018 encouraged Somerset garden enthusiasts to enter their gardens into an open garden display and associated competition. Council received 12 entries across three categories. The event was sponsored by Searles Garden Products and Di McCauley

Feedback was received by entrants regarding the timing of the competition, with many suggesting that it occurred too early this year. Entrants, judges and a sponsor also suggested that the open gardens should only run on one weekend, as opposed to two.

Based on feedback of the 2018 event the following schedule is proposed for the 2019 Somerset Garden Competition:

2019 Somerset Garden Competition Recommendations

Entries Open: Monday, 29 July and close 5pm, Wednesday, 2 October 2019

Judging: Between Wednesday, 9 October 2019 to Tuesday, 15 October 2019

Winners Announced: Thursday, 17 October 2019 at 10am (Simeon Lord Room, Esk)

- Open Gardens: Saturday, 25 and Sunday, 26 October 2019 (9am to 2pm)
- Judges: One Councillor and one garden enthusiast or a specialist garden judge from outside of the Somerset region (if within budget allocation).
- Major Categories: Best Rural Garden
Best Urban Garden
Best Business/Community Group Garden.
- Sponsor: One major sponsor
Additional sponsors to be sought
- Winners Prizing: Framed winners certificate and a \$500 cash prize for three winners of each of the major categories as a minimum. Additional prizing will be dependent on sponsors.
- Additional Categories: Rural garden encouragement award
Urban garden encouragement award
Business/community group encouragement award
Native Garden
Water wise Garden
Edible Garden
Children's garden
- Additional award prizes: Framed certificate and additional prizing dependent on sponsor.
- Budget: That Council allocate \$4,000 for the Somerset Garden Competition in the 2019/20 budget.

Note: Additional categories will only be included in the competition if sponsors are secured.

It is proposed that Council hold a morning tea at Esk (Simeon Lord Room) on Thursday, 17 October 2019 where all entrants are invited and the winners announced. Presentations for award winners, judges and sponsors are presented and recognised. This would also allow an opportunity to acknowledge the efforts of all entrants.

These dates were chosen for the following reasons:

- Judging to occur in October to avoid frosts;
- Avoid public holidays (Monday, 7 October 2019) and Father's Day;
- To ensure that Somerset open gardens don't clash with the Toowoomba Carnival of Flowers (dates still to be advised, but usually last week of school holidays – 21 September to 7 October 2019).

Attachments

Nil

Recommendation

THAT Council approve the 2019 Somerset Garden Competition as detailed in the report.

THAT Council allocate \$4000 for the Somerset Garden Competition in the 2019/20 budget.

Decision:

Moved - Cr Choat

Seconded - Cr Ogg

"THAT Council approve the 2019 Somerset Garden Competition as detailed in the report.

THAT Council allocate \$4,000 for the Somerset Garden Competition in the 2019/20 budget."

Carried

Subject:	2018 Somerset Christmas Light Competition - Judges
File Ref:	Officers Reports
Action Officer:	Brooke Hayes, VISO

Background/Summary

The 2018 Somerset Christmas Light Competition entries will open on Monday, 22 October 2018 and close at 5pm on Friday, 23 November 2018. The second annual competition has nine categories.

The categories are:

- Best Business/Community Group Display Category A – Shopfront Display only
- Best Business/Community Group Display Category B – Shopfront and additional space
- Best Rural Display
- Best Urban Display
- Best Street (minimum four houses)
- Display under 5000 lights
- Display over 5000 lights and below 10,000 lights
- Display over 10,000 lights
- Best Solar Powered Display

All category winners except Best Street will receive a \$300 cash prize. Best Street winners will receive a total of \$500. This money will be evenly split between the winners.

Competition judges:

Two judges are required to judge the 2018 event. One Councillor and the Australia Day Citizen of the Year winner or a Christmas light enthusiast from outside of the region. Councillor Gaedtker has expressed her interest in judging the competition. Please see attached email.

If entrant numbers exceed 50 entrants, an additional two judges will be needed to assist with this process. A councillor and a Christmas Light enthusiast are to be appointed.

Christmas Light Enthusiast:

Barry and Julie Collins (recommended by Pam Elliott – 2017 Somerset Christmas Lights Judge).

Barry and Julie Collins live in the Ipswich region and have been involved in the Christmas Light industry for the past 25 years. Their love of Christmas lights has been proven over many years through their entries in the Ipswich competition.

