



**Minutes of Ordinary Meeting
Held Wednesday 28 November 2018**

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

Present

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

C O N T E N T S

2019-2020 Cycle Network Local Government Grants Program.....	133	Environmental Services Monthly Report October 2018.....	5
Adjournment of Meeting	141	Items for reports for future meetings ...	145
Application to License Existing Gate on Louisavale Road Monsildale – GA2755-5.810	130	Leave of Absence	4
Applications to License Existing Grids on Louisavale Road Monsildale – GR2755-1.97, GR2755-3.24 and GR2755-3.77	129	Matters of Public Interest	4
ATTACHMENT 1	146	Mayor's and Councillors' Reports.....	141
ATTACHMENT 2	158	Mayor's report	143
ATTACHMENT 3	165	Meetings authorised by Council	141
Audit committee independent member	101	New Policies and procedures introduced with the Changes to the <i>Local Government Act 2009</i> - Councillors .	120
Business arising out of minutes of previous meeting	4	Nottingham Drive, Mount Hallen - Customer Service Request - Stormwater	125
Camera proposal – Condamine Drive, Fernvale.....	127	Offer for lot 5 RP170610	102
Carols in the Clock Park – The Lions Club of Lowood Inc	136	Opening of Meeting.....	4
Closed session - to discuss a staffing matter	141	Original Kilcoy Yowie	135
Closure of Meeting	145	Parking facilities - Prospect Street - Lowood State High School.....	128
Community Assistance Grants 2018 – 19 Glamorgan Vale Community Hall Association Inc.....	139	Petition regarding Larkhill Boundary Road	145
Confirmation of Minutes	4	Queensland Urban Utilities participation agreement proposed changes	101
Consideration of notified motions	145	Receipt of Petition.....	145
Cr Brieschke - Councillor report	141	Reception of notices of motion for next meeting.....	145
Cr Brieschke - Matters of public interest..	4	Request for use of 8-10 Lennox Street Moore	123
Cr Choat - Councillor report	142	Restriction of Access to Hills Reserve .	124
Cr Choat - Matters of public interest.....	4	Review of Fees and Charges - Planning and Development.....	8
Cr Gaedtke - Councillor report	142	Somerset Libraries' officer report October 2018	111
Cr Gaedtke - Matters of public interest....	5	Somerset Rail Trail Fun Run 2019 – Event Information.....	122
Cr Hall - Councillor report.....	141	Somerset Region Neighbourhood Centre Service Report for the period 1 October – 31 October 2018	109
Cr Hall - Matters of public interest	4	Staff Service Presentation.....	141
Cr Whalley - Councillor report	142	State grants review	105
Denning Street Fernvale Signage Request	131		
Development Application No 17939 - Coominya Connection Rd, Coominya	51		
Development Application No 15972 - Highland Street, Esk	47		
Development Application No 16911 - Kilcoy	13		
Development Application No 16915 - Brisbane Valley Protein Precinct.....	69		

Tender 1107 – hire of privately owned wet hire plant for 12 months 103	Transport and Tourism Connections (TTC) program, round two (access to key tourist sites) 131
Tourism Advisory Committee Meeting Report - 13 November 2018..... 140	Youth Engagement Officer Report – October 2018..... 106

Opening of Meeting

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

Leave of Absence

Nil

Confirmation of Minutes**Decision**

Moved – Cr Hall

Seconded – Cr Ogg

“THAT the Minutes of the Ordinary Meeting held on 14 November 2018 as circulated to all Members of Council be confirmed”.

Carried

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Cr Hall - Matters of public interest -***Focus on Farmers*

Cr Hall reported that the Focus on Farmers event held on Monday was a good initiative to follow up on, particularly regarding the offering of courses at Esk by TAFE. Cr Hall would like to see this advertised and encouraged in the region.

Future events -

30 November - AGM Community Support Group meeting

5 December - Toogoolawah State School Awards Night

7 November - SES Break up dinner Civic Centre

8 December - Back to Jimna Dinner.

Cr Brieschke - Matters of public interest -

1 December Food Festival this Saturday
Esk Christmas Tree

Cr Brieschke noted that the Christmas Light Competition judging starts next week.

Cr Choat - Matters of public interest -*Kilcoy Races 1 December - Esk Races 15 December*

Cr Choat reminded all that the Kilcoy Races will be held this Saturday 1 December, and that the Esk Races will take place on 15 December. Cr Choat stated that it is a privilege to host these events in the Somerset Region.

Cr Gaedtke - Matters of public interest -

30 November Somerset Region Community Support Assn AGM - Esk
 01 December Fernvale Junction Feast and Trade Village
 01 December Kilcoy Christmas Race Day
 01 December Somerset Dam Wedding Forum
 05 December Somerset Tourism Volunteers Day
 06 December Brisbane Valley Heritage Trail Christmas Meeting
 08 December Kilcoy Christmas Carnival
 08 December Lowood Show Inc. Christmas Carnival
 09 December Jammin' in Esk
 11 December Kilcoy State School Awards Ceremony

Around 1.3 million containers are being returned in Queensland every day, and is attracting the advantage of the 10 cents refund. It was reported that at Townsville, a man came in with 40,000 cans on behalf of the local scouts on the first day of the Containers for Change initiative. Overall, Townsville has reported that more than \$410,000 has been returned to Townsville locals, charities, schools, community groups and sporting clubs.

Subject:	Environmental Services Monthly Report October 2018
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	MES

Background/Summary

In delivering on the themes identified in Council's current Operational Plan, it is with pleasure that we submit a synopsis of the section's activities during the month of October 2018.

Invasive Animal Control

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

Wild dogs

- The next advertised 1080 baiting program day will be held on the 11 February 2019.
- Dingo scalps presented: 4

Rabbits

- Officers have been working with landholders to control rabbit infestations in the following areas; Minden, Prenzlau, Clarendon and Colinton.
- Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset Dam and Wivenhoe Dam.

Fire ants

- The National Red Imported Fire Ant Eradication Program has confirmed a detection of fire ants in Fernvale which is outside the current fire ant biosecurity zone. Biosecurity Queensland officers have destroyed all nests detected by direct nest injection.
- Council is continuing to encourage residents to check their yards and workplaces and report any suspect ants or nests to Biosecurity Queensland 132523.

Invasive Plant Control

A summary of pest plant and other vegetation treatment activities for the month is as follows:

- **Fireweed** - Wivenhoe Pocket, Coominya, Neurum, Talegalla, Fernvale, Glamorgan

- Vale, Clarendon, Mount Kilcoy, Lowood, Esk and Atkinsons Dam.
- Annual ragweed** – Harlin.
- Parthenium** – Linville.
- Mother of Millions** – Glamorgan Vale, Coominya and Tarampa.
- Council controlled land** – Kilcoy Showgrounds.
- Herbicide applied** - 2,750L.

CUSTOMER SERVICE REQUESTS -

Regulatory Services	Jul	Aug	Sep	Oct	Nov	Dec	18-19
Dog Attack on a Person	1	1	3	1			6
Dog attack on Another Animal	5	3	5	6			19
Barking Dogs -	9	21	5	6			20
Animal Issues - Miscellaneous	22	11	50	11			94
Dogs Wandering at Large	20	16	8	13			57
Livestock Wandering at Large	13	15	34	22			84
After Hours Emergency call out Dogs	1	3	0	1			5
After Hours Emergency call Out Stock	3	6	8	10			27
Request for Animal Traps	0	8	5	7			20
Request to Impound Animals	12	17	12	9			50
Abandoned Motor Vehicle	3	6	3	2			14
Illegal Camping	1	0	0	3			4
Visual Pollution	2	1	1	2			6
Local Law Investigations – other local law issues -	2	3	5	4			14
Overgrown Allotments	1	5	5	3			14
Restricted activity – Selling Vehicles	0	0	0	0			0
Unlawful Materials on Footpath	1	2	0	1			4
Litter and Illegal Dumping of Rubbish less than 200 litres -	2	3	4	0			9
Total Regulatory Services CSR's	98	121	148	101	0	0	447
Pest Management	Jul	Aug	Sep	Oct	Nov	Dec	18-19
Pest Plants - Council Land	1	0	1	0			2
Pest Plants - Private Land	11	3	3	8			25
Pest Plants - Road Reserves	1	0	0	2			3
Pest Animals - General Enquires	12	13	12	10			47
Total Pest Management CSR's	25	16	16	20	0	0	77
Environmental Health	Jul	Aug	Sep	Oct	Nov	Dec	18-19
General Environmental Complaints	1	1	2	3			7
Food Premises Complaints	1	1	1	4			2
Miscellaneous Health Issues	2	1	1	2			3
Mosquito Complaints	0	0	0	0			0
Environmental Issues - Dust Nuisance	2	0	0	0			2
Environmental Issues - Light Nuisance	0	0	0	0			0
Environmental Issues - Noise Nuisance	2	0	4	4			2

Environmental Issues - Odour Nuisance	0	0	0	0			0
Environmental Issues - Smoke Nuisance	1	2	0	1			3
Environmental Issues - Water Pollution	0	1	0	1			1
Local Laws - Illegal Vending	0	0	0	0			0
Local Laws - Obstruction of Footpath by a Business	0	0	0	1			0
Illegal Dumping - over 200L	2	2	3	2			4
Illegal Dumping - Asbestos	0	0	0	1			0
Illegal Dumping - Tyres	2	0	3	0			2
Total Environmental Health CSR's	13	8	14	19	0	0	54

Total all Environmental Services CSR's	136	124	178	140	0	0	578
---	------------	------------	------------	------------	----------	----------	------------

Dog Registration	Jul	Aug	Sep	Oct	Nov	Dec	18-19
Dogs Registered	3801	235	23	50			4109
Unpaid Notices	380	357	182	133			133
Infringement Notice Issued	6	4	6	8			24
Registration Compliance activities	5	8	55	34			102

Animal Pound Operations	Jul	Aug	Sep	Oct	Nov	Dec	18-19
Dogs	11	14	2	11			27
Cats	8	9	7	0			24
Stock	0	4	2	5			6

Inspections and Approvals	Jul	Aug	Sep	Oct	Nov	Dec	18-19
Food Business Inspections	11	6	13	12			42
Food Business Re-inspections	0	0	3	4			7
Kennel Inspections	0	0	0	0			0
Poultry Farm Inspections	0	0	0	0			0
Local Law - Prescribed Activity Approvals	3	11	4	10			28

Food Safety Training

Council subscribes to the I'm ALERT food safety training package which offers food businesses, community groups, schools and the general public access to free online interactive food safety training. Just go to www.somerset.imalert.com.au. A total of **9** users completed the training during the month of October and **18** for the month of November so far.

Attachment

Nil

Recommendation

THAT the report be received and the contents noted.

Decision: Moved - Cr Brieschke Seconded - Cr Choat

"THAT the report be received and the contents noted.

THAT Council contact the Department of Environment and Science and request that they run some workshops in the region regarding detecting, identifying and eradicating fire ants, and assisting residents to be involved in the identification and treatment of fire ants."

Carried

Subject:	Review of Fees and Charges - Planning and Development
File Ref:	Financial management - fees and charges - Setting of Cost
Action Officer:	Recovery Fees DPAD

Background/Summary

Council's current fees and charges, in part, state the following -

A. Miscellaneous matters that may apply to Development Applications

5. Use not specifically identified in the Fee Schedule and/or Unusual Circumstance Where an application involves a use not specifically provided for and fee the use or application could not reasonably be included in a category that is provided in the Schedule of Fees, **the Chief Executive Officer shall determine** the relevant fee. This fee is to be based on an estimated fee to cover the actual cost for Council to assess and determine the application.

Also, it states -

Major Project -

- (a) For Major Projects not covered in the scope of these fees, **the fee will be determined by the Director Planning and Development** based on an estimated fee to cover the actual cost for Council to assess and determine the application.
- (b) The Director Planning and Development has the discretion to determine if a project is defined as a "Major Project" based on:
 - The scale of the project
 - The potential impacts to be assessed as part of the project
 - If the level of work anticipated by the nominated fee under this section does not represent the level of assessment required
 - The fee is not covered in this schedule of fees and charges
 - Any other relevant consideration

There are also a few Uses where no fee has been set and the price determined is upon lodging the application (P.O.A). These include:

Non-resident workforce accommodation (Code) and (Impact)
--

Detention facility (Code) and (Impact)
--

Environment facility (Code) and (Impact)
--

Landing (Code) and (Impact)
Market (Code) and (Impact)
Research and technology (Code) and (Impact)
Resort complex (Code) and (Impact)
Tourist Attraction (Code) and (Impact)
Educational Establishment (Code) and (Impact)
Emergency Services (Code) and (Impact)
Major sport, recreation and entertainment facility (Code) and (Impact)
Motor sport facility (Code) and (Impact)
Park (Code) and (Impact)
Air Services (Code) and (Impact)
Renewable energy facility (Code) and (Impact)

Council through the Local Government Association has been recently advised about matters in various pieces of Qld Legislation that require a Council resolution and that cannot be undertaken by Delegated Authority.

One of these matters is setting of Planning Fees.

Recently the CEO has exercised this delegation for the following applications:

- DA17650 \$52,000
- DA16915 \$185,000
- DA17245 Nil

It is the intent of this report to confirm the decision made by the Chief Executive Officer with respect to these applications and to put into place a revised fee structure where the fee is set by Council, while the discretion on how the application is categorised is left to a delegated officer.

Attachments

Nil

Recommendation

THAT Council confirms the fees for the following Development Applications:

- DA17650 \$52,000
- DA16915 \$185,000
- DA17245 Nil

THAT the 2018/19 Fees and Charges be amended by deleting the following:

A. Miscellaneous matters that may apply to Development Applications

5. Use not specifically identified in the Fee Schedule and/or Unusual Circumstance Where an application involves a use not specifically provided for and the use or application could not reasonably be included in a category that is provided in the Schedule of Fees, the

Chief Executive Officer shall determine the relevant fee. This fee is to be based on an estimated fee to cover the actual cost for Council to assess and determine the application.

Major Project

- (a) *For Major Projects not covered in the scope of these fees, the fee will be determined by the Director Planning and Development based on an estimated fee to cover the actual cost for Council to assess and determine the application.*
- (b) *The Director Planning and Development has the discretion to determine if a project is defined as a "Major Project" based on:*
- *The scale of the project*
 - *The potential impacts to be assessed as part of the project*
 - *If the level of work anticipated by the nominated fee under this section does not represent the level of assessment required*
 - *The fee is not covered in this schedule of fees and charges*
 - *Any other relevant consideration*

and replacing it with -

A. Miscellaneous matters that may apply to Development Applications

5. In the case of an unusual circumstance pertaining to a site or the combination of proposed uses or where an application involves a use or uses not specifically listed in the Fee Schedule. One of the following fees may apply:

Major Application - \$185,000

(matters to be taken into consideration-large site areas e.g. 1000ha+; multiple proposed land uses; multiple technical reports required; complex and significant impacts expected)

Medium Application - \$52,000

(matters to be taken into consideration- site area 500ha+; one or two proposed land uses; some technical reports required; impacts expected)

Minor Application - \$10,000

(where the set Fees and Charges would have resulted in a charge that seems to be disproportionally excessive for a small or minor proposal; few technical reports; limited impacts expected)

Incidental Application - \$5,000

(where an application is using an existing building, use of land only, or minor extensions for some uses up to a 100sqm or where an application involves existing lawful land uses and the application is seeking to rationalise approvals or uses; impacts are known and minimal)

The Chief Executive Officer shall determine the category of the application on the advice from the Director of Planning and Development, taking into consideration, the following:

- The scale of the project
- The potential impacts to be assessed as part of the project
- If the level of work anticipated by the nominated fee does not represent the level of assessment required
- The fee is not covered in this schedule of fees and charges
- Any other relevant consideration

3. That the Items listed as P.O.A in the Fees and Charges be amended as follows:

Non-resident workforce accommodation (Code) and (Impact)	See A.5
Detention facility (Code) and (Impact)	See A.5
Environment facility (Code) and (Impact)	See A.5
Landing (Code) and (Impact)	See A.5
Market (Code) and (Impact)	See A.5
Research and technology (Code) and (Impact)	See A.5
Resort complex (Code) and (Impact)	See A.5
Tourist Attraction (Code) and (Impact)	See A.5
Educational Establishment (Code) and (Impact)	See A.5
Emergency Services (Code) and (Impact)	See A.5
Major sport, recreation and entertainment facility (Code) and (Impact)	See A.5
Motor sport facility (Code) and (Impact)	See A.5
Park (Code) and (Impact)	See A.5
Air Services (Code) and (Impact)	See A.5
Renewable energy facility (Code) and (Impact)	See A.5

Decision:

Moved - Cr Whalley

Seconded - Cr Gaedtke

“THAT Council confirms the fees for the following Development Applications:

- DA17650 \$ 52,000
- DA16915 \$185,000
- DA17245 Nil

THAT the 2018/19 Fees and Charges be amended by deleting the following:

A. Miscellaneous matters that may apply to Development Applications

5. Use not specifically identified in the Fee Schedule and/or Unusual Circumstance Where an application involves a use not specifically provided for and the use or application could not reasonably be included in a category that is provided in the Schedule of Fees, the Chief Executive Officer shall determine the relevant fee. This fee is to be based on an estimated fee to cover the actual cost for Council to assess and determine the application.

Major Project

- (a) For Major Projects not covered in the scope of these fees, the fee will be determined by the Director Planning and

Development based on an estimated fee to cover the actual cost for Council to assess and determine the application.