Both Barry and Julie have offered to judge the Somerset Christmas light 2018 event at no cost to Council. Judging is scheduled to take place between Monday, 3 December 2018 to Sunday, 9 December 2018.

Attachments

Email Correspondence from Councillor Cheryl Gaedtke. Document Id: 1048374

Recommendation

THAT Council nominate Councillor _____ to judge the 2018 Somerset Christmas Light Competition.

THAT Council nominate Councillor _____ to judge the 2018 Somerset Christmas Light Competition if entrants exceed 50.

THAT Council approach Barry or Julie Collins to judge the 2018 Somerset Christmas Light Competition if the Australia Day Citizen of the year 2018 is unavailable and entrants exceed 50.

Decision:

Moved - Cr Choat

Seconded - Cr Hall

"THAT Council nominate Councillor Brieschke to judge the 2018 Somerset Christmas Light Competition.

THAT Council nominate Councillor Gaedtke to judge the 2018 Somerset Christmas Light Competition if entrants exceed 50.

THAT Council approach Barry or Julie Collins to judge the 2018 Somerset Christmas Light Competition if the Australia Day Citizen of the year 2018 is unavailable and entrants exceed 50."

Carried

Subject: Tourism and Promotions Report - September 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 September 2018.

Visitor Statistics

	Somerset	Brisbane	Other SEQ	Rest of Queensland	Interstate	International	Total
Esk VIC	153	160	139	58	118	62	690
Kilcoy VIC	90	130	128	96	144	41	629
Fernvale VIC	75	96	76	23	31	2	303
SRAG and TVIC	149	129	62	37	40	28	445

Visitor Motivators

The top three reasons visitors attended each respective centre.

	First	Second	Third
Esk VIC	Tourist drives	Caravan and camping	Trails and walks
Kilcoy VIC	Drives	Caravan and Camping	Environmental Centre
Fernvale VIC	Meetings	Trails and Walks	Boating, Fishing and Lakes
SRAG and TVIC	Gallery Exhibition	Tourist Drives	Art and Culture

Merchandise Sold

The top three merchandise items sold at each centre.

	First	Second	Third	Total \$ Value
Esk VIC	Water bottle	Post card	Stubby cooler	\$64
Kilcoy VIC	Water bottle	Post card	Stubby coolers	\$46
Fernvale VIC	Magnets	Stubby coolers	Water bottles	\$50
SRAG and TVIC	Stubby coolers	-	-	\$6

Volunteers

	Active Volunteers	Non Active Volunteers	Total	Resignations	New Volunteers
Esk VIC	10	2	12	2	0
Kilcoy VIC	13	4	17	0	0
Fernvale VIC	19	2	21	1	0
SRAG and TVIC	11	1	12	1	0
	53	9	62	4	0

Volunteer Acknowledgement / Engagement

The third annual volunteer famil was held on Tuesday, 4 September and focused on the Brisbane Valley Rail Trail. It was attended by 27 volunteers.

Volunteers learnt about the new Brisbane Valley Rail Trail Motel run by the Esk Caravan Park, Heartland Heavy Horses, Out There Cycling, Harlin Hotel, and received had a talk from the BVRT ranger.

Attendance Breakdown per Visitor Information Centre:

Esk VIC	6
Fernvale VIC	11

Kilcoy VIC	4 and one VISO
Toogoolawah VIC	6

The next volunteer famil is scheduled on Tuesday, 4 December 2018. This famil is the annual Christmas Famil.

Room Bookings

	Number of Room bookings/hires	Total \$ value from Room bookings/hires
Esk VIC	2	0
Kilcoy VIC	2	0
Fernvale VIC	22	\$2138
SRAG and TVIC	0	0
Fernvale Community Hall	19	\$378
Fernvale Showgrounds	1	\$109

Somerset Regional Art Gallery – The Condensery

Current exhibition: Sitting Quietly

Artists: Elizabeth Poole

Exhibition period: Saturday, 16 June until Sunday, 23 September 2018

The exhibition highlights Toogoolawah artist Elizabeth Poole's appreciation of the Brisbane Valley's natural environment.

New exhibition: Somerset Senior Students Exhibition

Artists: Toogoolawah, Kilcoy and Lowood grades 11 and 12 students

This exhibit showcases pieces from senior visual arts students at Kilcoy, Lowood and Toogoolawah High Schools.

The opening night for this exhibition occurred on Friday, 28 September from 6pm until 8pm, there was a total of 52 guests in attendance.

Workshops

Final workshops by Elizabeth Poole took place on 5 and 19 of September 2018. Support for the workshops included design materials, advertising collateral, promotion through social media and email databases and taking RSVPs.

Bus Tours

One bus tour was welcomed to the gallery in September. The West Moreton Club contacted the gallery directly and organised a visit which included a 20-minute talk on the history of the building.

Nominations

The Toogoolawah Visitor Information Centre has been nominated in the 2018 Queensland Tourism Awards, organised by the Queensland Tourism Industry Council for the Visitor Information Services category. The category the centre was nominated for recognises the consistent delivery of high quality and face-to-face information services to guests visiting the centre. Winners will be announced at the Queensland Tourism Awards at the Gold Coast on Friday, 16 November.

Glen Rock Art Gallery (inside Esk Visitor Information Centre)

Glen Rock Gallery exhibitions coordinated by SASI include:

Artist: Hetty Van Boven

Friday, 31 August 2018 to Wednesday, 26 September 2018

Artist: Ron Orr and Sue Howard

Friday, 28 August 2018 to Wednesday, 24 October 2018

Events**Mayoral Gala Charity Ball**

Coordination and final preparation of the second Mayoral Gala Charity Ball is occurring. Ticket sales close on Monday, 1 October 2018.

2018 Somerset Christmas Light Competition and Trail

The 2018 Somerset Christmas Light Competition and Trail planning has started and design elements are well underway. Entries will open on Monday, 22 October 2018 and close on Friday, 23 November 2018.

2019 Australia Day Awards

Planning is underway for the 2019 Somerset Australia Day Awards.

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.

2018 Reel Wivenhoe Classic event debrief

A debrief meeting was held at the Esk Library on Tuesday, 25 September 2018 with representatives from Council, Seqwater, Fishing Freshwater, BelgraviaPro and Wivenhoe Camping. Feedback was received relating to the 2018 event and how to streamline this should Council choose to hold it again in 2019.

Experience Somerset Exhibition and Tourism Guide Launch

An official launch of the Experience Somerset Visitor Guide 2019, online image library and exhibition will take place on Saturday, 9 February 2019 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 are due to be distributed in December 2018.

Sales into the Experience Somerset Tourism Guide has started. Bookings close Wednesday, 10 October 2018.

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 and Visit Brisbane websites. 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.

Engagement

The ninth monthly tourism visitor email newsletter was sent out Wednesday, 19 September 2018 to 1,643 recipients (1,543 visitor database, 100 council database).

Database	New subscribers in past month	Unsubscribed	Opened	Clicks	Total subscribers
Visitors	264	12	438	75	1543
Council	0	1	23	5	100

Most popular enews story

Yinbun Railway Tunnel

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 – 1985 likes (an increase of **24** on previous month)

Somerset Regional Art Gallery – the Condensery - 360 likes (an increase of **6** on previous month)

Somerset Rail Trail Fun Run - 1035 likes (an increase of **2** on previous month)

Reel Wivenhoe Classic Facebook page - 662 likes (an increase of **1** on previous month)

Instagram account

Experience Somerset – 689 followers (an increase of **3** on previous month)

Experience Somerset Website Statistics

Total pages views: 4457

	First	Second	Third
Top three audience locations	Brisbane (1852)	Sydney (169)	Gold Coast (148)
Top three referrers	somerset.qld.gov.au (112)	wedshed.com.au (98)	facebook.com (51)

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 is 10 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 will be released on 24 October and Council’s ad focuses on the Brisbane Valley Rail Trail.

Attachments

Nil

Recommendations

THAT the report be received.

Decision:

Moved - Cr Ogg

Seconded - Cr Hall

"THAT the report be received."

Carried

Subject:	Queensland Urban Utilities - Board member appointments and reappointments
File Ref:	Government relations - utilities departments liaison / 2018 - 2019 - QUU - Queensland Urban Utilities [Doc ID 1067584]
Action Officer:	CEO

Background/Summary

Queensland Urban Utilities (QUU) is a statutory authority created on 1 July 2010 as a result of Queensland Government legislative change.

QUU provides water and sewerage services for customers in the local government areas of Brisbane City Council, Ipswich City Council, Lockyer Valley Regional Council, Somerset Regional Council and Scenic Rim Regional Council. These five local governments are shareholders of QUU and are described in QUU’s enabling legislation as being QUU’s Participants.