(b) *The Director Planning and Development has the discretion to determine if a project is defined as a "Major Project" based on:*

- *The scale of the project*
- *The potential impacts to be assessed as part of the project*
- *If the level of work anticipated by the nominated fee under this section does not represent the level of assessment required*
- *The fee is not covered in this schedule of fees and charges*
- *Any other relevant consideration*

and replacing it with -

A. Miscellaneous matters that may apply to Development Applications

5. In the case of an unusual circumstance pertaining to a site or the combination of proposed uses or where an application involves a use or uses not specifically listed in the Fee Schedule. One of the following fees may apply:

Major Application - \$185,000

(matters to be taken into consideration-large site areas e.g. 1000ha+; multiple proposed land uses; multiple technical reports required; complex and significant impacts expected)

Medium Application - \$52,000

(matters to be taken into consideration- site area 500ha+; one or two proposed land uses; some technical reports required; impacts expected)

Minor Application - \$10,000

(where the set Fees and Charges would have resulted in a charge that seems to be disproportionately excessive for a small or minor proposal; few technical reports; limited impacts expected)

Incidental Application - \$5,000

(where an application is using an existing building, use of land only, or minor extensions for some uses up to a 100sqm or where an application involves existing lawful land uses and the application is seeking to rationalise approvals or uses; impacts are known and minimal)

The Chief Executive Officer shall determine the category of the application on the advice from the Director of Planning and Development, taking into consideration, the following:

- The scale of the project
- The potential impacts to be assessed as part of the project
- If the level of work anticipated by the nominated fee does not represent the level of assessment required

- The fee is not covered in this schedule of fees and charges
- Any other relevant consideration

3. That the Items listed as P.O.A in the Fees and Charges be amended as follows:

Non-resident workforce accommodation (Code) and (Impact)	See A.5
Detention facility (Code) and (Impact)	See A.5
Environment facility (Code) and (Impact)	See A.5
Landing (Code) and (Impact)	See A.5
Market (Code) and (Impact)	See A.5
Research and technology (Code) and (Impact)	See A.5
Resort complex (Code) and (Impact)	See A.5
Tourist Attraction (Code) and (Impact)	See A.5
Educational Establishment (Code) and (Impact)	See A.5
Emergency Services (Code) and (Impact)	See A.5
Major sport, recreation and entertainment facility (Code) and (Impact)	See A.5
Motor sport facility (Code) and (Impact)	See A.5
Park (Code) and (Impact)	See A.5
Air Services (Code) and (Impact)	See A.5
Renewable energy facility (Code) and (Impact)	See A.5
<u>Carried</u>	

Subject:	Development Application No 16911 - Application for a Material Change of Use for High Impact Industry (increase in daily throughput capacity from 1,250 head of cattle per day to 2,000 head of cattle per day); and Environmentally Relevant Activity (ERA) 63(1)(b)(i) – Sewage Works >100 to 1500 EP; and Environmentally Relevant Activity (ERA) 25 2(c) Meat Processing >50000t per year including rendering
File No:	DA16911
Assessment No:	80765-00000-000
Action Officer:	SP - JB

1.0 APPLICATION SUMMARY

Land Holdings associated with this application are detailed below:

SITE SCHEDULE

Owner	Lot details	Zone	Current use	Land area hectares	Address
Kilcoy Pastoral	2 SP101100	High Impact Industry zone	Abattoir property	43.7200	4830 D'Aguilar Highway

Company Limited		and Rural zone			
Kilcoy Pastoral C/L	4 RP25312	Emerging Community zone	House property	0.1012	D'Aguilar Highway Service Road
Kilcoy Land Australia P/L	5 – 14 RP25312	Emerging Community zone	Vacant land	1.0300	D'Aguilar Highway and Winya Road
Kilcoy Land Australia P/L	16 – 20 RP25312	Emerging Community zone	Vacant land	0.5060	Winya Road
Kilcoy Pastoral C/L	1 SP225650	Industry	Vacant land	1.0000	92 Winya Road
Kilcoy Pastoral C/L	1 SP229967	Industry	Vacant land	53.12	D'Aguilar Highway
Kilcoy Pastoral C/L	2 SP229967	Emerging Community zone	Vacant land	20.1	D'Aguilar Highway
Kilcoy Pastoral C/L	4 SP101119	Rural zone	Vacant land	115.4491	Neurum Road
Kilcoy Pastoral C/L	1 SP219391	Emerging Community zone	Vacant land	44.9906	Kennedy Street
Kilcoy Pastoral C/L	5 CG2715	Rural zone	Vacant land	0.1141	D'Aguilar Highway
Kilcoy Pastoral C/L	13 CG2715	Rural zone	Vacant land	0.0999	D'Aguilar Highway
Kilcoy Land Australia Pty Ltd	301 CG3013	Rural zone	Vacant land	8.205	D'Aguilar Highway
Kilcoy Land Australia P/L	1 RP107834	Rural zone	Vacant land	0.4047	Winya Road
Kilcoy Land Australia P/L	2 RP108418	Rural zone	Vacant land	26.78	D'Aguilar Highway
Kilcoy Pastoral C/L	6 RP116091	Rural zone	Vacant land	0.0862	D'Aguilar Highway
Kilcoy Pastoral C/L	7 RP116901	Rural zone	Vacant land	0.0771	D'Aguilar Highway
Kilcoy Pastoral C/L	9 RP116901	Rural zone	Vacant land	0.0559	D'Aguilar Highway
Kilcoy Pastoral C/L	10 RP116901	Rural zone	Vacant land	0.0382	D'Aguilar Highway
Kilcoy Pastoral C/L	11 RP116901	Rural zone	Vacant land	0.0202	D'Aguilar Highway
Kilcoy Pastoral C/L	21 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	22 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	23 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	24 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy	34	Rural zone	Vacant land	0.1012	D'Aguilar

Pastoral C/L	RP25312				Highway
Kilcoy Pastoral C/L	35 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	36 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	37 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	38 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	39 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	40 RP25312	Rural zone	Vacant land	0.1040	D'Aguilar Highway
Kilcoy Land Australia P/L	2 SP101119	Rural zone	Vacant land	64.1761	D'Aguilar Highway
NOTE: Kilcoy Abattoir operations are wholly located on Lot 2 SP101100 within the Urban Footprint.					

Easements:

There is an existing easement on the title of Lot 2 RP108418 and Lot 2 on SP101119 for gas pipeline purposes. The development proposal does not involve construction of buildings and other structures on these allotments.

High voltage electricity transmission lines are located along the D'Aguilar Highway frontage of Lot 2 on SP101100 and Lot 1 on SP229967. The proposed increase in throughput capacity will be contained wholly within existing buildings on the site. The high voltage electricity transmission lines along the D'Aguilar Highway frontage of Lot 2 on SP101100 and Lot 1 on SP229967 will not be impacted by the development proposal.

Planning Scheme:

Level of assessment:

Somerset Region Planning Scheme Version One
IMPACT assessment

SEQ Regional Plan 2009-2031:

Land Use Category

The site is identified as being located within the Urban Footprint; and the Regional Landscape and Rural Production Area (RLRPA) of the SEQ Regional Plan.

Application:**Proposal:**

Application for a Material Change of Use for High Impact Industry (increase in daily throughput capacity from 1,250 head of cattle per day to 2,000 head of cattle per day); and Environmentally Relevant Activity (ERA) 63(1)(b)(i) – Sewage Works >100 to 1500 EP; and Environmentally Relevant Activity (ERA) 25 2(c) Meat Processing >50000t per year including rendering

Applicant/s details:

Kilcoy Pastoral Company Limited
c/- Emanate Legal
Attn: Michael Day

PO Box 1984
TOWNSVILLE QLD 4810

Applicants email details: mday@emanatelegal.com.au

Landowners: Refer to Land Holdings above

Date application properly made: 30 June 2017

Referral Agencies

Concurrence Agencies Department of Infrastructure, Local Government and Planning

- Department of Transport and Main Roads
- Department of Environment and Heritage Protection

Advice Agencies Energex

Third Party Advice Agencies Nil

Public Notification

Submissions properly made 5

Not properly made: NIL

RECOMMENDED DECISION

Approve the Development Application No 16911 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The proposal involves an increase of the production rate at the Kilcoy Abattoir from the current 1,250 head of cattle per day to 2,000 head per day to cater for increasing local and international demand.

The Kilcoy Abattoir is currently operated by 944 employees and the proposal is expected to increase the total staff numbers to 1,200 to cater for the proposed increase in throughput capacity. Hours of operation and work practices are to be maintained as per the current arrangements, being 7 days per week, 24 hours per day.

The increase in staff numbers will result in an increase to staff traffic movements predominantly at the afternoon shift change where an additional 260 staff will enter the site to facilitate the additional afternoon kill shift. Heavy vehicle traffic is expected to increase from 69 to 91 vehicle movements per day accessing the site.

The abattoir currently provides 381 parking spaces. A total of 160 additional parking spaces are required for the proposed increase in throughput capacity and will be provided adjacent to the existing parking area located towards the eastern boundary of the site. The Site Plan, inclusive of car park extension area is provided at **Attachment 1**.

Please note this application is for an increase in throughput of cattle only and does not necessitate the provision of any new facilities. The meat processing operations, i.e. killing and boning and other associated processing operations, will continue to remain wholly located on Lot 2 on SP101100. The remaining land holdings, that form part of the application, will be used for irrigation purposes associated with the Abattoir operations.

3.0 BACKGROUND – EXISTING APPROVAL

The site has been the subject of numerous applications since the abattoir was established in

1953. The last application in February 2016, resulted in Council conditionally approving a Material Change of Use application to increase daily throughput at the Kilcoy Abattoir from 750 head per day to 1250 head per day.

4.0 SITE DETAILS AND SURROUNDING LAND USES

The subject land is located on the northern side of the D'Aguilar Highway and is situated approximately 2kms to the east of Kilcoy Township and has a combined total area of approximately 381 hectares. This includes the Winya and recently purchased KPC Flats properties. The site has direct frontage to the D'Aguilar Highway and Winya Road.

The Kilcoy Abattoir and associated buildings are located on Lot 2 SP101100, which is in the High Impact Industry zone. The remaining land holdings described in the site schedule are in the Emerging community zone, Industry zone and Rural zone under the Somerset Region Planning Scheme mapping.

The land holdings contain some agricultural land, a small portion of flood prone land within the northern part of Lot 2 SP101100 and a number of watercourses. Alluvial flats are in the eastern portions adjacent to Sandy Creek and the western portions adjacent to Kilcoy Creek. Sandy Creek and Kilcoy Creek both flow infrequently and according to the applicant, they cause minimal flooding on the property with any inundation only short lived. The remainder of the land holdings are unaffected by flooding and include gently undulating and rolling topography with slopes of up to 10-15%.

The landholdings are in an area comprising of a mixture of industrial operations, open pasture and residential premises. Five residential dwellings are located across the highway from the abattoir (to the east) on small lots designated in the Emerging Community zone. However, the main land use surrounding the abattoir is used for grazing and farming. Land immediately to the north of the Kilcoy Abattoir is in the Emerging Community zone and the Rural zone and contains open grazing land. Land located immediately to the west is in the Industry zone and is improved by Searles Garden Products Supplies. Land immediately to the south and across the D'Aguilar Highway is in the Emerging community zone, Industry zone and the Rural zone.

5.0 ASSESSMENT – STATE LEGISLATION

5.1 STATE PLANNING POLICY

The Somerset Region Planning Scheme Version One identifies that all relevant State interests have been reflected in the Planning Scheme (per section 2.1 of the Planning Scheme). Accordingly, where State interests have been identified and included in the Planning Scheme, an assessment against the State Planning Policy (SPP's assessment benchmarks) is not required.

5.2 VEGETATION MANAGEMENT ACT 1999

The land holdings contain matters of state environmental significance: regulated vegetation (intersecting a watercourse), high ecological significance wetlands and regulated vegetation. However, the proposed development will not affect the matters of state environmental significance as the proposal does not involve the clearing of any vegetation and will provide all necessary upgrades to ensure that there is no adverse environmental impact on the matters of state environmental significance. Therefore, the Department of Infrastructure, Local Government and Planning advised referral of the application was not required.

5.3 ENVIRONMENTAL PROTECTION ACT 1994

Lot 2 on SP101100 is listed on the Environmental Management Register (EMR) as being a site subject to a Notifiable Activity or Hazardous Contaminant (petroleum product or soil storage).

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 Somerset Region Planning Scheme version one and how they apply to the proposed development is discussed below.

Section 3.3.10 Element – High impact industries

The Scheme requires long term urban growth opportunities in the Somerset Region to be protected from the impacts of *high impact activities*. Element 3.3.10 is supported by several specific outcomes as they relate to high impact activities. An assessment of the development proposal compliance against each of the specific outcomes is detailed below:

- i. Provides a reasonable level of amenity protection for towns, small townships, rural residential areas and other substantial settlements of established small rural lifestyle lots.

Officer comments: The existing Abattoir operations are located on the eastern outskirts of Kilcoy Township on land designated in the High Impact Industry zone. The proposed increase in daily throughput capacity at the Kilcoy Abattoir on land located in the High Impact Industry zone is considered an appropriate use of the land in the context of the location of the subject land and the Kilcoy Township.

- ii. Protects the amenity of the Principal Future Strategic Tourism Focus and the Lake Somerset Water-based Recreation Focus area, in order to promote tourism and recreation development opportunities in these two focus areas.

Officer comments: The proposed increase in daily throughout capacity at the Kilcoy Abattoir will not impact on the amenity of the Principal Future Strategic Tourism Focus and the Lake Somerset Water-based Recreation Focus Area. The proposed increase in throughput capacity will be contained wholly within the existing Abattoir site and the remaining land holdings, that form part of the application, will be used for irrigation purposes associated with the Abattoir operations. Furthermore, the proposed increase in throughput capacity does not necessitate the provision of any new facilities.

- iii. Protects the long-term urban growth opportunities provided by the Glamorgan Vale Urban Investigation Area.

Officer comments: The Glamorgan Vale Urban Investigation Area is located towards the southern end of the Region, whilst the abattoir is located within the northern part of the region. The long-term urban growth opportunities of the Investigation Area will not be impacted by the proposed increase in throughput capacity at the Kilcoy Abattoir.

- iv. Has no adverse impact on water quality in the catchment of the major drinking water storages of Lake Somerset, Lake Wivenhoe and the Mid-Brisbane River below Wivenhoe Dam.

Officer comments: Refer to Section 7.3 and 7.4 of this report regarding assessment of the submitted Wastewater Treatment Strategy and the Irrigation Management Strategy.

The development will be conditioned to ensure no adverse impact on water quality will occur from the proposed development.

- v. Does not worsen the opportunity for rural activities to be undertaken on adjoining

premises by ways of impacts arising from the operation of high impact activity.

Officer comments: The ancillary activity of the existing abattoir use is irrigation of treated wastewater for cropping purposes. This ancillary activity supports the ongoing use of the adjoining land and it is considered the surrounding rural land will not be impacted by the proposed development. Refer to Section 7.4 and 7.5 for further comments.

- b) High impact activities are appropriately located and managed to protect the health, wellbeing, amenity, safety and environmental health of communities and individuals from the impacts of air, noise and odour emissions and from the impacts of hazardous materials.

Officer comments: Based on a qualitative assessment of the Odour and Air Quality report by Pacific Environment; and a Peer Review of the Odour and Air Quality report, the proposed increase in daily throughput capacity will not impact on the health and wellbeing of the local community in terms of further odour or air quality impacts. Further details are provided in section 7.5 below.

A 'Noise Impact Assessment', prepared by MWA Environmental dated 8 May 2017, accompanied the application. In summary, the assessment undertaken has demonstrated that the proposed increase in daily throughput will not result in adverse noise amenity impact at surrounding noise sensitive receptors. Further details are provided in section 7.7 below.

6.2 CODE COMPLIANCE SUMMARY

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

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

Applicable Code	Compliance with Performance Outcomes	Compliance with Acceptable Outcomes
High Impact Industry zone code	Yes	Yes
Industry zone code	Yes	Yes
Rural zone code	Yes	Yes
Emerging Community zone code	Yes	Yes
Industrial Activities code	Yes	Yes
Advertising Devices code	Yes	Yes
Filling and Excavation code	Yes	Yes
Landscaping code	Yes	Yes
Services, Works and Infrastructure code	Yes	Yes
Transport, Access and Parking code	Yes	Yes
Biodiversity Overlay code	Yes	Yes
Catchment Management Overlay code	Yes	Yes
Flood Hazard Overlay code	Yes	Yes
Infrastructure Overlay code	Yes	Yes

Officer comment:

The proposed development has demonstrated compliance with the Performance Outcomes of the Planning Scheme Codes having regard to the Acceptable Outcomes. It is therefore

considered the development meets the purpose of the above Codes.

7.0 SUPPORTING CONSULTANTS REPORTS

7.1 TRAFFIC IMPACT ASSESSMENT REPORT

A 'Traffic Impact Assessment Report', prepared by Flanagan Consulting, accompanied the application.

The proposed traffic generation and distribution from the development was based on the following information:

- Current throughput from 1250 to 2000 cattle per day;
- Morning Kill and Boning shift 5am-4pm, afternoon Boning shift 4:15pm-12:21am increased to Morning Kill and Boning shift 5am-4pm, afternoon Kill and Boning shift 4:15pm-12:21am;
- Staff increase from 870 to 1200 to facilitate these shifts; and
- Operational 24 hours, 7 days.

The distribution of both commercial and staff traffic was determined to be 59.8% arriving from Kilcoy, 40.2% from Caboolture.

The current Staffing volumes at the development was provided by KPC and a conservative approach to determine the development light vehicle traffic was adopted assuming for vehicle occupancy that every staff member per shift equates to one (1) light vehicle. This assumption generates a 'worst case' scenario at the intersection.

The existing access to the site from the D'Aguilar Highway has been designed in accordance with the upgrade requirements as part of the previous MCU approval to increase throughput to 1250 head of cattle per day. The access is located towards the north-eastern boundary of the site, and is offset from the Winya Road / D'Aguilar Highway intersection so that it forms a staggered T-intersection with the Winya Road / D'Aguilar Highway intersection. The D'Aguilar Highway is a two-lane rural road with a posted speed limit of 80km/hour at this location.

Following consideration of the existing operations, proposed increased operations and associated traffic generation for the increase in throughput from 1250 to 2000 head per day and an analysis of the performance of the existing entry intersection with the D'Aguilar Highway, the following conclusions were drawn:

- The proposed increase in operations will result in an increase in vehicle movements accessing the development. With a minor increase during the morning peak to account for the additional Heavy Vehicles accessing the site and a larger increase in the afternoon peak to account for the 260-additional staff accessing the site for the additional afternoon kill shift and the additional Heavy Vehicles accessing the site.
- The existing Site Access / D'Aguilar Highway intersection was assessed to determine the impacts of the increased vehicle movements. The assessment indicates that impacts on the Degree of Saturation, Average delay, and Queue length and therefore the D'Aguilar Highway traffic were negligible when comparing the existing and proposed increase to development traffic in 2017 and in 2027.
- The intersection assessment concludes that the existing intersection configuration is

adequate and no additional works are required as a result of the increase in production activities.

- The proposed throughput increase will not require any change to the existing facilities or road infrastructure and therefore, there will be no impact to the existing stormwater network.

The conclusion of the submitted Traffic Impact Assessment, prepared by Flanagan Consulting, demonstrates a negligible impact from the increase in Kilcoy Abattoir operations on the D'Aguilar Highway traffic.

Consequently, the Department of Transport and Main Roads as the assessing authority for State-controlled roads has assessed the application and the Traffic Impact Assessment. The Department has recommended, as part of an approval of this application, that the road access location is to be located at the existing access location, generally in accordance with the submitted Site Layout; and Road access works comprising extending the Auxiliary Left Turn Lane (AUL) to the development to 162m in length must be provided at the road access location; and the road access works must be designed and constructed in accordance with the Department of Transport and Main Roads' Road Planning and Design Manual, prior to the commencement of the use.

7.2 STORMWATER MANAGEMENT REPORT

The applicant has provided a 'Stormwater Management Report' for Quality and Quantity prepared by a Registered Professional Engineer of Queensland from Hendriks House Pty Ltd.

The report concluded that stormwater would have non-worsening of the downstream and upstream properties for all storms up to and including the 1% AEP event. Runoff from the car park would drain to an existing swale drain as it exits the site.

For Quality, the applicant proposes to install a bioretention swale drain located along the southern side of the car park. The Stormwater Management Plan has been designed in accordance with the *State Planning Policy 2017, SPP17 – Water Quality 2017* and in guidance with the *Somerset Regional Council Planning Scheme*.

The Stormwater Management Report and the Stormwater Quality Report will be conditioned.

7.3 WASTEWATER TREATMENT PLANT ASSESSMENT

The applicant has provided a 'Wastewater Treatment Plant Assessment', prepared by Johns Environmental Pty Ltd, assessing the impact of the increase on the current wastewater treatment plant (WWTP); and to determine if any augmentation is required to ensure the continued sustainable irrigation of treated effluent on the Winya farm; and to identify how environmental impacts related to wastewater from the expansion will be managed.

7.3.1 Regulatory Aspects of Wastewater Management at KPC:

KPC operates the meat processing facility under DEHP Permit EPPR00809613 issued under the Environmental Protection Act 1994. The permit allows three registered activities for the facility at 4830 D'Aguilar Highway, Kilcoy:

- ERA 15 Fuel burning – using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour;
- ERA 25 Meat Processing Threshold 2(c) – processing, including rendering, in a year, more than 50,000 t of meat or meat products; and
- ERA 63 Sewage Treatment Threshold 1(b)(i) – operating sewage treatment works, other than no-release works, with a total daily peak design capacity of more than 100

to 1,500EP.

Relevant conditions to wastewater treatment are detailed in Schedule C – Water and Schedule E – Land application of the ERA Permit.

The most recent change to the permit was a minor amendment granted on the 12 December 2014. Amendments to the licence conditions included:

- Addition of condition B12 for the new WWTP biogas flare;
- Replacement of original condition C3 with C1 for wastewater treatment plant;
- Deletion of original condition E9 for transfer of contaminant to treated effluent storage dam;
- Change of condition H14 to add Total Suspended Solids (mg/L) (TSS) and Dissolved oxygen concentration (DO) and Delete Chemical Oxygen Demand (mg/L) (COD).

A more recent DEHP Permit EPPR03536315 was issued in January 2016. This environmental authority is attached to a development permit for works to increase throughput to 1,250 head/day.

7.3.2 Description of Existing Wastewater Treatment Plant:

The existing wastewater treatment plant at the KPC facility consists of a process wastewater treatment system and human sewage collection system. These systems are entirely segregated; no human sewage enters the process wastewater treatment system. The existing process wastewater treatment system consists of primary treatment to remove gross solids through physical separation followed by biological treatment in anaerobic and facultative wastewater ponds to remove organics prior to irrigation to land.