At the time of its formation QUU and its Participants entered into a Participation Agreement which regulates the relationship between QUU and its Participants.

QUU is governed by an independent Board appointed by its Participants.

The Participation Agreement provides that a special majority of participants may appoint any person as a Board Member by signing a document stating that they are in favour of the appointment of the Board Member.

At a special meeting of Participants held in Brisbane on 15 August 2016 the Participants unanimously agreed a process for future appointments to the Board of QUU (Board Member Appointment Process).

As required by the Board Appointment Process the Lord Mayor of Brisbane City Council, the Mayors Lockyer Valley Regional Council, Scenic Rim Regional Council and the Administrator of Ipswich City Council, met with the Chairman of the QUU Board, in Brisbane on Friday 21 September 2019, to discuss appointments and reappointments to the QUU Board for the financial year commencing 1 July 2019. The Mayor of Somerset Regional Council was an apology.

The Chair of the QUU Board had previously informed the Lord Mayor, Mayors and Administrator that:

- a. He wishes to retire from the Board and as Board Chairman when his current term expires on 1 July 2019;
- b. Len Scanlan, Board member, wishes to retire from the Board when his current term expires on 1 July 2019;
- c. Existing Board members Graham Thomsen and Kerian McNamara are willing to be appointed for a further term when their initial terms expire on 26 September 2019;
- d. Ms Bronwyn Morris is willing to be appointed as Chair of QUU (as from 1 July 2019) should QUU's shareholder councils endorse her appointment.

Two new Board members are required to replace the retiring Board members. The Chairman of QUU has made a recommendation in relation to one of those appointments and has advised that QUU is undertaking a search for a suitable candidate for the second position. The Chairman of QUU has advised that he will make a recommendation in relation to the second position as soon as possible.

After considering the briefing material previously provided by the Chairman of QUU and then discussing this matter, the Lord Mayor, Mayors and Administrator, unanimously agreed to the following reappointments and appointments:

- a. The reappointment of Mr Graham Thomsen as a Board member of Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
- b. The reappointment of Mr Kerian McNamara as a Board member of Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
- c. To appoint Ms Bronwyn as Board Chair of QUU from 1 July 2019 (and the consequent extension of the current Board term of Ms Morris), for five (5) years from 1 July 2019.
- d. The appointment of Ms Kathy Hirschfeld as a new Board member of Queensland Urban Utilities, effective from 1 July 2019, for a term of three (3) years.

Note, The Mayor of Somerset who was an apology verbally indicated to QUU on 21 September of his support of all four proposed resolutions.

Council is requested to endorse the appointments agreed by the Lord Mayor and Mayors at the meeting held on 21 September 2018.

Recommendation

THAT Somerset Regional Council agrees -

1. To reappoint Mr Graham Thomsen as a Board member Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
2. To reappoint Mr Kerian McNamara as a Board member of Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
3. To appoint Ms Bronwyn Morris as Board Chair of QUU from 1 July 2019 (and the

consequent extension of the current Board term of Ms Morris) for five (5) years from 1 July 2019.

4. To appoint Ms Kathy Hirschfeld as a new Board member of the Authority, effective from 1 July 2019, for a term of three (3) years.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT Somerset Regional Council agrees -

1. To reappoint Mr Graham Thomsen as a Board member Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
2. To reappoint Mr Kerian McNamara as a Board member of Queensland Urban Utilities, effective from 1 July 2019, for an additional term of three (3) years.
3. To appoint Ms Bronwyn Morris as Board Chair of QUU from 1 July 2019 (and the consequent extension of the current Board term of Ms Morris) for five (5) years from 1 July 2019.
4. To appoint Ms Kathy Hirschfeld as a new Board member of the Authority, effective from 1 July 2019, for a term of three (3) years."

Carried

Subject:	Progress report on Operational Plan 2018 - 2019 - quarter ended 30 September 2018
File Ref:	Corporate management - planning - Operational Plan
Action Officer:	CEO

Background/Summary

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

Director Planning and Development

Departmental outcomes have progressed in line with the plan or are complete and within required timeframes and Budget.

Director Finance

Finance objectives from the operational plan for the year ended 30 September 2018 were met in full.

Director HR and Customer Service

Progress on the implementation of the 2018/2019 Operational Plan has been reviewed for the period ended 30 September 2018.

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

Director Corporate and Community Services

Progress on the implementation of the 2018/19 Operational Plan has been reviewed for the period ending 30 September 2018.

Departmental outcomes have progressed in line with the plan or are complete and within required timeframes and Budget.

Director Operations

Well Planned Somerset

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

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

On Time – Council will carry over some projects from the 2017-18 fiscal year. Carry-over projects have been scheduled for completion as early as possible in the 2018-19 fiscal year. However, some carry-over projects are contingent on a Department of Transport and Main Roads project.

On Budget – Capital projects completed to October 2018 remain within the allocated budgets with no over expenditure. Road Maintenance is presently tracking above pro-rata budget. Resources will be focusing on capital projects in the coming months; hence, road maintenance expected to rationalise back to budget targets.

Attachments

Nil

Recommendation

THAT the Chief Executive Officer's report on progress of the Operational Plan 2018 - 2019 for the quarter ended 30 September 2018 be received and the contents noted.

Decision:

Moved - Cr Brieschke

Seconded - Cr Ogg

"THAT the Chief Executive Officer's report on progress of the Operational Plan 2018 - 2019 for the quarter ended 30 September 2018 be received and the contents noted."

Carried

Meetings authorised by Council

Queensland 2018 Future Waste Resources Convention – 11 – 3 October 2018

Cr Choat sought authorisation to attend Waste Management Resources Convention to be held in Ipswich from tomorrow.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT Cr Choat be authorised to attend the Queensland 2018 Future Waste Resources Convention at Ipswich 11 – 13 October."

Carried

Pest Animal and Animal Weed Symposium – 20 – 23 May 2019

Cr Choat, Cr Hall and Cr Brieschke sought authorisation to attend the 2019 Pest Animal and Weed Symposium at Sea World Resort.

Decision:

Moved – Cr Whalley

Seconded - Cr Ogg

“THAT Cr Choat, Cr Hall and Cr Brieschke be authorised to attend the Pest Animal and Weed Symposium to be held at Sea World Resort Conference Centre 20 – 23 May 2019.”

Carried**Mayor and Councillor Reports****Cr Gaedtke - Councillor report -**

26 September	Kilcoy Interagency Meeting
26 September	Kilcoy District Progress Alliance Inc. Monthly Meeting
03 October	Somerset Dam and District Progress Assn Monthly Meeting
03 October	Teddy Bears Picnic – Fernvale
06 October	Mayoral Gala Charity Ball – Esk
09 October	Masquerade Party – Unmask Mental Health – Kilcoy

The Teddy Bears Picnic held at the Fernvale Community Hall was very well supported by service providers, parents, grandparents, children and teddy bears. Analysing and including where appropriate the positive feedback shared with us will only see a bigger and better 2019 picnic. Well done to staff.

Congratulations to all involved with the organisation of the 2018 Mayoral Gala Charity Ball. Along with eighteen other guests, John and I had a truly enjoyable night, which was full of wonderful entertainment, pleasant surprises, an absolutely mouth-watering dinner and lots of joviality. We all look forward to the 2019 Mayoral Gala Charity Ball.

Cr Brieschke - Councillor report -

Cr Brieschke commented that the Teddy Bear's picnic at Fernvale was very successful and a great day.

Cr Hall - Councillor report

28 September - Police Remembrance Day at Redcliffe
 Student's visual art exhibition at The Condensery – was tremendous, and the stories told in the paintings was great.
 9 October Nuts and Bolts Kilcoy went well
 9 October – Rural Fire Meeting Esk

Decision:

Moved - Cr Ogg

Seconded - Cr Whalley

“THAT the verbal and written reports of Crs Gaedtke, Brieschke and Hall be received and the contents noted.”

Carried

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings***Decision:***

Moved - Cr Ogg

Seconded - Cr Whalley

“THAT a report be prepared for the future surfacing / landscaping options for slashing and mowing of the river bend park at Lowood.

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

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 11.35am.

ATTACHMENT 1

Delegations Register Amendments – Council to Chief Executive Officer

REGISTER OF DELEGATIONS - COUNCIL TO CEO

Queensland Heritage Act 1992

NO	DELEGATE	DESCRIPTION OF POWER DELEGATED	LEGISLATION	DATE OF RESOLUTION	CONDITIONS TO WHICH THE DELEGATION IS SUBJECT
3.	Chief Executive Officer	Power to make an application for an exemption certificate.	Section 72 <i>Queensland Heritage Act 1992</i>	10 October 2018	