7.3.3 Human Sewage Treatment:

Sewage from the toilets and shower amenities areas and kitchens are kept segregated from the main WWTP treating the processing wastewater. There are numerous amenities and toilets throughout the KPC site. The collected sewage is treated through two onsite systems. This system discharges to a dedicated land application area.

7.3.4 Meat Processing Wastewater Treatment Plant:

In 2015 a major \$2.5 million upgrade to the wastewater treatment plant was completed, that allowed increased treatment capacity and eliminated most biogas-related greenhouse emissions formerly generated through the uncovered anaerobic ponds. The plant can treat 2.4 ML/day, 7 days/week of wastewater.

In summary, the WWTP consists of the following operations:

- A large rotary screen removes solids from the combined kill floor, boning room, tripe processing and viscera table waste streams. Waste solids from the screen are rendered.
- The screened discharge and by-products waste streams are pumped into a 20m³ stainless steel Dissolved Air Flotation (DAF) balance tank. This provides an equalized feed to the FRC Dissolved Air Flotation (DAF) at a controlled flowrate. The DAF separates fine suspended solids and fat from the wastewater in the form of a float. This is pumped up to a large holding tank near the rendering building prior to being rendered.
- Solid material from the paunch waste stream is removed using a screw press also installed during the 2015 upgrade. Waste solids are sent to an offsite composting facility.
- Wastewater from the DAF, screw press and covered hardstand cattle-yards is

combined in a 5m³ break tank then flows by gravity to the Covered Anaerobic Lagoon (CAL) constructed and commissioned in 2015. An electronic mag flowmeter continually records flow into the CAL.

- The 29 ML CAL treats the entire wastewater flow to reduce biodegradable organic concentrations and produce biogas that is collected and combusted in an enclosed ABM flare located adjacent to the CAL. This almost entirely eliminates Scope 1 CO₂-e emissions from the WWTP. CAL treated effluent flows through a 700m High Density Polyethylene (HDPE) pipeline by gravity into Lake Peter.
- A pond collects contaminated wash-down from some yard areas. After facultative treatment the water flows by gravity into Pond 4 and is then pumped to the CAL.
- The lightly contaminated boiler ash wash-down and condensate wastewater bypasses the CAL and flows directly to Lake Peter.
- The effluent in Lake Peter is pumped south east under the D'Aguilar Highway to Lake Winya. The large volume of this Lake provides additional naturally aerated treatment. Water from Lake Winya is also periodically pumped to the Recycle Dam from which it is reused in cattle-yard sprays, boiler ash wash-down, sprays and other miscellaneous uses.
- The remaining waste-water in Lake Winya is disposed of on the surrounding irrigation areas where cropping ensures nutrient sustainability.

An aerial view is provided below of Lake Peter, Lake Winya, Mikes Dam and the KPC facility.

KPC WWTP Upgrade - DEHP Supporting Document

JOHNS ENVIRONMENTAL

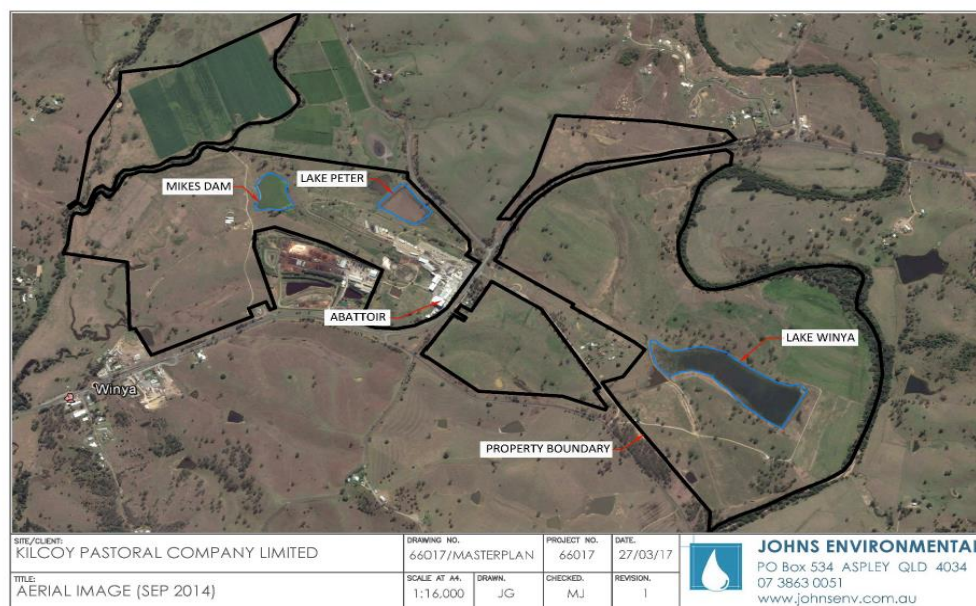


Figure 1. Kilcoy Pastoral Company facility aerial view (Google Earth 1 Jul 2016)

7.3.5 Summary

The operation of the waste treatment facilities are regulated by the Department of Environment and Heritage Protection (DEHP) under the Environmental Authority Permit that regulates Wastewater Treatment at the KPC Facility. Council is not involved in monitoring or regulating such.

For Council's information, Johns Environmental Consultants, on behalf of the applicant, are of the view that the proposed expansion is consistent with environmentally sustainable wastewater management principles as the proposed development can be accommodated on the existing KPC site with allowance for additional state-of-the-art wastewater treatment

technology to minimise impacts on neighbouring receptors and the environment. The main conclusions of the WWTP assessment are listed below:

- The proposed increase in throughput will substantially increase wastewater volumes, but the raw composition is likely to be largely the same. Approximately 3.25 ML/day of treated effluent will be sent for irrigation to land via existing storage dams (Lakes Peter and Winya) and a new storage dam (Mike's) servicing irrigation to the new KPC Flats area.
- For sustainable irrigation to land, the WWTP at the KPC site will require an upgrade to achieve nutrient concentrations in the treated effluent of 50 mg/L total nitrogen and 10 mg/L total phosphorus. These are well within the reach of modern treatment technology for meat processing plants.
- The recent 2015 upgrade of the primary treatment system at the Kilcoy site is considered capable of handling the higher daily wastewater volumes since the production increase involves longer kill hours rather than elevated instantaneous flows. A standby screw press or a satisfactory alternative solution for the paunch stream is recommended to ensure reliable removal of paunch solids.
- The existing Covered Anaerobic Lagoon (CAL) which was installed as part of the \$2.5 million upgrade in 2015 is insufficient to handle the increase in flow and organic load. Another CAL or similar anaerobic technology is required. Biogas capture and incineration will need to be upgraded to cope with the higher throughput. Preferably this can be achieved using value-adding equipment, such as hot water boiler or gas engine.
- The requirement for lower total nitrogen concentrations will require construction of dedicated biological nutrient removal technology capable of achieving this limit. This will probably also require installation of sludge dewatering technology to handle surplus biological sludge produced.
- Such Biological Nutrient Removal (BNR) technology will remove biodegradable organic concentrations to low levels. As a result, Lake Peter will be decommissioned as a facultative pond and become a final treated effluent storage dam. This will reduce site odour emissions (excluding composting contributions) by about 15% on current operations.
- Depending on the nature of the Biological Nutrient Removal (BNR) technology selected for the KPC site, there may be benefit in considering in-situ precipitation of phosphorus in the BNR basin. This achieves the phosphorus removal at significantly reduced capital cost, since common dewatering equipment can be used to remove both the excess biological sludge and precipitated phosphorus solids.
- The environmental impacts from the WWTP upgrade needed to handle the proposed throughput are considered entirely manageable with appropriate selection of technology and good management practices.

7.4 IRRIGATION MANAGEMENT STRATEGY

The irrigation of the treated effluent is regulated by the Department Environment and Heritage Protection (DEHP) Environmental Authority Permit that also regulates Wastewater Treatment at the KPC Facility.

The applicant has provided an 'Irrigation Management Strategy' for the site, prepared by Johns Environmental Pty Ltd, which demonstrates how treated effluent generated will be sustainably reused via land irrigation. The assessment of the wastewater treatment plant (WWTP) and any augmentation required is detailed under section 7.3 above.

The subject land comprises approximately 381 hectares. A Land Resource Assessment prepared by a suitably qualified soil scientist concludes that the soil types are suitable for the reuse of treated effluent via hay production at the site.

The proposed increase in throughput will substantially increase wastewater volumes, but the composition is likely to be largely the same. Approximately 3.25 ML/day of treated effluent is available for irrigation to land via existing storage dams (Lake Winya, Lake Peter and Mike's Dam).

For sustainable irrigation to land, the WWTP at the KPC site will require an upgrade to achieve nutrient concentrations in the treated effluent of 50 mg/L total nitrogen and 10 mg/L total phosphorus.

DRAFT Irrigation Management Strategy (IMS)

JOHNS ENVIRONMENTAL

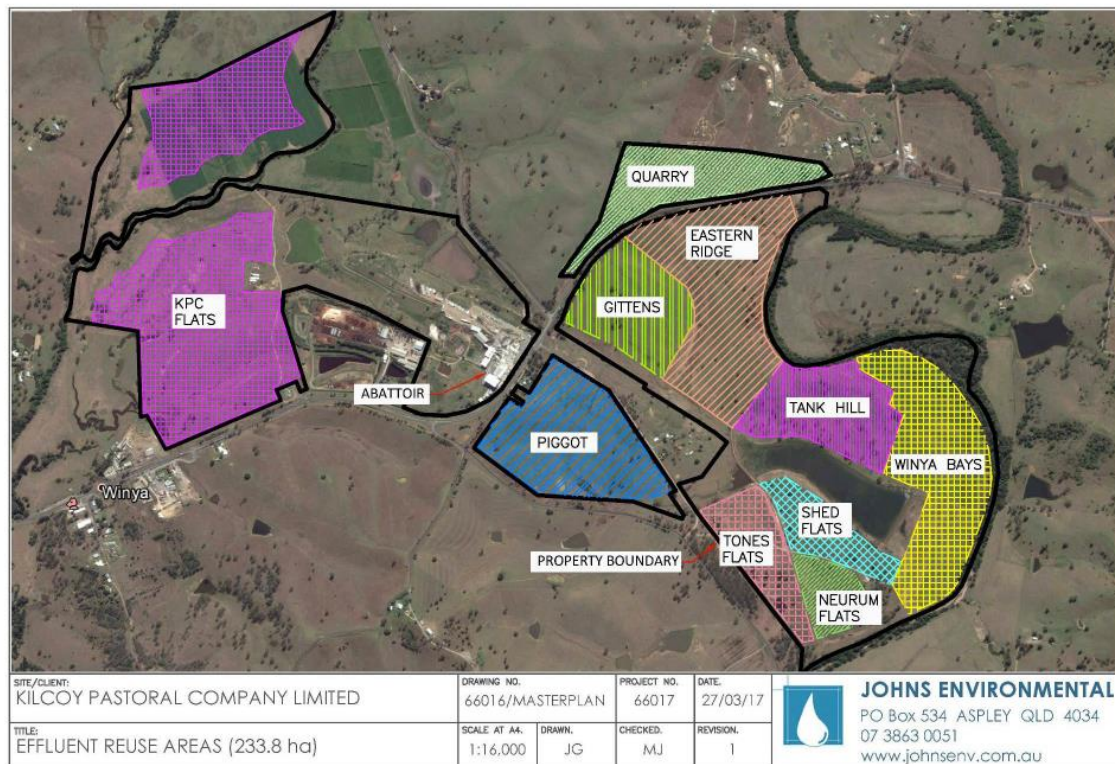


Figure 7: Treated Effluent Irrigation Areas

Johns Environmental Consultants are of the view that the proposed development can be accommodated on the KPC land with allowance for some additional irrigation infrastructure, as detailed below:

- The subject land is appropriate and soil types are suitable for the reuse of treated effluent generated at the site.
- KPC currently processes 1,000 head per day with the aim to extend future production to 2,000 head per day.
- The proposed increase in throughput will substantially increase wastewater volumes, but the composition is likely to be largely the same. Approximately 3.25 ML/day of treated effluent will be sent for irrigation to land via existing storage dams.
- For sustainable irrigation to land, the WWTP at the KPC site will require an upgrade to achieve nutrient concentrations in the treated effluent of 50 mg/L total nitrogen and 10 mg/L total phosphorus. These are well within the reach of modern treatment technology for meat processing plants.
- MEDLI modelling of the proposed effluent reuse system shows overtopping of the wet weather storage dams only occurs during extreme events and overtopping happens

- less than once every 10 years.
- The hydraulic and nutrient balance modelling of the proposed effluent reuse system at the KPC abattoir is considered sustainable, because the nutrient applications through effluent closely match the predicted removal rates; there is no increase in runoff and the increase in predicted deep drainage does not result in leaching losses of nutrients.
- The potential impact of irrigation water quality on soil structure has been evaluated using treated effluent quality values. The treated effluent will provide “stable” soil structure. However, monitoring and careful management will be required to identify any increasing sodium levels and amelioration undertaken as required.
- A soil salinity assessment has been undertaken according to established protocols with results showing that because the predicted root zone salinity is <1.9 Ds/M, that no impacts due to salinity should be observed.
- The environmental impacts from the increased volume of treated effluent applied to land owned and managed by KPC is considered manageable with good management practices and ongoing monitoring.

7.5 AIR QUALITY ASSESSMENT

In 2016, Kilcoy Pastoral Company obtained a development approval to increase production from 750 to 1250 head of cattle per day. An air quality assessment (including dispersion modelling) was submitted with that application.

The current application to increase production from 1250 to 2000 head of cattle per day was accompanied by an air quality report prepared by Astute Environmental Consulting Pty Ltd (that did not include additional dispersion modelling). Council commissioned a peer review of the air quality report submitted with the application which was conducted by Katestone Environmental. A summary of the outcomes of Katestone Environmental’s review dated 27 March 2018 were:

- that, the conclusion by Astute Environmental found that *“no further odour or air quality impacts will occur with the proposed upgrade to 2000 head of cattle per day. Should the operation of the abattoir change from the information presented further investigation is required “is not robust or soundly based”.*
- It recommended that, the depression modelling (submitted with the application to increase from 750 to 1250 head per day) be revised to be consistent with the Proposed Upgrade Report (the current application to increase to 2000 head per day).

The applicant’s response dated 5 September 2018, contains a report by Astute Environmental Consulting Pty Ltd (the Reply) to Council’s peer review. Council’s environmental consultant Katestone Environmental Pty Ltd, has reviewed the Reply and has provided Council with a report dated 25 October 2018 which is summarised below:

“The Reply has considered the six elements raised in Katestone’s review and provides revised modelling to investigate changes to the meteorological model (Figure 2.23 of the AEC report) however, the AEC report does not provide a revised odour assessment that addresses the changes to the emissions and therefore, does not demonstrate that the proposed expansion will not cause adverse odour impacts.

The AEC report identifies several changes to the operation of the Kilcoy Abattoir from what was assumed in the Proposed Upgrade Report that have the potential to affect the emissions of odour from the proposed expansion. The changes relate to covered anaerobic lagoons, low temperature rendering and effluent irrigation.

Information provided in the Reply with regard to holding yards and lairage, paunch

management and boilers has demonstrated that odour emissions from these sources have been appropriately assessed in the Proposed Upgrade Report provided the new management practices are adhered to.

Therefore, should Council approved the proposed expansion, these new management practices should be included in the conditions of approval."

7.7 NOISE IMPACT ASSESSMENT

A detailed assessment of noise amenity impacts was previously undertaken by CRG Acoustics Consultants for the previous development approval under DA15422, to increase throughput from 750 to 1250 head per day at the Kilcoy Abattoir. The report included site specific noise monitoring and assessment of the resultant noise from increased site operations.

However, a further 'Noise Impact Assessment' was undertaken by MWA Environmental Consultants who reviewed and assessed the potential noise impacts associated with the proposed increase to daily throughput capacity at the Kilcoy Abattoir. The assessment considered noise from site operations and noise associated with increased traffic movements resulting from the increase to daily throughput capacity; and the noise amenity impacts of the proposed increased throughput on surrounding sensitive receptors. This assessment has been undertaken based on the assessment previously prepared by CRG Acoustics Consultants and further inspection and assessment conducted by MWA Environmental.

The abattoir operates during the day, evening and night periods which are relevant to the noise limits imposed which vary depending upon time-period.

The abattoir operations including slaughter, processing, rendering and packaging are fully contained within site buildings. Operations relating to delivery and unloading of cattle occur to the north-western part of the site with noise from these activities screened from residents located to the south east fronting the D'Aguilar Highway by the existing abattoir buildings.

The surrounding land uses include a number of smaller residential lots to the south east across the D'Aguilar Highway, as well as larger lot residential uses to the north, across Winya Road and to the south west across the D'Aguilar Highway.

The throughput increase is expected to increase the total staff number to 1,200 to cater for the proposed expansion with an increase to staff traffic movements as a result. Similarly, the proposed heavy vehicle traffic per day will increase because of the increased throughput.

The existing site infrastructure comprising site buildings, processing plant, and refrigeration will not materially change because of the increase in daily throughput. The new boiler and boning room approved as part of the 1250 head per day application (DA15422) will be utilised and service the increased throughput to 2000 head per day.

Consideration of the development proposal identifies that noise emissions from plant and equipment on the site will not materially change because of the increase in site throughput. The primary change being an increase in kill floor shifts from 1 to 2 within the production building. The time averaged noise level emissions from the facility will not change and will remain in compliance with the Environmental Authority Permit noise limits.

The primary change in terms of noise amenity impacts is the daily increase in road transport movements associated with additional cattle transported to the site and the corresponding increase in transport of product off the site.

Assessment of the change in road transport noise was undertaken on the basis of the net

change (increase) in road traffic noise resulting from the development (increased throughput) on the basis of any change should not exceed the pre-existing road transport noise levels by more than 3dB(A).

The resultant change in traffic noise levels as a result of the proposed increase in daily throughput was calculated as a net increase of +0.24 dB(A) in daily road traffic noise.

In terms of noise amenity impact assessment, an overall increase of +0.24 dB(A) in daily road traffic noise is insignificant and is well below the 3 dB(A) tolerance applied in assessing potential noise amenity impact. Being such a low increment the amenity of noise sensitive receptors in proximity to the D'Aguilar Highway will not experience a noticeable change. On this basis, the proposed increase in daily throughput will not result in adverse impact upon noise amenity at noise sensitive receptors.

In summary, the increase in daily throughput from 1,250 to 2,000 head per day will not change the ability of the abattoir to comply with existing development approval conditions relating to noise.

The noise from site operations will not change to any material extent as existing and previously approved site infrastructure will continue to be used. The noise from additional traffic generated by the development will result in an insignificant increase in daily traffic noise associated with the D'Aguilar Highway.

The assessment undertaken has demonstrated that the proposed increase in daily throughput will not result in adverse noise amenity impact at surrounding noise sensitive receptors.

8.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

8.1 Water Supply/Sewerage

The site is connected to a reticulated water supply. The Contribution Deed between QUU and Kilcoy Global Foods specifies the obligations as they relate to water infrastructure.

Sewerage: Refer to sections 7.3.2 and 7.3.3 for further details.

8.2 Stormwater/Drainage

Refer to section 7.2 for further details.

8.3 Roads/Access

Refer to section 7.1 (Traffic Impact Assessment) for further details.

8.4 Carparking

Refer to section 3.0 (proposal) for further details.

8.5 Footpaths

Footpaths are not required along industrial roads and the State Government has not required the construction of a footpath along the D'Aguilar Highway, fronting the site.

8.6 Infrastructure Charges

This application is for an increase in throughput of cattle only, with no additional building GFA area. However, a sealed hardstand area is required as part of the extension to the car park area. Therefore, Infrastructure Charges are applicable towards the Stormwater Network. Charges include a credit for previous use of the property as per the Infrastructure Charges Resolution. A Draft Infrastructure Charges Notice is provided as **Attachment 2**.

8.7 Services

The site is connected to electricity and telecommunications infrastructure. The proposed development does not necessitate any additional connections to these services.

9.0 PUBLIC CONSULTATION

A total of five submissions were received in relation to the proposed development. The submissions raised matters which have been considered and divided into 10 different categories. These categories are:

1. Environmental Authorities
2. Public notification – community awareness / community impact
3. Waste water treatment and irrigation areas
4. Boiler emissions
5. Odour / air quality issues
6. Noise issues
7. Traffic assessment
8. On-site Sewerage system and Wastewater
9. Stormwater management
10. Loss of amenity.

Each category is outlined below.

Category 1: Environmental Authorities

Submitter is concerned in respect to environmental controls.

Officer Comment: In October 2015, a copy of the previous development application DA15422 for a Material Change of Use for an intensification of existing High Impact Industry – Abattoir and ERA 25(2)(c) Meat processing >5000t per year including rendering and ERA 63(1b)(i) – sewage treatment > 100 to 1500EP was referred to the Department of Environment and Heritage Protection (EHP) as a Concurrence Agency. The Development Application was approved in full subject to conditions. A copy of the current Environmental Authority was provided to Council as part of the current application DA16911.

Kilcoy Pastoral Company (KPC) currently hold environmental approvals detailed below:

- ERA 15 – Fuel burning and using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour;
- ERA 25 – Meat Processing 2: Processing, including rendering, in a year, the following quantity of meat or meat products (c) more than 50,000t;
- ERA 63 – Sewage Treatment 1: Operating sewage treatment works, other than no-release works, with a total daily peak design capacity of (b-i) more than 100 but not more than 1500EP if treated effluent is discharged from the works to an infiltration trench or through an irrigation scheme.

KPC currently meet all the conditions of their environmental approvals and the proposed expansion will not impact any of the limits already in place under the current DA15422.

The only proposed change to the current environmental approval is to include land purchased since Council approved the application DA15422.

It is noted the State Government are now the Assessment Manager for Environmental Relevant Activities under the *Environmental Protection Act 1994* and issue Environmental Authority Permits separate to the referral agency response referenced in section 10.0 below.

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

Category 2: Public notification – community awareness/community impact

That Council provide more time for public comment on the proposed expansion and to consider any potential impacts on the Kilcoy community.

Officer Comment: Public Notification of the application was undertaken in accordance with the requirements of the *Sustainable Planning Act 2009*. There were no grounds to extend the consultation period.

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

Category 3: Wastewater treatment and irrigation areas

Concerns raised about the increased supply of town water to the Abattoir and the subsequent increased irrigation of treated wastewater may adversely affect the catchment area, unless the highest standards of environmental controls are applied to the development.

Officer Comment: These concerns were addressed in sections 7.3, 7.4 and 8.1 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 4: Boiler emissions

Concerns raised regarding increased coal burning that may increase emissions, possibly posing health risks to Kilcoy residents and the environment.

Officer Comment: The current ERA 15 provides limits for emissions from the current boiler. Bi-annual testing continually provides confirmation boiler emissions are continually well within the limits set by the Department of Environment and Heritage Protection (DEHP). Any increase in coal burning emission must meet the current ERA 15. Refer to section 7.5.5 and 7.5.6 for further details.

Category 5: Odour / Air quality issues

Concerns raised regarding odour and air quality issues that may result from the proposed increase in throughput capacity.

Officer Comment: These concerns were addressed in sections 7.6, 7.6.1 and 7.6.2 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 6: Noise issues

Concerns raised regarding noise issues that may result from the proposed development.

Officer Comment: These concerns were addressed in section 7.7 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 7: Traffic assessment

Concerns raised regarding increase in traffic resulting from the proposed development.

Officer Comment: These concerns were addressed in section 7.1 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 8: On-site Sewerage system and Wastewater

Concerns raised regarding on-site sewerage system and treated wastewater may have an adverse effect on the water catchment area.

Officer Comment: These concerns were addressed in section 7.2, 7.3, 7.4 and 8.1 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 9: Stormwater management

Concerns raised regarding stormwater management controls.

Officer Comment: These concerns were addressed in section 7.2 of this report. The concerns raised are not sufficient grounds to recommend refusal of the application.

Category 10: Loss of amenity

Concerns raised regarding loss of amenity resulting from the proposed increase in throughput capacity.

Officer Comment: The assessment of the submitted Technical Reports as outlined in the preceding sections of this report demonstrate that the proposed increase in throughput capacity will not impact on the amenity of the locality. The concerns raised are not sufficient grounds to recommend refusal of the application.

10.0 STATE AGENCY REFERRALS

10.1 Concurrence Agencies

Department of Infrastructure, Local Government and Planning

The Department of Infrastructure, Local Government and Planning, as a concurrence agency has assessed the impact of the proposed development on the State Controlled Road Network and associated Environmental Relevant Activities and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. It is noted the State Government are the Administering Authority for Environmental Relevant Activities under the *Environmental Protection Act 1994* and these Environmental Authorities are issued separately to the operator. Therefore, the referral agency response reference SDA-0717-041012 and dated 4 September 2017 addresses the impact on the State Controlled Road Network, which is provided at **Attachment 3** and **Schedule 4** of the recommended conditions.

10.2 Advice Agencies

Energex, as an Advice Agency, has assessed the application as the landholding subject to the development application is identified as being located within 100 metres of an Energex substation, specifically lot 1 on RP92074. Energex has reviewed the proposal both relevant to its interests as a land owner and a referral agency under the *Sustainable Planning Regulation 2009* and offer no objection to the proposal. Refer to **Attachment 4** and **Schedule 5** of the recommended conditions.

10.3 Third Party Advice Agency

There are no Third-Party Advice Agencies relating to this application.

11.0 CONCLUSION

Based on the detailed assessment of the application as outlined in the preceding sections of this report, it is concluded that Council can approve the Development Application, subject to reasonable and relevant conditions on the following grounds:

- The proposed development is consistent with the intent of Somerset Region Planning Scheme Version One, the *Sustainable Planning Act 2009*, the *Sustainable Planning Regulation 2009*, *State Planning Policy*, *State Development Assessment Provision (SDAP)* and *Shaping SEQ*;

- The Department of Environment and Heritage Protection (DEHP) as the administering authority for all Environmental Relevant Activities associated with the KPC site has advised that all Environmental Authorities are current and the KPC are conducting the abattoir use in accordance with the current environmental permits;
- Traffic impacts associated with the proposed increase in daily throughput capacity can be mitigated as detailed in the Traffic Impact Assessment and through compliance with conditions imposed by the Department of Infrastructure, Local Government and Planning; and
- Proposed new management practices will be conditioned to ensure any additional impacts from the increase in throughput capacity can be controlled onsite.

12.0 ATTACHMENTS

1.	Site Plan inclusive of car park extension area reference Drawing No. 1101-SK66-E by DV dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.
2.	Draft SRC Infrastructure Notice
3.	Department of Infrastructure, Local Government and Planning referral agency response reference SDA-0717-04102 dated 4 September 2017.
4.	Energex referral agency response (advice) reference HBD 6300415 dated 27 August 2018.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Material Change of Use for High Impact Industry (increase in daily throughput capacity from 1,250 head of cattle per day to 2,000 head of cattle per day); and Environmentally Relevant Activity (ERA) 63(1)(b)(i) – Sewage Works >100 to 1500 EP; and Environmentally Relevant Activity (ERA) 25 2(c) Meat Processing >5000t per year including rendering, on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

SITE SCHEDULE

Owner	Lot details	Zone	Current use	Land area hectares	Address
Kilcoy Pastoral Company Limited	2 SP101100	High Impact Industry zone and Rural zone	Abattoir property	43.7200	4830 D'Aguilar Highway
Kilcoy Pastoral C/L	4 RP25312	Emerging Community zone	House property	0.1012	D'Aguilar Highway Service Road
Kilcoy Land Australia P/L	5 – 14 RP25312	Emerging Community zone	Vacant land	1.0300	D'Aguilar Highway and Winya Road
Kilcoy Land Australia P/L	16 – 20 RP25312	Emerging Community zone	Vacant land	0.5060	Winya Road
Kilcoy Pastoral C/L	1 SP225650	Industry	Vacant land	1.0000	92 Winya Road
Kilcoy Pastoral C/L	1 SP229967	Industry	Vacant land	53.12	D'Aguilar Highway
Kilcoy	2 SP229967	Emerging	Vacant	20.1	D'Aguilar Highway

Pastoral C/L		Community zone	land		
Kilcoy Pastoral C/L	4 SP101119	Rural zone	Vacant land	115.4491	Neurum Road
Kilcoy Pastoral C/L	1 SP219391	Emerging Community zone	Vacant land	44.9906	Kennedy Street
Kilcoy Pastoral C/L	5 CG2715	Rural zone	Vacant land	0.1141	D'Aguilar Highway
Kilcoy Pastoral C/L	13 CG2715	Rural zone	Vacant land	0.0999	D'Aguilar Highway
Kilcoy Land Australia Pty Ltd	301 CG3013	Rural zone	Vacant land	8.205	D'Aguilar Highway
Kilcoy Land Australia P/L	1 RP107834	Rural zone	Vacant land	0.4047	Winya Road
Kilcoy Land Australia P/L	2 RP108418	Rural zone	Vacant land	26.78	D'Aguilar Highway
Kilcoy Pastoral C/L	6 RP116091	Rural zone	Vacant land	0.0862	D'Aguilar Highway
Kilcoy Pastoral C/L	7 RP116901	Rural zone	Vacant land	0.0771	D'Aguilar Highway
Kilcoy Pastoral C/L	9 RP116901	Rural zone	Vacant land	0.0559	D'Aguilar Highway
Kilcoy Pastoral C/L	10 RP116901	Rural zone	Vacant land	0.0382	D'Aguilar Highway
Kilcoy Pastoral C/L	11 RP116901	Rural zone	Vacant land	0.0202	D'Aguilar Highway
Kilcoy Pastoral C/L	21 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	22 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	23 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	24 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	34 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	35 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	36 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	37 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	38 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	39 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	40 RP25312	Rural zone	Vacant land	0.1040	D'Aguilar Highway
Kilcoy Land Australia P/L	2 SP101119	Rural zone	Vacant land	64.1761	D'Aguilar Highway

SCHEDULE 1 – GENERAL CONDITIONS - PLANNING		
<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 inclusive of car park extension area: Drawing No 1101-SK66-E by DV dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.	
	New Carpark Stormwater Quality Management Plan: Drawing No 1101-SK67-D by DV dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.	
	New Carpark Bio-Retention Plan: Drawing No SK02 Revision A -Job No. 4587 dated Feb 2018, prepared by Hendriks House Pty Ltd (Caboolture).	
	Traffic Impact Assessment: Project No 4677/02 Reference No R-JM0047 dated May 2017, prepared for Kilcoy Pastoral Company Limited and prepared by Flanagan Consulting Pty Ltd.	
	Noise Impact Assessment: Job No 17-041, Job Name: Kilcoy, dated 8 May 2017, prepared for Application for Increased Throughput Kilcoy Pastoral Company Limited Kilcoy Abattoir, and prepared by MWA Environmental, Paul King.	
	Source Emissions Monitoring: Project ID. 09669 dated 24/04/2015 and prepared for Kilcoy Pastoral Company by Assured Monitoring Group.	
	Source Emissions Monitoring – Boiler Stack: Project ID. 11186 dated 22/12/2017, and prepared for Kilcoy Pastoral Company prepared by Assured Monitoring Group.	
	Wastewater Treatment Upgrade to 2,000 head per day Report: Job No 66017 dated 28 June 2017, prepared for Kilcoy Pastoral Company and prepared by Johns Environmental Pty Ltd.	
	Irrigation Management Strategy (IMS): Job No 66017 dated 5 May 2017, prepared for Kilcoy Pastoral Company Abattoir, and prepared by Johns Environmental Pty Ltd.	
	Effluent and Irrigation Management Procedures for Kilcoy Pastoral Company Abattoir dated January 2017,	
	Stormwater Management Report: Reference No 4587 Rev A dated February 2018, prepared for Proposed Carpark Kilcoy Pastoral Company at 4830 D'Aguilar Highway, Winya, and	

	prepared by Hendriks House Pty Ltd (Caboolture).	
	Stormwater Quality Report: Reference No 4587 Rev A dated February 2018, prepared for Proposed Carpark Kilcoy Pastoral Company at 4830 D'Aguilar Highway, Winya, and prepared by Hendriks House Pty Ltd (Caboolture).	
	Odour Report: Document Control No AQU-QD-003-21907 dated 18 September 2017 for Proposed Upgrade for Kilcoy Pastoral Company Abattoir, prepared by Pacific Environment Limited.	
	Peer Review Odour/Air Quality Model Impact Assessment Kilcoy Abattoir Reference D17076-1 dated 27 March 2018, prepared by Katestone Environmental Pty Ltd.	
	Response to Odour/Air Quality Peer Review – Kilcoy Abattoir Job: 18-124 dated 15 August 2018, prepared by Astute Environmental Consulting.	
	Peer Review Response to Review DA16911 , reference D17076-2 and dated 25 October 2018 and prepared by Katestone Environmental Pty Ltd.	
	Q Fever Management Plan: dated 15/12/2017 for Kilcoy Pastoral Company Limited, prepared by A/Prof R Soares and Davidson Samraj.	
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
VEHICLE ACCESS		
2.3	All vehicular access shall provide convenient and safe access and egress from the site.	At all times.
2.4	All vehicles shall enter and leave the site in a forward gear	At all times.
CAR PARKING		
2.5	Provide on-site car parking for 541 vehicles, including 11 spaces for disabled persons in accordance with Council Planning Scheme Policy. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Development</i>	Prior to the commencement of use.

	<i>Manual.</i> Further, all surfaces must achieve minimum longitudinal gradients and minimum crossfall in accordance with AS2890.	
2.6	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	At all times.
2.7	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete or asphalt in accordance with Australian Standards.	At all times.
	INDOOR AND OUTDOOR LIGHTING	
2.8	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances/exits of the building/s. • Throughout car parking areas. 	At all times.
2.9	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes. 	At all times.
	STORMWATER	
2.10	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 Development Manual</i> .	As part of Operational Works.
2.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
2.12	Convey stormwater flows through the development from the upstream catchment.	At all times.
2.13	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	At all times.
	EROSION AND SEDIMENT CONTROL	
2.14	Erosion and sedimentation controls shall be implemented, as	At all times.

	necessary, and shall be maintained to Council's satisfaction. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:	
	<ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	
2.15	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets and to prevent dust nuisance.	At all times.
2.16	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.
	Where vegetation is removed, the vegetation waste shall be disposed of by:	At all times.
	<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>	
2.17	All declared weeds and pests are to be removed from the land holdings and kept clear of such nuisance varieties.	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO.	CONDITION	TIMING
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site.	At all times.
3.2	Untreated effluent water must not be used as outdoor wash down water. Treated effluent must only be used as outdoor wash down water where it is non-odorous.	At all times.
3.3	Paunch material must: <ul style="list-style-type: none"> • not be composted on the development site, and • be removed from the site at a minimum of twice per week and at a sufficient frequency to avoid odour nuisance, and • only be stored in the paunch stockpile, the area of 	At all times.

	which must not exceed 170m ³ .	
3.4	All existing uncovered effluent ponds must be decommissioned.	Prior to increase in throughput capacity.
3.5	Construct a second covered anaerobic lagoon and install an associated flare in accordance with the recommendations of the Astute Environmental Pty Ltd Report dated 18 August 2018.	Prior to increase in throughput capacity.
3.6	Install a biofilter (or device of similar or better efficiency) to treat emissions from the low temperature rendering plant including the tallow tanks. The biofilter must: <ul style="list-style-type: none"> be designed by a suitably qualified person and be submitted to Council for approval, and Be approved by Council prior to installation. 	Prior to increase in throughput capacity.
3.7	Verification of the efficiency of the biofilter (or similar device) must be provided to Council through odour sampling and dispersion modelling to demonstrate that the biofilter minimises emissions and does not cause adverse odour impacts offsite.	When requested by Council.

SCHEDULE 4 – REFERRAL AGENCY**Department of Infrastructure, Local Government and Planning
Concurrence Agency Response**

4.1	Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with all the referral agency responses and include conditions exactly as stated in the response.
4.2	The Department of Infrastructure, Local Government and Planning, as a Concurrence Agency, has assessed the impact of the proposed development regarding the impact of the proposed development on the State Controlled Road Network and associated Environmental Relevant Activities and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. It is noted the State Government are the Administering Authority for Environmental Relevant Activities under the <i>Environmental Protection Act 1994</i> and the Environmental Authorities are issued separately to the operator. Therefore, the referral agency response reference SDA-0717-041012 and dated 4 September 2017 addresses the impact on the State Controlled Road Network.
4.3	Concurrence Agency response dated 4 September 2017 and referenced SDA-0717-041012.
4.4	Concurrence Agency response will be attached to Council's Decision Notice for DA16911.

SCHEDULE 5 – REFERRAL AGENCY**ENERGEX****Advice Agency Response**

5.1	Pursuant to section 291 of the <i>Sustainable Planning Act 2009</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with all the referral agency responses and include conditions exactly as stated in the response.
5.2	Energex, as an Advice Agency, has assessed the application as the landholding is identified as being located within 100 metres of an Energex substation, specifically lot 1 on RP92074. Energex has reviewed the proposal both relevant to its interests as a land owner and a referral agency under the <i>Sustainable Planning Regulation 2009</i> and offer no objection to the proposal.
5.3	Advice Agency response dated 27 August 2018 and referenced HBD 6300415.
5.4	Advice Agency response will be attached to Council's Decision Notice for DA16911.

SCHEDULE 6 – ADVISORY NOTES

Assessment Manager

This approval has effect in accordance with the provisions of *Division 5 Section 339* of the *Sustainable Planning Act 2009*.

Relevant Period - Pursuant to *Section 341* of the 'Act' the approval will lapse if the first change of the use under the approval does not start within the 'relevant period' – four (4) years starting the day the approval takes effect.

The *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 Manager of Operations if in his opinion a dust nuisance exists.

A legible copy of this development approval package is to be available on the premises.

Pay to Council any outstanding rates or charges or expenses that are a charge over the land holdings and levied by Council; and/or levied but not fully paid over the land holdings.

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.

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

Attachments for the Decision Notice include:

Site Plan inclusive of car park extension area reference Drawing No. 1101-SK66-E by DV

dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.

Department of Infrastructure, Local Government and Planning referral agency response reference SDA-0717-04102 dated 4 September 2017.

Energex referral agency response (advice) reference HBD 6300415 dated 27 August 2018.

Decision:

Moved - Cr Whalley

Seconded - Cr Ogg

“THAT Council approve the Development Application for a Development Permit for a Material Change of Use for High Impact Industry (increase in daily throughput capacity from 1,250 head of cattle per day to 2,000 head of cattle per day); and Environmentally Relevant Activity (ERA) 63(1)(b)(i) – Sewage Works >100 to 1500 EP; and Environmentally Relevant Activity (ERA) 25 2(c) Meat Processing >5000t per year including rendering, on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

SITE SCHEDULE

Owner	Lot details	Zone	Current use	Land area hectares	Address
Kilcoy Pastoral Company Limited	2 SP101100	High Impact Industry zone and Rural zone	Abattoir property	43.7200	4830 D'Aguilar Highway
Kilcoy Pastoral C/L	4 RP25312	Emerging Community zone	House property	0.1012	D'Aguilar Highway Service Road
Kilcoy Land Australia P/L	5 – 14 RP25312	Emerging Community zone	Vacant land	1.0300	D'Aguilar Highway and Winya Road
Kilcoy Land Australia P/L	16 – 20 RP25312	Emerging Community zone	Vacant land	0.5060	Winya Road
Kilcoy Pastoral C/L	1 SP225650	Industry	Vacant land	1.0000	92 Winya Road
Kilcoy Pastoral C/L	1 SP229967	Industry	Vacant land	53.12	D'Aguilar Highway
Kilcoy Pastoral C/L	2 SP229967	Emerging Community zone	Vacant land	20.1	D'Aguilar Highway
Kilcoy Pastoral C/L	4 SP101119	Rural zone	Vacant land	115.4491	Neurum Road
Kilcoy Pastoral C/L	1 SP219391	Emerging Community zone	Vacant land	44.9906	Kennedy Street
Kilcoy Pastoral C/L	5 CG2715	Rural zone	Vacant land	0.1141	D'Aguilar Highway
Kilcoy Pastoral C/L	13 CG2715	Rural zone	Vacant land	0.0999	D'Aguilar Highway
Kilcoy Land Australia Pty Ltd	301 CG3013	Rural zone	Vacant land	8.205	D'Aguilar Highway
Kilcoy Land Australia P/L	1 RP107834	Rural zone	Vacant land	0.4047	Winya Road

Kilcoy Land Australia P/L	2 RP108418	Rural zone	Vacant land	26.78	D'Aguilar Highway
Kilcoy Pastoral C/L	6 RP116091	Rural zone	Vacant land	0.0862	D'Aguilar Highway
Kilcoy Pastoral C/L	7 RP116901	Rural zone	Vacant land	0.0771	D'Aguilar Highway
Kilcoy Pastoral C/L	9 RP116901	Rural zone	Vacant land	0.0559	D'Aguilar Highway
Kilcoy Pastoral C/L	10 RP116901	Rural zone	Vacant land	0.0382	D'Aguilar Highway
Kilcoy Pastoral C/L	11 RP116901	Rural zone	Vacant land	0.0202	D'Aguilar Highway
Kilcoy Pastoral C/L	21 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	22 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	23 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	24 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	34 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	35 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	36 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	37 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	38 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	39 RP25312	Rural zone	Vacant land	0.1012	D'Aguilar Highway
Kilcoy Pastoral C/L	40 RP25312	Rural zone	Vacant land	0.1040	D'Aguilar Highway
Kilcoy Land Australia P/L	2 SP101119	Rural zone	Vacant land	64.1761	D'Aguilar Highway

SCHEDULE 1 – GENERAL CONDITIONS - PLANNING*Assessment Manager*

NO	CONDITION	TIMING
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Site Plan inclusive of car park extension area: Drawing No 1101-SK66-E by DV dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.	
	New Carpark Stormwater Quality Management Plan: Drawing No 1101-SK67-D by DV dated 06.02.2018 prepared by Space Frame Design and Construction Solutions.	

	<p>New Carpark Bio-Retention Plan: Drawing No SK02 Revision A -Job No. 4587 dated Feb 2018, prepared by Hendriks House Pty Ltd (Caboolture).</p>	
	<p>Traffic Impact Assessment: Project No 4677/02 Reference No R-JM0047 dated May 2017, prepared for Kilcoy Pastoral Company Limited and prepared by Flanagan Consulting Pty Ltd.</p>	
	<p>Noise Impact Assessment: Job No 17-041, Job Name: Kilcoy, dated 8 May 2017, prepared for Application for Increased Throughput Kilcoy Pastoral Company Limited Kilcoy Abattoir, and prepared by MWA Environmental, Paul King.</p>	
	<p>Source Emissions Monitoring: Project ID. 09669 dated 24/04/2015 and prepared for Kilcoy Pastoral Company by Assured Monitoring Group.</p>	
	<p>Source Emissions Monitoring – Boiler Stack: Project ID. 11186 dated 22/12/2017, and prepared for Kilcoy Pastoral Company prepared by Assured Monitoring Group.</p>	
	<p>Wastewater Treatment Upgrade to 2,000 head per day Report: Job No 66017 dated 28 June 2017, prepared for Kilcoy Pastoral Company and prepared by Johns Environmental Pty Ltd.</p>	
	<p>Irrigation Management Strategy (IMS): Job No 66017 dated 5 May 2017, prepared for Kilcoy Pastoral Company Abattoir, and prepared by Johns Environmental Pty Ltd.</p>	
	<p>Effluent and Irrigation Management Procedures for Kilcoy Pastoral Company Abattoir dated January 2017,</p>	
	<p>Stormwater Management Report: Reference No 4587 Rev A dated February 2018, prepared for Proposed Carpark Kilcoy Pastoral Company at 4830 D'Aguilar Highway, Winya, and prepared by Hendriks House Pty Ltd (Caboolture).</p>	
	<p>Stormwater Quality Report: Reference No 4587 Rev A dated February 2018, prepared for Proposed Carpark Kilcoy Pastoral Company at 4830 D'Aguilar Highway, Winya, and prepared by Hendriks House Pty Ltd (Caboolture).</p>	
	<p>Odour Report: Document Control Number: AQU-QD-003-21907 dated 18 September 2017 for Proposed Upgrade for Kilcoy Pastoral Company Abattoir, prepared by Pacific Environment Limited.</p>	
	<p>Peer Review Odour/Air Quality Model Impact Assessment Kilcoy Abattoir Reference D17076-1 dated 27 March 2018, prepared by Katestone Environmental Pty Ltd.</p>	

	Response to Odour/Air Quality Peer Review – Kilcoy Abattoir Job: 18-124 dated 15 August 2018, prepared by Astute Environmental Consulting.	
	Peer Review Response to Review DA16911 , reference D17076-2 and dated 25 October 2018 and prepared by Katestone Environmental Pty Ltd.	
	Q Fever Management Plan : dated 15/12/2017 for Kilcoy Pastoral Company Limited, prepared by A/Prof R Soares and Davidson Samraj.	
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
VEHICLE ACCESS		
2.3	All vehicular access shall provide convenient and safe access and egress from the site.	At all times.
2.4	All vehicles shall enter and leave the site in a forward gear	At all times.
CAR PARKING		
2.5	Provide on-site car parking for 541 vehicles, including 11 spaces for disabled persons in accordance with Council Planning Scheme Policy. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Development Manual</i> . Further, all surfaces must achieve minimum longitudinal gradients and minimum crossfall in accordance with AS2890.	Prior to the commencement of use.
2.6	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	At all times.
2.7	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete or asphalt in accordance with Australian Standards.	At all times.
INDOOR AND OUTDOOR LIGHTING		
2.8	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> The entries and exits of the approved building. The pathways between the parking areas and the 	At all times.

	entrances/exits of the building/s. • Throughout car parking areas.	
2.9	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes.	At all times.
	STORMWATER	
2.10	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 Development Manual</i> .	As part of Operational Works.
2.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
2.12	Convey stormwater flows through the development from the upstream catchment.	At all times.
2.13	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	At all times.
	EROSION AND SEDIMENT CONTROL	
2.14	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: • Be required to install additional measures. • Be responsible for the restoration work.	At all times.
2.15	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets and to prevent dust nuisance.	At all times.
2.16	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	At all times.

	costs incurred for the receipt and management of the waste.	
	Where vegetation is removed, the vegetation waste shall be disposed of by: i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated because of the operations shall be disposed of to an approved disposal facility.	At all times.
2.17	All declared weeds and pests are to be removed from the land holdings and kept clear of such nuisance varieties.	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO.	CONDITION	TIMING
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site.	At all times.
3.2	Untreated effluent water must not be used as outdoor wash down water. Treated effluent must only be used as outdoor wash down water where it is non-odorous.	At all times.
3.3	Paunch material must: <ul style="list-style-type: none"> not be composted on the development site, and be removed from the site at a minimum of twice per week and at a sufficient frequency to avoid odour nuisance, and only be stored in the paunch stockpile, the area of which must not exceed 170m³. 	At all times.
3.4	All existing uncovered effluent ponds must be decommissioned.	Prior to increase in throughput capacity.
3.5	Construct a second covered anaerobic lagoon and install an associated flare in accordance with the recommendations of the Astute Environmental Pty Ltd Report dated 18 August 2018.	Prior to increase in throughput capacity.
3.6	Install a biofilter (or device of similar or better efficiency) to treat emissions from the low temperature rendering plant including the tallow tanks. The biofilter must: <ul style="list-style-type: none"> be designed by a suitably qualified person and be 	Prior to increase in throughput capacity.

	submitted to Council for approval, and	
	• Be approved by Council prior to installation.	
3.7	Verification of the efficiency of the biofilter (or similar device) must be provided to Council through odour sampling and dispersion modelling to demonstrate that the biofilter minimises emissions and does not cause adverse odour impacts offsite.	When requested by Council.
SCHEDULE 4 – REFERRAL AGENCY		
Department of Infrastructure, Local Government and Planning		
Concurrence Agency Response		
4.1	Pursuant to section 285 of the <i>Sustainable Planning Act 2009</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with all the referral agency responses and include conditions exactly as stated in the response.	
4.2	The Department of Infrastructure, Local Government and Planning, as a Concurrence Agency, has assessed the impact of the proposed development regarding the impact of the proposed development on the State Controlled Road Network and associated Environmental Relevant Activities and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. It is noted the State Government are the Administering Authority for Environmental Relevant Activities under the <i>Environmental Protection Act 1994</i> and the Environmental Authorities are issued separately to the operator. Therefore, the referral agency response reference SDA-0717-041012 and dated 4 September 2017 addresses the impact on the State Controlled Road Network.	
4.3	Concurrence Agency response dated 4 September 2017 and referenced SDA-0717-041012.	
4.4	Concurrence Agency response will be attached to Council's Decision Notice for DA16911.	
SCHEDULE 5 – REFERRAL AGENCY		
ENERGEX		
Advice Agency Response		
5.1	Pursuant to section 291 of the <i>Sustainable Planning Act 2009</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with all the referral agency responses and include conditions exactly as stated in the response.	
5.2	Energex, as an Advice Agency, has assessed the application as the landholding is identified as being located within 100 metres of an Energex substation, specifically lot 1 on RP92074. Energex has reviewed the proposal both relevant to its interests as a land owner and a referral agency under the <i>Sustainable Planning Regulation 2009</i> and offer no objection to the proposal.	
5.3	Advice Agency response dated 27 August 2018 and referenced HBD 6300415.	
5.4	Advice Agency response will be attached to Council's Decision Notice for DA16911.	

SCHEDULE 6 – ADVISORY NOTES*Assessment Manager*

This approval has effect in accordance with the provisions of *Division 5 Section 339* of the *Sustainable Planning Act 2009*.

Relevant Period - Pursuant to *Section 341* of the 'Act' the approval will lapse if the first change of the use under the approval does not start within the 'relevant period' – four (4) years starting the day the approval takes effect.

The *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 Manager of Operations if in his opinion a dust nuisance exists.

A legible copy of this development approval package is to be available on the premises.

Pay to Council any outstanding rates or charges or expenses that are a charge over the land holdings and levied by Council; and/or levied but not fully paid over the land holdings.

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.

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

Carried

Subject:	Development Application No 15972 - Request to extend Currency Period to Development Permit under section 86 of the <i>Planning Act 2016</i>
File No:	DA15972
Action Officer:	PO-RC
Assessment No:	00576-00000-000 and 00576-19999-000

1.0 APPLICATION SUMMARY**Subject Land**

Location	Highland Street, Esk
Real Property Description	Lot 1 on RP116781, Lot 2 on RP20824, Lot 3 on RP20824 and Lot 2 on RP156749
Area	19.34 hectares

Planning Scheme

Planning Scheme: Somerset Region Planning Scheme Version One
 Zone: General residential zone
 Precinct: Park residential precinct (2 RP156749 only)

ShapingSEQ

Land Use Category Urban Footprint

Application

Original Category of Assessment Impact
 Original Date of Approval 14 November 2016
 Development Approval Development Permit for a Material Change of Use for a Relocatable home park (Over 50s Lifestyle Resort) and Residential care facility and Reconfiguring a Lot for Boundary realignment (Four into Two lots)
 Applicant Details Hickey Oatley Planning and Development
 Attn: Mia Hickey
 Owner Details Cindy Daniells and John Hertrich
 Date application received 12 November 2018
 Date application made 12 November 2018

State Agency Referrals

Concurrence Former Department of Infrastructure, Local Government and Planning (Now Department of State Development, Manufacturing, Infrastructure and Planning)

RECOMMENDED DECISION

Approve the request to extend the Currency Period for the Development Permit DA15972 for a further two (2) years for the Material Change of Use approval component and a further four (4) years for the Reconfiguring of Lot approval component, up to and including 14 November 2022.

2.0 BACKGROUND TO APPROVAL

On 14 November 2016, Council issued a Development Permit for a Material Change of Use for a Relocatable home park (Over 50s Lifestyle Resort) and Residential care facility and Reconfiguring a Lot for Boundary realignment (Four into two lots).

On 12 November 2018, Council received the Request to Extend Currency Period application for the Development Permit.

3.0 PROPOSAL**3.1 Applicant's Comments**

On 14 November 2016, Council granted a Development Permit over the site for:

- A Material Change of Use for a Relocatable home park (180 x Over-50s Lifestyle Resort);
- A Material Change of Use for a Residential care facility (121 beds); and
- Reconfiguring a Lot (4 into 2 lots).

The approval included a four years currency period for the Material Change of Use components, making them valid until 14 November 2020 and two years for the Reconfiguring a Lot component (making it valid until 14 November 2018).

It is hereby requested to extend the currency period of the abovementioned approval, specifically:

- The Material change of Use components by an additional two years until 14 November 2022; and
- The Reconfiguring a Lot component by four years until 14 November 2022.

Should Council support the request, all approval's currency periods would align, ensuring sufficient time to make any changes required to the existing approval and commence and construct the first stage of development.

3.2 Officer's Comments

The request for an extension to the currency period was received by Council on 12 November 2018 which is prior to the Reconfiguring a Lot component of the Development Permit lapsing. The proposed request to extend the currency period has been assessed against the provisions of section 87 of the *Planning Act 2016* and complies with these provisions.

The extension will give the applicant sufficient time to lodge any proposed changes to the development approval, if required. It is noted that since the development was approved by Council, there has been a change of developer. The extension will also allow both components of the development permit's currency period to be aligned.

4.0 PLANNING CONSIDERATIONS

Section 86 of the *Planning Act 2016* applies to an extension application to extend the currency period of a development approval before the approval lapses.

In deciding the request made under section 86 of the *Planning Act 2016*, the assessment manager may consider any matters that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.

In assessing this extension application, the following matters are considered relevant:

- The consistency of the approval, with current laws and policies applying to the development;
- The age of the approval and the community's current awareness of it; and
- The implications that the proposed extension would have on applicable infrastructure charges for the development.

4.1 Consistency with Current Laws and Policies

The original application was assessed against the Somerset Region Planning Scheme Version One and resulted in approval. Assessment against the current planning scheme has revealed the development is still generally consistent with the applicable planning scheme provisions.

It is noted that since the approval was granted, no major changes have been made to the local or State provisions affecting the site.

4.2 Age of Approval and Community Awareness of the Development

The original application was approved and took effect on 14 November 2016. The application was impact assessable and therefore required public notification. During the two public submission periods, Council received 15 submissions (14 submissions were properly made) objecting the development. Concerns raised in the submissions together with officer comments were considered by Council in the initial assessment of the application. In addition, the submitters did not act on their Appeal Rights.

Under the current planning scheme, the proposed development will remain as impact assessable requiring public notification.

The Decision Notice remains publicly available on Council's eServices portal. The period of time that has elapsed since the original application is not considered long enough for the make-up of the community to have substantially changed, nor to have affected its awareness about the development.

4.3 Infrastructure Charges

Infrastructure charges for all of Council's trunk infrastructure networks are covered by the current Infrastructure Charges Notice. Therefore, the applicant's request to extend the currency period will not affect the Infrastructure Charges Notice.

As levied infrastructure charges are subject to automatic increases, if the levied charge has increased since the issuing of the initial Infrastructure Charges Notice, the charge payable at the time of payment will be the amount equal to the sum of the charge as levied and the amount of the increase.

5.0 OTHER PLANNING CONSIDERATIONS

5.1 Referral Agencies

The former Department of Infrastructure, Local Government and Planning was a referral agency. A copy of the Extension to the currency period Decision Notice will be provided to the Department.

6.0 CONCLUSION

The proposed extension to the approval's currency period for both components of the Development Permit to end on 14 November 2022 is reasonable in the circumstances that it would not cause a conflict between the current laws and policies and the infrastructure charges notice. It is also not of an age that could be detrimental to the general community awareness of the development and the existing Decision Notice is publicly available on Council's eServices portal. The submissions received at the time of the original application were considered and addressed when determining the original application. If the application was to be re-made now, the application will still be impact assessable and the community will be able to exercise their rights to submit submissions against the application and it is unlikely any different submissions to the original submissions would be received.

After considering the Extension Application against the applicable legislation and planning instruments, it is recommended that the application be approved and the currency period to be extended for the components to the following dates:

- The Material Change of Use component to be extended for two years to the 14 November 2022; and
- The Reconfiguring of Lot component to be extended for four years to the 14 November 2022.

7.0 ATTACHMENT

1. Approved Site Plan for Development Permit No. DA15972.

RECOMMENDED DECISION

THAT Council approves the request and a Decision Notice for an Extension Application for Development Permit No. DA15972 on land described as Lot 1 on RP116781, Lot 2 on RP20824, Lot 3 on RP20824 and Lot 2 on RP156749 and situated at Highland Street, Esk be issued.

Decision: Moved - Cr Brieschke Seconded - Cr Gaedtke

"THAT Council approves the request and a Decision Notice for an Extension Application for Development Permit No DA15972 on land described as Lot 1 on RP116781, Lot 2 on RP20824, Lot 3 on RP20824 and Lot 2 on RP156749 and situated at Highland Street, Esk be issued."

Carried

Subject:	Development Application No 17939 - Application for a Development Permit for a Material Change of Use for an Extension to an existing High Impact Industry
File No:	DA17939
Assessment No:	03829-48900-000 and 03829-70000-000
Action Officer:	SP-MJ

1.0 APPLICATION SUMMARY

Subject Land

Location	Coominya Connection Road, Coominya
Real Property Description	Lot 20 SP238745 and Easement B on Lot 1 RP867653
Area	Lot 20 = 3.491ha
Current land use	High impact industry (Meat processing facility)
Easements/Encumbrances:	A RP895960 B RP867653 C RP910530

Somerset Region Planning Scheme Version Three

Zone Rural zone

ShapingSEQ: SEQ Regional Plan 2017

Land Use Category	Regional Landscape and Rural Production Area
<p>1. Agricultural Land</p> <p>2. Forest Land</p> <p>3. Urban Land</p> <p>4. Water Bodies</p> <p>5. Unutilized Land</p>	<p>1. Agricultural Land</p> <p>2. Forest Land</p> <p>3. Urban Land</p> <p>4. Water Bodies</p> <p>5. Unutilized Land</p>

Application

Proposal:	Extension to High Impact Industry
Category of Assessment	IMPACT
Applicant/s:	SBP Australia Pty Ltd C/- Bartley Burns
Contact details:	Ben Lewis Unit 1, 1027 Manly Road TINGALPA QLD 4173
Landowners:	Lot 20 Australian Food Corporation Pty Ltd Lot 1 Greenmountain Group Pty Ltd
Date application properly made:	6 September 2018

Referral Agencies

Concurrence Agencies Department of State Development, Manufacturing, Infrastructure and Planning – State Assessment and Referral Agency (SARA)

Advice Agencies

Public Notification

Submissions received

Nil

RECOMMENDED DECISION

Approve the Development Application No 17939 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to extend an existing High Impact Industry use on land described as Lot 20 on SP238745, fronting Coominya Connection Road. The facility is known as the Coominya Meat Patty Plant and is owned and operated by the Australian Food Cooperation Pty Ltd (Keystone).

Access to the site is via an existing easement over a driveway constructed on Lot 1 on RP867653 at 26 Coominya Connection Road, Coominya. It is noted that no new works are proposed on Lot 1 RP867653 and as such, the site has only been included in the application to demonstrate access compliance.

By way of background, Council previously approved a similar 255m² extension to the meat processing facility (DA16773) in 2017 which is understood to have been constructed. A permissible change was also approved in August 2017 to permit the construction of a new office at the facility, the office is also understood to have been constructed.

The current proposal involves an L-shaped extension to the existing meat processing facility. The extension will include grinders for the primary processing of beef trim, blenders for blending beef trim, forming machines for patty formation and ammonia refrigerated product freezer for snap freezing patties. The extension will be located off the northern façade of the existing building and will provide an additional 648m² of GFA. The extension will accommodate a new 'production area'. The existing driveway will be slightly relocated to allow for the proposed extension.

The building will continue the existing roof line and will feature consistent wall panelling, roof sheeting in a consistent colour palette.

3.0 SITE DETAILS AND SURROUNDING LAND USES

The site is generally flat, sloping down forwards the south, with the property is defined by the Greenmountain abattoir site to the south and a rural property at the remaining boundaries. The closest dwelling house is located about 500 metres to the north-west of the facility.

4.0 ASSESSMENT – STATE LEGISLATION**4.1 STATE PLANNING POLICY**

The Somerset Region Planning Scheme is consistent with the requirements of the State Planning Policy (SPP) July 2017 relevant to the subject land. As such, a separate assessment against the SPP was not required in this instance.

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.

Strategic Framework

Given the proposal is for a relatively minor expansion to an existing facility, it is considered that the outcomes of the Strategic Framework have been achieved.

Code Compliance Summary

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

- (a) Proposes an alternative “Example” satisfying or not satisfying the corresponding Performance Outcomes; and
- (b) Proposes an outcome where no “Example” is stated in the code and the proposed outcome does not satisfy the corresponding Performance Outcome.

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Rural Zone code	Yes	Complies
Industrial activities code	Yes	Complies
Services, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Yes PO7 PO8 PO11
Biodiversity overlay code	Yes	Yes PO5
Catchment management overlay code	Yes	Complies
High impact activities management area overlay code	Yes	Complies
Infrastructure overlay code	Yes	Complies
Scenic amenity overlay code	Yes	Complies

The assessment of the development proposal against the Performance Outcomes of the applicable code(s) is discussed below:

Performance Outcome Assessment

Transport, Access and Parking Code

Performance Outcomes	Acceptable Outcomes
PO7 Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.	AO7.1 Car parking is located behind or within a building. AO7.2

	The location of visitor parking is discernible from the street or alternatively appropriate signage is provided.
PO8 Car parking areas are sensitively designed to minimise impacts on <i>sensitive land uses</i> and visually soften and provide shade to ground parking.	AO8.1 Screen fencing is provided next to any vehicle movement or vehicle parking areas along the side or rear boundary of a <i>site</i> .
Performance Outcome Assessment	
The car parking area is located in front of the building, however the car parking is setback about 150 metres from Coominya Connection Road and as such a minimal impact on the streetscape is anticipated. Given the setback distances from the road and nearby sensitive land uses screen fencing is not considered necessary.	
Performance Outcomes	Acceptable Outcomes
PO11 Long driveways are designed and treated to soften their visual appearance when viewed from the street frontage.	AO11.1 Internal driveways do not exceed 50 metres in length.
Performance Outcome Assessment	
The existing driveway is in excess of 50 metres in length, no changes to the driveway are proposed. As such, the driveway appearance will not be altered and amenity of the locality will not be impacted.	
Biodiversity Overlay Code	
Performance Outcomes	Acceptable Outcomes
PO5 Development provides for land identified as containing a Biodiversity Corridor on Biodiversity overlay maps OM003a-b to be restored and enhanced so as to contribute towards a functional and connected network of viable habitat areas. Note – where an environmental offset applies, restoration and enhancement activities are to be included as a requirement of a Direct Benefit Management Plan under the Queensland Environmental Offsets Policy.	AO5.1 Development provides for cleared, degraded or disturbed areas identified as containing a Biodiversity Corridor on Biodiversity overlay maps OM003a-b to be rehabilitated or allowed to regenerate naturally. AO5.2 Development provides for locally native plant species to be predominantly used in the revegetation and landscape planting on the <i>site</i> . AO5.3 Development provides for revegetation and landscape planting that does not use declared or environmental weeds.
Performance Outcome Assessment	
The subject land contains an area of 3.49ha which is predominantly clear of vegetation.	

Given the relatively small size of the subject land and the activities that occur on the site it is not considered reasonable to require rehabilitation of the site. Notwithstanding this, should the application be approved it is considered reasonable to require any landscaping to use locally native vegetation.

OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

5.1 Water Supply/Sewerage

The proposed extension will be connected to the existing water supply network and on-site effluent treatment plant.

5.2 Stormwater/Drainage

The application identifies that stormwater can be dealt with on site through the existing network. The material provided makes a number of recommendations to reduce potential stormwater contamination, if approved these recommendations will be conditioned.

Notwithstanding this, a stormwater plan prepared by a RPEQ engineer has not been provided, if approved a condition will be included requiring the plan be provided to Council prior to the development commencing.

5.3 Roads

The proposed development is not considered to unreasonably burden upon local transport networks.

5.4 Car parking

The existing approved development requires a total of 106 car parks to be provided on site. The proposed 648m² of GFA requires the provision of an additional 14 car parks be provided on site. If approved, a condition will be included to this effect. The car parking area will be required to be sealed.

5.5 Infrastructure Charges

An Infrastructure Charge Notice for contribution towards the Transport Network has been prepared and a draft notice is provided at Attachment 7.

6.0 PUBLIC CONSULTATION

Public notification of the application was carried out in accordance with the provisions of the *Planning Act 2016*. Council has received the 'Notice of Compliance' in accordance with the requirements of the 'Act'.

During the public consultation period no submissions were received.

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 has advised they have no requirements relating to the application. Referral response 1809-7205 SRA dated 15 October 2018. Refer to Attachment 5 and Schedule 4 of the recommended conditions.

Advice Agencies

Energex

Energex, as an advice agency has assessed the application against the purposes of the

Electricity Act 1994 and the *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 HBD 6319640 dated 12 September 2018. Refer to Attachment 6 and Schedule 5 of the recommended conditions.

8.0 CONCLUSION

The proposed development is an extension to an existing facility and is generally compliant with the requirements of the Somerset Region Planning Scheme and as such should be approved.

9.0 ATTACHMENTS

1. Site plan – Reference SQ18146 A101 B – prepared by SBP Australia – dated 26 September 2018
2. Floor plan - Reference SQ18146 A102 A – prepared by SBP Australia – dated 26 April 2018
3. Elevations - Reference SQ18146 A201 A – prepared by SBP Australia – dated 26 April 2018
4. Elevations - Reference SQ18146 A301 A – prepared by SBP Australia – dated 26 April 2018
5. Concurrence Agency response – Department of State Development, Manufacturing, Infrastructure and Planning.
6. Advice Agency response – Energex – Reference HBD 6319640 – dated 12 September 2018
7. Draft Infrastructure Charges Notice – Transport network

RECOMMENDED DECISION

THAT Council approve the Development Application for a Material Change of Use for a Development Permit for an Extension to High Impact Industry on land described as Lot 20 on SP238745 and Lot 1 on RP867653 (access purposes only); and fronting Coominya Connection Road, Coominya 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 – Reference SQ18146 A101 B – prepared by SBP Australia – dated 26 September 2018	
	Floor plan - Reference SQ18146 A102 A – prepared by SBP Australia – dated 26 April 2018	
	Elevations - Reference SQ18146 A201 A – prepared by SBP Australia – dated 26 April 2018	
	Elevations - Reference SQ18146 A301 A – prepared by SBP Australia – dated 26 April 2018	

1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Before the change happens
1.5	The development is to be provided with sufficient potable water.	At all times
1.6	The existing wastewater treatment system must meet the current guidelines.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
ENGINEERING		
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
EARTHWORKS		
2.3	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.4	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
CAR PARKING		
2.5	Provide on-site parking for 14 additional vehicles including one (1) space for disabled persons. A total of 120 car parking spaces are to be provided for the entire approved development on the site which is to include four (4) spaces for disabled persons. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	At all times
REFUSE STORAGE AREA		
2.6	Refuse bin storage areas must be provided on the premises within a building, outbuilding or other enclosed structure so that	Prior to commencement of

	it is screened from public view with a minimum 1.5 metre high solid fence or wall.	use
	INDOOR AND OUTDOOR LIGHTING	
2.7	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes. 	Prior to commencement of use
	STORMWATER	
2.8	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	At all times
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.10	Convey stormwater flows through the development from the upstream catchment.	At all times
2.11	<p>Submit a revised Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and Somerset Regional Council Development Standards.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the likelihood of stormwater contamination; and • Maintenance schedule. 	Prior to commencement of use
	EROSION AND SEDIMENT CONTROL	

2.12	<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
2.13	<p>Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.</p>	At all times
2.14	<p>All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.</p>	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
3.1	<p>All buildings, structures, fittings and fixtures and grounds forming part of this development approval must be maintained –</p> <ul style="list-style-type: none"> • In a serviceable condition; and • In a state of good repair and efficient action; and • In a clean, sanitary condition; and • Free of accumulated disused materials; and • Free of vermin and pest infestations. 	
3.2	<p>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.</p>	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

	<p>stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or</p> <ul style="list-style-type: none"> ▪ 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. 	
	CONTAMINANTS / CONTAMINATED WATER – RELEASES	
3.5	<p>Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for:</p> <ul style="list-style-type: none"> (a) Uncontaminated overland stormwater flow; (b) Uncontaminated stormwater to the stormwater system; (c) Contaminants lawfully released to sewer; OR (d) A release in accordance with a condition of this development approval. 	At all times
	WASTE AND RECYCLING STORAGE FACILITIES	
3.6	<p>Waste and recycling storage facilities must be provided in accordance with the following provisions:</p> <ul style="list-style-type: none"> (a) Adequate waste containers must be provided to contain the volume and type of waste and recyclable matter generated by the development; (b) A permanent waste storage point for waste containers must be constructed of a solid concrete base or acceptable equivalent; and <p>The permanent waste storage point must be designed and constructed so it can be easily cleaned whilst ensuring that no waste or recyclable matter is released to the stormwater system or any waterway.</p>	
	WASTE STORAGE AREA – MAINTENANCE	
3.7	<p>All reasonable and practicable measures must be taken to ensure the waste storage area is kept to a standard of cleanliness where there is no accumulation of:</p> <ul style="list-style-type: none"> (a) Waste, except in waste containers; (b) Recycled matter, except in containers; (c) Grease; or (d) Other visible matter. 	
	NOISE SCHEDULE	
3.8	<p>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(A_{max} adj, T)}$ Period</p> <p>Background noise level plus 5 dB(A) 6 pm – 10 pm Background noise level plus 3 dB(A) 10 pm – 7 am</p> <p>Noise Limits at a Commercial Place Measured as the Adjusted</p>	

	<p>Maximum Sound Pressure Level L_(Amax adj, T) Period</p> <p>Background noise level plus 10 dB(A) 7 am – 6 pm</p> <p>Background noise level plus 10 dB(A) 6 pm – 10 pm</p> <p>Background noise level plus 8 dB(A) 10 pm – 7 am</p>	
3.9	<p>Noise from the operation of the development must be limited such that the adjusted A-weighted equivalent continuous noise level, LAeq, adj, 15 min when measured at any affected noise sensitive place must not exceed:</p> <p>(a) the background noise level + 3 dBA for daytime hours (7 am to 6 pm);</p> <p>(b) the background noise level + 3 dBA for evening hours (6 pm to 10 pm);</p> <p>the background noise level + 0 dBA for night time hours (10 pm to 7 am).</p>	
3.10	<p>Notwithstanding any other condition of this development permit, this development does not authorise any release of contaminants that causes, or is likely to cause an environmental nuisance or environmental harm beyond the boundaries of the development site.</p>	At all times
3.11	<p>All general waste produced as part of the operation must be disposed of through either:</p> <p>(a) The number of standard waste services as determined by Council; or</p> <p>(b) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.</p>	At all times.
<p>SCHEDULE 4 – REFERRAL AGENCY Department of State Development Manufacturing Infrastructure and Planning Concurrence Agency Response</p>		
4.1	<p>Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.</p>	
4.2	<p>The Department of State Development Manufacturing Infrastructure and Planning, as a Concurrence Agency, has assessed the impact of the proposed development having regarding to land use and transport coordination and the state-controlled road network and advises Council that it has no requirements.</p>	
4.3	<p>Concurrence Agency response dated 15 October 2018 and reference 1809-7205 SRA.</p>	
4.4	<p>Concurrence Agency response will be attached to Council's Decision Notice for DA17939.</p>	

SCHEDULE 5 – REFERRAL AGENCY**Energex****Advice Agency Response**

4.1	Energex has assessed the application against the purposes of the <i>Electricity Act 1994</i> and the <i>Electrical Safety Act 2002</i> and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. Referral response HBD 6319640 dated 12 September 2018
4.3	Advice Agency response dated 12 September 2018 and reference HBD 6319640
4.4	Concurrence Agency response will be attached to Council's Decision Notice for DA17939.

SCHEDULE 6 – ADVICE**Assessment Manager**

This approval has effect in accordance with the provisions of section 71 of the *Planning Act 2016*, and development may commence in accordance with section 72.

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

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

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

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

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

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

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

Attachments for the Decision Notice include:

- Site plan – Reference SQ18146 A101 B – prepared by SBP Australia – dated 26 September 2018
- Floor plan - Reference SQ18146 A102 A – prepared by SBP Australia – dated 26 April 2018
- Elevations - Reference SQ18146 A201 A – prepared by SBP Australia – dated 26 April 2018

- Elevations - Reference SQ18146 A301 A – prepared by SBP Australia – dated 26 April 2018
- Concurrence Agency response – Department of State Development, Manufacturing, Infrastructure and Planning.
- Advice Agency response – Energex – Reference HBD 6319640 – dated 12 September 2018

Decision:

Moved - Cr Hall

Seconded - Cr Choat

“THAT Council approve the Development Application for a Material Change of Use for a Development Permit for an Extension to High Impact Industry on land described as Lot 20 on SP238745 and Lot 1 on RP867653 (access purposes only); and fronting Coominya Connection Road, Coominya 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 – Reference SQ18146 A101 B – prepared by SBP Australia – dated 26 September 2018	
	Floor plan - Reference SQ18146 A102 A – prepared by SBP Australia – dated 26 April 2018	
	Elevations - Reference SQ18146 A201 A – prepared by SBP Australia – dated 26 April 2018	
	Elevations - Reference SQ18146 A301 A – prepared by SBP Australia – dated 26 April 2018	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land	Before the change happens
1.5	The development is to be provided with sufficient potable water.	At all times
1.6	The existing wastewater treatment system must meet the	At all times

	current guidelines.	
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	ENGINEERING	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
	EARTHWORKS	
2.3	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.4	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
	CAR PARKING	
2.5	Provide on-site parking for 14 additional vehicles including one (1) space for disabled persons. A total of 120 car parking spaces are to be provided for the entire approved development on the site which is to include four (4) spaces for disabled persons. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	At all times
	REFUSE STORAGE AREA	
2.6	Refuse bin storage areas must be provided on the premises within a building, outbuilding or other enclosed structure so that it is screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use
	INDOOR AND OUTDOOR LIGHTING	
2.7	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. 	Prior to commencement of use

	<ul style="list-style-type: none"> Using shrouding devices to preclude light overspill onto surrounding properties where necessary. Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
2.8	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	At all times
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.10	Convey stormwater flows through the development from the upstream catchment.	At all times
2.11	<p>Submit a revised Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and Somerset Regional Council Development Standards.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> Quantity and quality of stormwater to be released from the development; All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; The potential impact of these sources; Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; Measures to be implemented to prevent the likelihood of stormwater contamination; and Maintenance schedule. 	Prior to commencement of use
	EROSION AND SEDIMENT CONTROL	
2.12	<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

2.13	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times
2.14	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
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
3.1	All buildings, structures, fittings and fixtures and grounds forming part of this development approval must be maintained – <ul style="list-style-type: none"> • In a serviceable condition; and • In a state of good repair and efficient action; and • In a clean, sanitary condition; and • Free of accumulated disused materials; and • Free of vermin and pest infestations. 	
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
CONTAMINANTS / CONTAMINATED WATER – RELEASES		
3.5	Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for:	At all times

	<ul style="list-style-type: none"> (a) Uncontaminated overland stormwater flow; (b) Uncontaminated stormwater to the stormwater system; (c) Contaminants lawfully released to sewer; OR (d) A release in accordance with a condition of this development approval. 	
	WASTE AND RECYCLING STORAGE FACILITIES	
3.6	<p>Waste and recycling storage facilities must be provided in accordance with the following provisions:</p> <ul style="list-style-type: none"> (a) Adequate waste containers must be provided to contain the volume and type of waste and recyclable matter generated by the development; (b) A permanent waste storage point for waste containers must be constructed of a solid concrete base or acceptable equivalent; and <p>The permanent waste storage point must be designed and constructed so it can be easily cleaned whilst ensuring that no waste or recyclable matter is released to the stormwater system or any waterway.</p>	
	WASTE STORAGE AREA – MAINTENANCE	
3.7	<p>All reasonable and practicable measures must be taken to ensure the waste storage area is kept to a standard of cleanliness where there is no accumulation of:</p> <ul style="list-style-type: none"> (a) Waste, except in waste containers; (b) Recycled matter, except in containers; (c) Grease; or (d) Other visible matter. 	
	NOISE SCHEDULE	
3.8	<p>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$ Period</p> <p>Background noise level plus 5 dB(A) 6 pm – 10 pm Background noise level plus 3 dB(A) 10 pm – 7 am</p> <p>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$ Period</p> <p>Background noise level plus 10 dB(A) 7 am – 6 pm Background noise level plus 10 dB(A) 6 pm – 10 pm Background noise level plus 8 dB(A) 10 pm – 7 am</p>	
3.9	<p>Noise from the operation of the development must be limited such that the adjusted A-weighted equivalent continuous noise level, $L_{Aeq, adj, 15\ min}$ when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (a) the background noise level + 3 dBA for daytime hours (7 am to 6 pm); (b) the background noise level + 3 dBA for evening hours (6 	

	pm to 10 pm); the background noise level + 0 dBA for night time hours (10 pm to 7 am).	
3.10	Notwithstanding any other condition of this development permit, this development does not authorise any release of contaminants that causes, or is likely to cause an environmental nuisance or environmental harm beyond the boundaries of the development site.	At all times
3.11	All general waste produced as part of the operation must be disposed of through either: (a) The number of standard waste services as determined by Council; or (b) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
SCHEDULE 4 – REFERRAL AGENCY Department of State Development Manufacturing Infrastructure and Planning Concurrence Agency Response		
4.1	Pursuant to section 62 of the <i>Planning Act 2016</i> the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.	
4.2	The Department of State Development Manufacturing Infrastructure and Planning, as a Concurrence Agency, has assessed the impact of the proposed development having regarding to land use and transport coordination and the state-controlled road network and advises Council that it has no requirements.	
4.3	Concurrence Agency response dated 15 October 2018 and reference 1809-7205 SRA.	
4.4	Concurrence Agency response will be attached to Council's Decision Notice for DA17939.	
SCHEDULE 5 – REFERRAL AGENCY Energex Advice Agency Response		
4.1	Energex has assessed the application against the purposes of the <i>Electricity Act 1994</i> and the <i>Electrical Safety Act 2002</i> and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. Referral response HBD 6319640 dated 12 September 2018	
4.3	Advice Agency response dated 12 September 2018 and reference HBD 6319640	
4.4	Concurrence Agency response will be attached to Council's Decision Notice for DA17939.	
SCHEDULE 6 – ADVICE Assessment Manager		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act</i>		

2016, and development may commence in accordance with section 72.
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicants appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <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."
<u>Carried</u>

Subject:	Development Application No 16915 - Application for a Development Permit for a Material Change of Use for a Preliminary Approval Overriding the Planning Scheme under s242 of the <i>Sustainable Planning Act 2009</i> – Brisbane Valley Protein Precinct
File No:	DA16915
Assessment Nos:	03807-00000-000; 03818-00000-000; 03841-00000-000; 03831-61000-000; 03831-60000-000
Action Officer:	SP - JB

1.0 APPLICATION SUMMARY

Site Schedule

Owners	Lot Details	Zone	Current Use	Land Area Hectares	Address
Duncan Brown and Selena Gomersall	10 SP280893	Rural	Vacant	25.18	29 Coominya Connection Road, Coominya
Brisbane	11 SP280893	Rural	Vacant	623.4205	301 West Road,

Valley Protein Precinct Pty Ltd					Coominya
Brisbane Valley Protein Precinct Pty Ltd	2 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	3 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	4 SP214262	Rural	Vacant	100.5	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	101 RP889967	Rural	Dwelling	2.0	289 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	102 RP889967	Rural	Dwelling	2.0	367 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	103 RO889967	Rural	Dwelling	2.0	369 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	107 RP889965	Rural	Vacant	70.457	West Road, Coominya
Sandy Teng and Cynthia St Peng	1 RP149534	Rural	Vacant	28.48	Brisbane Valley Highway, Coominya
Denis and Karen Matthews	10 SP167573	Rural	Dwelling	4.0	334 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	11 SP167573	Rural	Dwelling	4.0	350 West Road, Coominya
Brisbane	12 SP167573	Rural	Poultry Farm	121.4994	390 West Road,

Valley Protein Precinct Pty Ltd					Coominya
Duncan Brown and Selena Gomersall	164 CA3115	Rural	Vacant	32.375	541 Mahons Road, Coominya

Planning Scheme: Somerset Region Planning Scheme Version One
Level of Assessment: **IMPACT Assessable**

SEQ Regional Plan 2009-2031

Land Use Category: Regional Landscape and Rural Production Area

Application:

Proposal: Material Change of Use for a Preliminary Approval
 Overriding the Planning Scheme under s242 of the
Sustainable Planning Act 2009 – Brisbane Valley Protein
 Precinct

Date application properly made: 30 June 2017

Applicant: Brisbane Valley Holdings Pty Ltd
 Duncan Brown
 C/- TJ Kelly Surveys
 PO Box 221
 BEAUDESERT QLD 4285
 Attn: Mark Toombs, Principal Planner
 Email: admin@kellynet.com.au

Referral Agencies

Concurrence Agencies: Department of State Development, Manufacturing,
 Infrastructure and Planning

Advice Agencies: Nil

Third Party Advice Agency: SEQWATER

Public Notification:

Submissions properly made One

Not properly made Nil

RECOMMENDED DECISION

Approve the Development Application No. 16915 subject to the requirements and conditions contained in the Schedules and Attachments.

1.0 PROPOSAL

The applicant seeks Preliminary Approval for a Material Change of Use to override the Rural Zone Assessment Table and Code within the Somerset Region Planning Scheme 2016, pursuant to section 242 of the *Sustainable Planning Act 2009*.

The Preliminary Approval seeks to create the Brisbane Valley Protein Precinct, which is envisaged in the Strategic Framework of the Somerset Region Planning Scheme 2016 as the “Coominya Food Production Investigation Area”.

The Brisbane Valley Protein Precinct (BVPP) Plan of Development and Master Plan is

supported by a Staging Plan, which forms the framework for development within the Coominya Food Production Investigation Area. It is proposed that the BVPP Plan of Development, which incorporates its own Development Code, will override the Rural Zone Table of Assessment and the Rural Zone Code contained in the Somerset Region Planning Scheme 2016. The Plan of Development, Master Plan and Staging Plan are provided at **Attachments 1-3**.

The Vision: The vision of the BVPP Plan of Development is to provide a framework for future development applications to achieve the Master Plan, which aligns with the strategic framework of the Somerset Region Planning Scheme 2016.

The Master Plan: The Master Planned area will incorporate a range of rural and food production related land uses that may include:

- Poultry, quail, game birds, and cattle protein precincts including food processing, feed mill, hatcheries, and growing farm;
- Industrial uses with a rural focus including abattoirs and meat processing;
- Service station and heavy vehicle parking / boat storage;
- Produce pavilion, restaurants and markets;
- Food hospitality;
- Rural industry uses including warehousing, storage and distribution of agricultural / rural related products;
- Educational / training uses including a hospitality training facility; and
- Tourist related uses, including Tourist Parks with a rural and food production theme; and
- Function facility.

The Master Plan has been divided into a total of ten (10) Sub Areas. The intent of each Sub Area is articulated below.

Sub Area 1 (Food Tourism)

Land included in Sub Area 1 will contain the greatest range of land uses and will be the 'shop window' for the project. This Precinct will have a strong commercial and tourist focus designed around a food production theme. The uses intended for this locality include the following:

- Produce Pavilion
- Function Facilities
- Hospitality Training Facilities
- Market Gardens
- Tourist Park (Campground and Eco-Cabins)

Only those land uses compatible with the uses identified above are intended to be established in Sub Area 1. Development of this Sub Area will be subject to subsequent Material Change of Use development approvals.

Being a public place that will attract visitors and local residents alike, development will be required to achieve a high level of aesthetics and visual interest. The character and amenity of the Precinct shall be enhanced through both the architectural quality of the built form and through landscaping and regeneration of natural features of the site.

This Sub Area will showcase the overall narrative of food production in an accessible way.

Sub Area 2 (Meat Processing Facility)

Sub Area 2 is situated at the northern end of Coominya Connection Road. By comparison, it is a relatively small component of the overall Master Plan. This Area has good access from

Coominya Connection Road and is conveniently situated in close proximity to the Brisbane Valley Highway.

Land uses in Sub Area 2 will be of an industrial nature. The core use intended is that of a High Impact Industry, namely an Abattoir and processing facility which will support the livestock industries conducted within both the Brisbane Valley Protein Precinct and the wider Region. It is intended that the Precinct will contain either a beef abattoir and meat processing / rendering facility or a poultry abattoir and meat processing / rendering facility; it will not accommodate both.

Vegetative buffering and screening of potential industries in this Area is of paramount importance to ensure visual impacts on the neighbouring Sub Area and the Coominya locality are minimal.

All potential impacts and emissions associated with an industry shall be managed in accordance with industry best practice and the relevant regulatory framework and environmental criteria.

Only those land uses compatible and allied with a High Impact Industry shall be established in Sub Area 2.

Sub Area 3 (Roadhouse)

Sub Area 3 is situated at the far north-west corner of the Master Plan area and has frontage to both Brisbane Valley Highway and Coominya Connection Road. The area has high exposure to passing traffic and consequently will have a commercial focus. With proximity and convenient access to the Highway and the Wivenhoe Dam, this Area provides an opportunity for parking of trucks and boat storage.

This Precinct is intended to provide services to both tourists and local residents.

A current Development Approval sits over part of the land for a Service Station and Ancillary Commercial Centre. This approval (DA9080) will be retained and forms part of the land use intent for this Precinct.

The intended uses in Sub Area 3 include:

- Service Station
- Shop
- Food and Drink Outlet / Restaurant
- Heavy Vehicle Parking
- Future Boat Storage and Self-storage facility.

It is intended that the development approved under DA9080 will be undertaken as part of the second stage for this Precinct. In the interim, a smaller scale service station and commercial centre may be established in accordance with the Concept Plans included with the Plan of Development. Only those land uses compatible with the uses identified above shall be established in Sub Area 3.

Sub Area 4 (Quail Farm and Processing Facility)

Sub Area 4 is situated off West Road and has a development approval for Stage 1 of the Master Plan. This facility commenced operation in August 2018 and has not resulted in any adverse comments from the surrounding community.

The intent for this Area is to conduct Intensive Animal Industries and a supporting High Impact

Industry, namely a quail farm and quail processing facility/abattoir. A feed mill to support livestock and the animal industries in the Precinct may also be established. This Sub Area will also accommodate the administration office for Brisbane Valley Protein Precinct. The intended uses include the following:

- Intensive Animal Industries (Quail and Game Bird Farm)
- High Impact Industry (Quail Processing Facility – Abattoir)
- Administration Office
- Animal Husbandry (Cattle grazing)

Land uses shall be designed and managed in accordance with industry best practice to minimise air quality and noise impacts on surrounding properties. Only those land uses compatible with the uses identified above shall be established in Sub Area 4.

Sub Area 5 (Poultry Farm 2 and Livestock and Food Associated Education / Training)

This Sub Area is centrally located and situated on the northern edge of the Master Plan area. It has frontage to the Brisbane Valley Highway and Winders Gravel Pit Road. It will also be accessed via the internal private road that will be constructed to service the majority of uses on the northern side of Spring Creek.

This Area is intended to be used primarily for intensive animal industries (poultry farm) and for cattle grazing. Land in this Sub Area may also be used for irrigation purposes in connection with land uses lawfully established within Sub Area 2.

Other future uses may be considered in accordance with the Plan of Development, including land uses with a focus on training and education for intensive animal industries as well as food and hospitality industries. Research and development opportunities for other industries shall also be supported. Other uses may be considered where compatible with the surrounding uses and the specific intent for the abutting Precincts.

Land uses shall be designed and managed in accordance with industry best practice to minimise air quality and noise impacts on surrounding properties. Only those land uses compatible with Intensive Animal Industries shall be established in Sub Area 5.

Sub Area 6 (Poultry Farm 1)

Sub Area 6 is situated centrally within the Precinct and will be accessed via a private road off Coominya Connection Road. It is subject to a separate development approval for 8 poultry sheds and will form part of Stage 1 of the development of BVPP.

The poultry sheds are currently under construction and are a further demonstration of the commitment from the developer to realise their desired outcomes.

The intended land uses include intensive animal industries (poultry farm) and cattle grazing. Other uses may be considered in accordance with the Plan of Development.

Land uses shall be designed and managed in accordance with industry best practice to minimise air quality and noise impacts on surrounding properties. Only those land uses compatible with Intensive Animal Industries shall be established in Sub Area 6.

Sub Area 7 (Cattle Grazing and Genetic Research and Development)

Situated in the south-east corner of the Precinct is Precinct 7. It is accessed via West Road. This Area is intended to be retained for low intensity rural purposes. Uses may include cattle grazing and genetic research and development. Other uses may be considered in accordance with the Plan of Development, where compatible with the surrounding uses and the specific

intent for the abutting Sub Areas.

Sub Area 8 (Eco-Cabins)

Situated in the north-east corner of the Master Plan area is Sub Area 8. It has an existing access off the Brisbane Valley Highway. This Area is intended to be retained for low intensity rural purposes and small-scale tourist related accommodation. Uses may include tourist cabins and cattle grazing. Other uses may be considered in accordance with the Plan of Development, where compatible with the surrounding uses and the specific intent for the abutting Sub Areas.

Landscaping, vegetative screening, visual enhancement, and noise mitigation will be key design principles for this locality to ensure a harmonious relationship between rural and tourist uses.

Sub Area 9 (Intensive Horticulture)

Sub Area 9 is comprised of a rural allotment on the southern side of West Road and is used for the purpose of a rural residence and horticulture. This site has been identified for a small scale, low impact industry with a focus on agriculture, horticulture or food production related industry. Any industry related activity is intended to remain subordinate to the rural residential function of the land. Supporting industry shall be designed and managed to minimise air quality and noise impacts on surrounding properties.

Sub Area 10 (West Road Poultry Farm)

Sub Area 10 is situated on the southern side of West Road and contains an established poultry farm and dwelling. This Precinct will continue to operate as a poultry farm and will support uses in other Precincts through the provision of water from a private pipeline. Other uses may be considered for this Precinct where compatible with the established uses and the specific intent for the abutting Sub Area. Other uses may be considered where compatible with the surrounding uses and the specific intent for the abutting Precinct.

Green Corridor – Spring Creek

Whilst not identified as a Precinct, a core component fundamental to the integrity of the Master Plan is the green corridor traversing the length of the Master Plan area from east to west along Spring Creek. This corridor will be subject to extensive rehabilitation and regeneration works as the Precincts are progressively developed.

The Rehabilitation Strategy will provide for the restoration of the watercourse (Spring Creek) and green corridor. The Rehabilitation Strategy is reflected in the Intent Section of the Plan of Development and, more importantly forms part of the Assessment Benchmarks. This will ensure each subsequent development application addresses the Rehabilitation Strategy and contributes to the planned restoration works. Detailed documents such as stormwater management plans will be prepared for all future development applications. Such plans cannot be prepared at the preliminary approval stage as building designs need to be finalized along with preliminary bulk earthworks plans.

Staging Plan: The sequence of development for the Master Plan will be staged in accordance with the Staging Plan prepared by Place Design Group dated 24/05/2018 provided at Attachment 3.

Relationship to Planning Scheme Assessment Benchmarks: The Assessment Benchmarks for a Material Change of Use development application that is assessable development under the BVPP Plan of Development (Table 2.4) include the Development Codes contained in Sections 9.3 and 9.4 of the Planning Scheme.

Table of Assessment: The Table of Assessment within the BVPP Plan of Development has been broken into 'Sub Areas' to provide clarity around the intent of each Sub Area. The Plan of Development is structured in a way that ensures the core uses in each of the Sub Areas are subject to further development applications. This provides the mechanism for specific management plans to be submitted at the appropriate stage of development for Council approval.

Overlay Codes: All Planning Scheme Overlay Codes contained in Section 8.2 of the Planning Scheme will remain as Assessment Benchmarks for the subsequent development applications resulting from the Brisbane Valley Protein Precinct. The Assessment Level for a Material Change of Use prescribed in Table 2.4 of the BVPP Plan of Development will however override the Planning Scheme in terms of the Assessment Levels associated with the Overlays as prescribed in the Scheme. The Assessment Levels identified in the BVPP Plan of Development will prevail over the Planning Scheme in all circumstances.

Scenic Amenity Overlay Code: In terms of visual amenity, the BVPP Plan of Development ensures the Scenic Amenity Overlay Code forms part of the assessment benchmarks for future development applications. Concept Sketches, provided at **Attachment 4**, have been prepared by Gall Architects to demonstrate a possible layout for Sub Area 2 and for sub Area 1. The sketches illustrate the significant building setbacks and how the buffer areas and landscape works can offset potential impacts on the aesthetics of the locality. Generic sketches for other buffer areas along the Brisbane Valley Highway and Coominya Connection Road have also been prepared by Gall Architects.

Determining Assessment Levels: Where a use is not listed or defined in the Table of Assessment (Table 2.4) of the BVPP Plan of Development, the assessment level will be in accordance with the Table 5.5.9 – Rural Zone of the Somerset Region Planning Scheme 2016.

NOTE: The BVPP Plan of Development does not regulate or override the Planning Scheme with regards to Reconfiguring a Lot, Operational Works or Building Works. Such development will be subject to the provisions of the Somerset Region Planning Scheme 2016, as amended.

Assessment Levels: Whilst the Plan of Development assessment levels have been altered, the assessment benchmarks have not been changed. The same Overall Outcomes and Performance Outcomes are to be achieved.

Accepted or Assessable Development: Development within the Brisbane Valley Protein Precinct which is Accepted development or Assessable development pursuant to the Material Change of Use Assessment Table 2.4 contained in section 2 of the Plan of Development, will be assessed against the BVPP Development Code contained in section 3.

Where development is Acceptable Development, subject to requirements, it must comply with the Acceptable Outcomes.

Assessable development must comply with the Performance Outcomes. Where assessable development complies with the Acceptable Outcomes, it complies with that aspect of the Development Code; however, the Acceptable Outcomes is only one way of meeting the relevant Performance Outcome and an alternative solution may be equally or more acceptable based on its own merits.

Impact Assessable Development: A Material Change of Use development application specified as being impact assessable development under the BVPP Plan of Development will be deemed to be consistent with the Planning Intent of the BVPP where it accords with section 1.3 of the BVPP Plan of Development and the Purpose and Overall Outcomes of the Brisbane

Valley Protein Precinct Development Code.

South East Queensland Regional Plan 2017 (Shaping SEQ), State Planning Policy 2017, and Seqwater Development Guidelines 2017 – Water Quality:

All assessable development must comply with the South-East Queensland Regional Plan 2017 (Shaping SEQ); State Planning Policy 2017; and the Planning Regulation 2017. In addition, the Assessment Benchmarks included in the BVPP Plan of Development include water quality objectives, which will further ensure that each subsequent development application complies with the Water Quality objectives of the State Planning Policy 2017 and Seqwater Development Guidelines 2017.

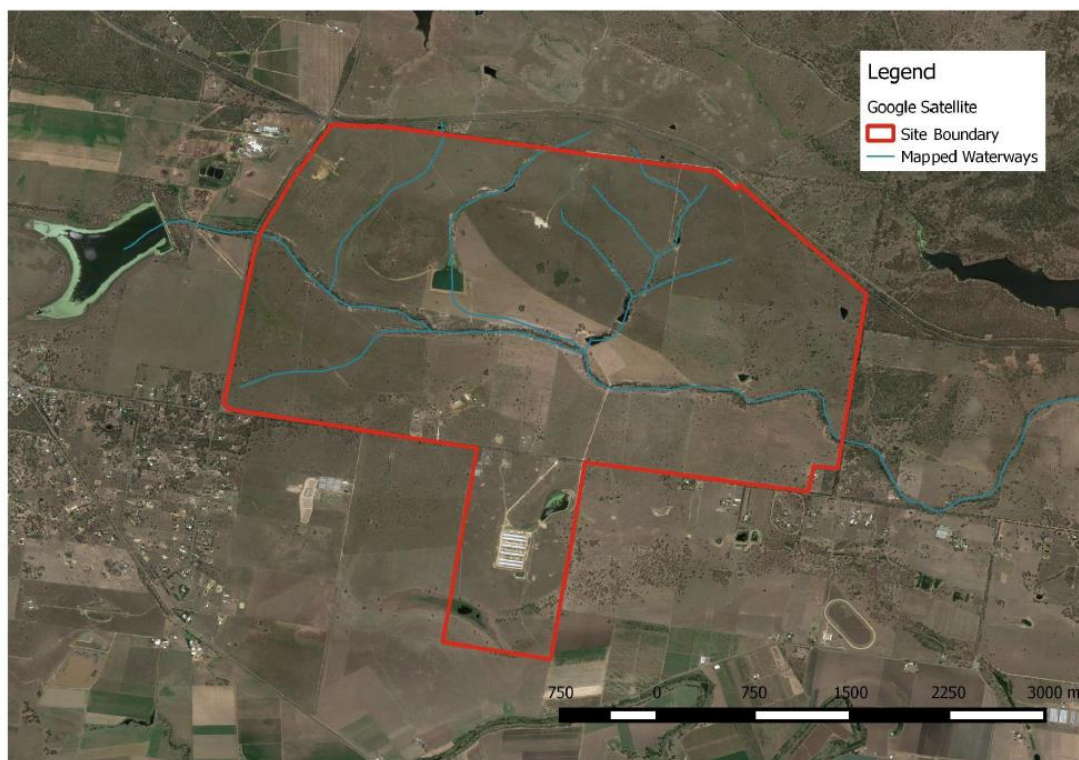
Previous Approvals associated with BVPP: The BVPP Plan of Development ensures clarity around previous development approvals associated with the site. These approvals are referenced to provide clarity around future applications and approval processes. For example, the Master Plan includes the existing poultry farm at 390 West Road in the plan area. It is assigned as Sub Area 10.

Prescribed Period: The relevant period for the Preliminary Approval Overriding the Planning Scheme is ten (10) years from the date the approval takes effect, unless otherwise extended by written agreement from Council.

2.0 SITE DETAILS AND SURROUNDING LAND USES

The site is located on the south-east corner of the Coominya Connection Road / Brisbane Valley Highway intersection. The site is primarily identified as 390 West Road and 29 Coominya Connection Road and has a total site area of approximately 1216.01 hectares. The site is also identified in the Planning Scheme's Strategic Framework as the *Coominya Food Production Investigation Area*.

An Aerial View depicting the Site Boundary and Mapped Waterways is provided below:



Located to the north-west of the site is an existing cattle abattoir owned by the Australian Food Corporation Pty Ltd. The Brisbane Valley Highway runs along the northern edge of the subject site. The land on the northern side of West Road is largely unimproved. There are dams and farm buildings, but no dwellings.

On the southern side of West Road (390 West Road) is an established poultry farm. This allotment is included in the application as it has access to a bore and pipeline required for the proposed Brisbane Valley Protein Precinct.

Spring Creek runs predominately through Lot 11 of the subject site and forms the boundary between Lot 4 and Lot 107. The creek flows into Brisbane River immediately downstream of the Wivenhoe Dam outlet point. Lockyer Creek is located further downstream from the entry point to Spring Creek and is the major water supply to Lockyer Catchment Area. Spring Creek feeds into the upper reaches of the Brisbane River and is not part of the Wivenhoe Dam Catchment Area. The subject site is located within the Mid Brisbane Catchment Area; and Wivenhoe Dam is located to the north of the site.

Part of the subject land is burdened by Easements that are in association with SEQ's water infrastructure.

The site contains some native vegetation, predominantly located surrounding Spring Creek and other gullies within the site.

3.0 ASSESSMENT- STATE LEGISLATION

3.1 STATE PLANNING POLICY

The Somerset Region Planning Scheme Version One identifies that all relevant State interests have been reflected in the Planning Scheme (per section 2.1 of the Planning scheme). Accordingly, where State interests have been identified and included in the Planning Scheme, an assessment against the State Planning Policy (SPP's assessment benchmarks) is not required.

3.2 VEGETATION MANAGEMENT ACT 1999

The site does not contain 'Of Concern' or 'Remnant Endangered Regional Ecosystems', as outlined on the Regional Ecosystem Mapping and Essential Habitat Mapping provided by the Department of Environment and Resource Management (DERM).

The site does contain a small pocket of remnant vegetation located within the southern end of the existing poultry farm established within Precinct 10. Consequently, the remnant vegetation will not be impacted in any way because of the proposed development. Notwithstanding this, an 'Ecological Report'; 'Ecological Restoration Management Plan'; and Land Resource Assessment Report were prepared in support of the Protein Precinct.

A combination of measures including the preservation of existing vegetation, planting of additional trees and shrubs, earth mounding and building setbacks will be incorporated in the detailed design phase of the Protein Precinct. All significant vegetation will be retained so that when development occurs within the Protein Precinct there is potentially a significant buffer already established or partly established.

As such, the Department of Infrastructure, Local Government and Planning has advised that the application did not require referral.

3.3 ENVIRONMENTAL PROTECTION ACT 1994

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

4.0 COUNCIL ASSESSMENT

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

4.1 Strategic Framework

The establishment of the Brisbane Valley Protein Precinct is clearly anticipated within the Somerset Region as being identified in the Planning Scheme's Strategic Framework as the "**Coominya Food Production Investigation Area**", which is expressed explicitly within the Specific Outcome 3.7.4.2 - Land use strategies, of the strategic framework, which states the following:

- (a) The Coominya Food Production Investigation Area identified on Strategic Framework Map 4 – Economic Development and Natural Resources provides for a food based production hub incorporating:
 - (i) Poultry protein precinct including food processing, feed mill, hatcheries, growing farms, training facility, composting establishment and green energy production;
 - (ii) Industrial uses including warehousing, storage and distribution;
 - (iii) Educational / training uses including a training facility.
- (b) The Coominya Food Production Investigation Area identified on Strategic Framework Map 4 – Economic Development and Natural Resources requires further investigation to determine that the land is suitable and able to accommodate the proposed food based production hub having regard to:
 - (i) the efficient servicing with infrastructure;
 - (ii) impacts on amenity, including the impacts of air, noise and odour emissions on nearby sensitive land uses.

As outlined within the above specific outcome the Coominya Food Production Investigation Area is expected to be established within the rural area of the region. Therefore, there is a level of acceptance that the Coominya Food Production Investigation Area will eventually form part of the rural character of the Coominya locality.

The Strategic Framework is supported by seven themes which represent the policy intent of the Planning Scheme and these themes underpin both the Performance and Acceptable Outcomes contained in the Codes.

A Plan of Development supported by a Master Plan and Staging Plan has been prepared which provides the framework for the proposed development. The Master Plan and Staging Plan have been designed to ensure future development can achieve compliance with each theme and support the strategic intent of the subject land.

All themes and how the proposed development achieves the outcomes of the scheme are addressed below.

Theme 1 – Settlement pattern

Officer comments: The proposed Master Plan accords with the Settlement Pattern objective of the Scheme. The concept is expected to promote employment opportunities and economic growth within the region. The range of land uses within the Brisbane Valley Protein Precinct has been designed to ensure future development can be established without undue impacts on the surrounding residences and the locality.

The Master Plan is structured in a way that ensures all future development other than those uses already approved, are subject to further Material Change of Use approvals. This provides the appropriate mechanism for detailed designs and studies to be prepared and submitted at the appropriate stage. Notwithstanding this, broad impact studies have been undertaken to demonstrate the proposed Precinct can operate without detriment to the surrounding sensitive uses. The Master Plan is supported by an Odour Impact Report, Acoustic Report, and Traffic Impact Report.

Theme 2 – Natural environment

Officer comments: The natural features and ecological values of the site have been comprehensively investigated as part of the master planning process for the development. An Ecological Assessment and Restoration Management Plan accompanied the application. In addition to the ecological assessment, a detailed analysis of the soil and geology of the site was carried out. This process enabled the preparation of the Ecological Restoration Management Plan which will protect and enhance the biodiversity across the site and surrounds. The proposed development concept is expected to have an environmental benefit as the rehabilitation and regeneration of Spring Creek is an integral part of the Precinct's development.

The first phase of the detailed site investigation was to identify the watercourses and drainage features across the entire site. This informed the hydraulic modelling process which in turn improved the environmental benefits of the Precinct's layout.

The first stage of the development will incorporate measures to rehabilitate a significant portion of Spring Creek. A buffer area will be established which will exclude access cattle and limit cattle crossings to the two existing identified crossings. This will enable the creek to regenerate immediately via natural ecological processes. This first stage also includes an on-going weed control/management program.

In addition to the natural regeneration process, the Ecological Restoration Management Plan supports the following strategies to achieve the environmental outcomes:

- **Revegetation:** The Restoration Management Plan identifies those portions of the riparian area in need of active revegetation efforts to establish an appropriate vegetative buffer. The Plan articulates ground preparation requirements, species of vegetation to be used, as well as planting density and layout. A planting methodology and maintenance regime is also documented;
- **Vegetative Erosion Control:** The Restoration Management Plan identifies areas along Spring creek in need of special attention for erosion control measures. Erosion control strategy includes detail for ground preparation; species of vegetation to be used, and planting density and layout;
- **Visual Amenity Planting:** Additional planting will also be established across the site to enhance the visual amenity of the development. It is proposed that planting be established in the same manner as the revegetation along Spring Creek in terms of ground preparation, plant establishment and maintenance; and
- **Vegetative Environmental Buffers:** Environmental vegetative buffers have been identified for the proposed poultry farms and abattoirs. The planting layout, densities and species selection associated with environmental buffers will be guided by specifications outlined in the Rural Industries Research and Development Corporation Manual titled "*Vegetative Environmental Buffer for Australian Meat Chicken Farms: A Guide for Growers*" (July 2015).

Through the implementation of the Ecological Restoration Management Plan, significant improvements to Spring Creek are expected because of the proposed development. Future development applications will be required to address water quality issues as part of the detailed design process.

Potential flood impacts were investigated and modelled by FSA Consulting as part of the Master Plan design process. The areas at risk of localised flooding have been mapped. The proposed layout responds to the natural features of the site. The proposed footprint for the various land uses within the Brisbane Valley Protein Precinct are not at risk of flooding.

Bushfire hazards can be appropriately managed and addressed through the detailed design stages that will follow. Each subsequent application will identify best practice management practices relevant to the specific land use and location within the Precinct.

No landslide hazard has been identified for the subject land.

The rural character and amenity of the locality will be protected, as the precinct has been carefully designed to enable a range of land uses to be established without detrimentally impacting on surrounding sensitive uses. Odour and acoustic modelling has been carried out to demonstrate future uses can establish without detriment to the locality.

The proposal does not seek to establish land uses that are likely to result in the contamination of the land. Notwithstanding, all future uses will be operated in accordance with best practice environmental management and in accordance with the regulatory framework governing the conduct of the land use.

Theme 3 – Natural resources

Officer comments: The future development of the land as the Brisbane Valley Protein Precinct, is not expected to impact on the natural resources of the locality. The viability of agriculture in the Region is not compromised by the proposed development as the subject land is not suited to intensive cropping.

Water quality values will be protected through the implementation of the green corridor on the Master Plan, which is supported by the Ecological Restoration Management Plan. Details of specific land uses and management plans will be prepared as part of the subsequent development applications. Future Material Change of Use development applications will address the State Planning Policy and the SEQ Water Development Guidelines 2017, amongst other matters.

Theme 4 – Community identity and regional landscape character

Officer comments: The visual impacts of the Master Plan have been considered in the design process. Due to the varying uses envisaged, some Sub Areas will require more attention to landscaping and aesthetics than others. Those Sub Areas with a tourism focus will contribute positively to the amenity and character of the locality through landscaping and built form. Areas with a rural industry focus will be subject to screening and buffering. The Ecological Restoration Management Plan identifies areas in need of attention. It also stipulates appropriate plant species, densities and maintenance regimes. Further detailed designs will be submitted as part of the subsequent development applications.

Theme 5 – Economic development

Officer comments: The proposed “Brisbane Valley Protein Precinct” responds to local and national food security strategies and will be responsive to existing and new markets both locally and overseas. The proposal is expected to generate significant economic benefits to

the Somerset Region. Economic growth and diversification will be created through the mixed-use nature of the Precinct which will incorporate rural and food production related industries as well as compatible hospitality and tourism focussed land uses.

The Precinct has been divided into Sub Areas to ensure an appropriate mix of compatible land uses are established without detrimentally impacting on surrounding development and sensitive uses. Detailed modelling of potential odour, acoustic and traffic impacts have been carried out. The results of these studies have informed the layout of the Precinct. The proposed tourism and hospitality uses are not only fundamental in achieving the range of uses required to create economic diversity, but these land uses also provide an important interface and transition between the development and surrounding uses.

Regarding High Impact Uses, future development applications will be required to demonstrate compliance with the relevant regulatory framework, including Codes and standards.

Theme 6 – Infrastructure and services

Officer comments: Regarding infrastructure and services, the site is not serviced by reticulated water supply. The Precinct will utilise different water sources as the development progresses. Stage 1 which has been approved, will use bore water and water stored in on-site dams. Adequate water supply will be secured as part of the staged development of the Precinct and will be demonstrated in each subsequent development application.

The land is not within the reticulated sewerage network. Land uses will be required to provide an on-site wastewater treatment system to service any development. Details will be submitted as part of the subsequent development applications.

A Stormwater Management Strategy has been developed to ensure the stormwater objectives of the Scheme can be achieved. However, land use specific stormwater management measures will be determined as part of the detailed design phase for all future development.

Theme 7 – Transport

Officer comments: A Traffic Impact Assessment has been prepared, which demonstrates the operational integrity of the surrounding road network will be maintained and the Master Plan is not expected to have an adverse impact on the safety and efficiency of the servicing and connecting roads to the site.

4.2 PLANNING CONSIDERATIONS

The Preliminary Approval is structured in a way that ensures the core uses in each of the Sub Areas are subject to further development applications. This provides the mechanism for specific management plans to be submitted at the appropriate stage of development for Council approval. Such plans cannot be prepared at the preliminary approval stage as building designs need to be finalized along with preliminary bulk earthwork plans.

Each Sub Area will be designed in accordance with 'best practice environmental management practices'. To support the Preliminary Approval, Technical Assessments were provided as part of the application and an assessment of these reports is detailed below.

4.2.1 Ecological Assessment

The environmental values and sensitivities of the site were extensively investigated by a team of environmental consultants. These studies informed the preparation of the Master Plan. Supporting the development application are the following environmental reports:

- Ecological Assessment Report by Eco Networks dated 23 September 2016;
- Land Resource Assessment Report prepared by Integrated Sustainability Systems

- dated 31 August 2016;
- Ecological Restoration Management Plan (as revised) by Landscape Conservation dated September 2016;
- Brisbane Valley Protein Precinct (BVPP) Rehabilitation Strategy prepared by EnviroSphere Consulting dated May 2018.

It is essential as part of the proposed development that Spring Creek is not only protected but is enhanced. Therefore, the aims of the above technical assessment are explained as follows:

- Improve the quality of water exiting the site through repair and management of eroded areas and the provision of revegetation to increase stream bank stability;
- Identify and capture all site vegetation related values, environmental issues and areas of degradation;
- Designate rehabilitation areas adjacent to Spring Creek as Natural and Assisted Regeneration Zones or Reconstruction Zones including long-term control of exotic floral species;
- Provide a vegetated buffer to 100m each side of Spring Creek that represents the original Regional Ecosystems including structure and diversity. This will include a 50m cattle exclusion zone and a 50m cattle movement/grazing zone;
- Balance ecological restoration with proposed rural production land-uses across the site; and
- Provide an overall strategic level document that demonstrates how the proponent will achieve the aforementioned rehabilitation objectives.

To achieve the above rehabilitation objectives, the submitted Rehabilitation Strategy is referenced in the BVPP Plan of Development and will form part of the assessment benchmarks for subsequent development application. Future development applications can therefore be conditioned to undertake relevant stages of the identified works.

4.2.2 Stormwater Management

A detailed Stormwater Management Plan cannot be provided for the Precinct as the footprint of the development and likely earthworks required still need to be determined. This detailed site planning process will be undertaken as part of each subsequent development application.

However, FSA Consulting has prepared a Preliminary Stormwater Strategy that outlines the overarching stormwater quality and quantity management strategy for the project in support of the Master Plan. The Overarching Stormwater Management Strategy confirms that there are several potential options to management stormwater quality and achieve acceptable loads of sediment, nutrient and other pollutants. The Overarching Strategy will apply best management practice and utilise a combination of self-contained best practice on-site management of facilities, effluent reuse and irrigation, stormwater quality treatment via high efficiency basins (both construction and operational phases), load reductions through gully and stream bank erosion rehabilitation, vegetated filter strips and water sensitive urban design (WSUD).

Regarding stormwater quantity, drainage infrastructure will be designed in compliance with the Queensland Urban Drainage Manual (2013). Upstream run-off water will be diverted around operations via diversion drain.

Flood modelling has been undertaken for the site. The Master Plan ensures all future land uses are located above the Q100 level (1% AEP).

In addition, stormwater treatment will vary from Sub Area to Sub Area and will depend on the specific characteristics of the land in question and the full extent of the development within the

Sub Area. For example, Sub Area 2 containing the meat processing use may incorporate a High Efficiency Sedimentation Basin for the treatment of stormwater. Such treatment may also be incorporated in Sub Area 5 for the second poultry farm. At the other end of the scale, the low impact Sub Areas containing cabins may simply involve rainwater tanks to capture and re-use rainwater collected on the structure roofs.

The Preliminary Approval provides the framework for Stormwater Quality to be addressed in detail for every development application that follows. All Assessable Development is subject to the provisions of the Services, Works and Infrastructure Code in the Planning Scheme. This is clearly identified in the BVPP Plan of Development as one of the assessment benchmarks. Stormwater outcomes and water quality objectives have been included in the Brisbane Valley Protein Precinct Development Code.

In addition, assessment benchmarks have been revised to include water quality objectives in the BVPP Development Code in line with the State Planning Policy 2017 and Seqwater Development Guidelines 2017.

4.2.3 Water and Sewerage Infrastructure

The subject land is not within an area serviced with reticulated water supply or sewerage network.

Land uses are expected to be serviced by a combination of bore water and dams and potable water. Lot 164 on CA3115 is included in this application as it contains a bore with unrestricted supply. A pipeline currently runs from this site to the existing poultry sheds on Lot 12 and has recently been extended into the land on the northern side of West Road. Including these lots in the Preliminary Approval will secure future access to water.

As well as an existing 100 megalitre dam on the subject land, an operational works application has been made for the construction of a 200 megalitre dam on Lot 11 on SP280893. The required Water Licence has been issued by the Department of Natural Resources and Mines.

In the absence of a sewerage network, all land uses will be required to design and install an onsite wastewater treatment system suitable for their specific needs.

Infrastructure details specific to the proposed land use will be submitted with future development applications.

4.2.4 Road Infrastructure and Traffic Impact Assessment

The layout and configuration of the Master Plan has been designed to minimise impact on the surrounding road network. No new public roads are required to service the development. Access to the future land uses will primarily be via Coominya Connection Road.

Rytenschild Traffic Group were commissioned to carry out a Traffic Impact Assessment for the Master Plan concept. Assessed as part of this study were the following:

- The adequacy of the surrounding road network to accommodate the proposed development;
- Any road upgrade works that may be required as a consequence of the proposal;
- The required form of access intersections with adjoining roads; and
- The potential impact of heavy vehicle traffic generated by the proposal upon the surrounding pavement.

Whilst specific details of the potential land uses within the various Sub Areas are unknown at this stage, conservative estimates of trip generation rates indicative for the Preliminary

Approval stage have been made by the traffic consultants. As well as being conservative (high), it is likely that various uses will generate peak traffic demands at different times, and therefore, the traffic generation of the overall development will be less than the volume predicted in the Traffic Impact Assessment Report.

Given the site gains access to the State Transport Network system, the development application was referred to the State Government under the Sustainable Planning Regulation 2009. In response, the State Government has conditioned the Preliminary Approval that direct access is not permitted between the Brisbane Valley Highway and the subject site. Road access to the site must be gained from Coominya Connection Road.

The internal road shown on the Master Plan aligns with the recently approved access easement approved by Council and the Department of Transport and Main Roads. The access onto Coominya Connection Road has been located and designed in accordance with the concurrence agency approval for Stage 1 granted by the Department of state Development, Manufacturing, Infrastructure and Planning dated 19 January 2017. The State Government referral agency for this application is provided at **Attachment 5**.

In regard to Sub Area 8, the Master Plan does identify an existing access off the Brisbane Valley Highway. This access provides an entry point to Sub Area 8 containing a limited number of proposed tourist cabins. This Sub Area is included in the final stage of development and is not anticipated until possibly 2022 at the earliest. When the Material Change of Use application for Sub Area 8 is prepared, all access options will be considered and investigated and further discussed with Department of Transport and Main Roads. A Traffic Impact Assessment Report will form part of that process to confirm the suitable location of access to this area. At this stage, the Master Plan access location for Sub Area 8 is conceptual only and is subject to detailed analysis at the appropriate stage. Furthermore, Winders Gravel Road is not intended as a means of access to the Protein Precinct site.

4.2.5 Air Quality Impacts

Potential air quality impacts in terms of odour emissions is a key design consideration for uses relating to intensive animal industries and associated processing facilities. The extent and degree of impact is specific to the precise location of the use and its scale. Detailed investigations and modelling will form part of the subsequent development applications.

The BVPP Plan of Development has been carefully drafted to include appropriate provisions to ensure future uses achieve the relevant environmental criteria and that emissions do not cause environmental harm to any sensitive receptors within the locality.

Katestone Environmental was commissioned to assess the potential odour impacts associated with the proposed development. The odour assessment accompanying the application predicts the potential odour impacts associated with activities proposed for BVPP, which include:

- Quail farms – two breeder sheds and seven growing sheds with a capacity of 135,000 birds that is part of the approved development;
- A Quail Abattoir approved as part of the approved development;
- A Broiler Abattoir with a capacity to process 600,000 birds per week;
- An eight shed Broiler Farm with a capacity of 384,000 birds that is part of the approved development; and
- A six shed Broiler farm (Proposed Broiler Farm) with a capacity of 288,600 birds.

The findings of the odour impact assessment by Katestone Environmental show that:

- Predicted ground level concentrations of odour associated with the existing farm in isolation comply with the Odour Guideline at all existing sensitive receptors;
- Predicted ground level concentrations of odour associated with the Proposed Broiler Farm in isolation comply with the Odour Guideline at all existing sensitive receptors;
- Predicted cumulative ground level concentrations of odour associated with the existing farm, Approved Broiler Farm, Proposed Broiler Farm and Approved Quail Farm comply with the Odour Guideline at all existing sensitive receptors;
- Predicted ground level concentrations of odour associated with the Proposed abattoir in isolation comply with the Odour Guideline at all existing sensitive receptors; and
- Predicted cumulative ground level concentrations of odour associated with the Proposed Abattoir and Approved Abattoir comply with the Odour Guideline at all existing sensitive receptors.

4.2.5.1 Peer Review – Air Quality Impact Assessment

Council commissioned a peer review of the air quality impact assessment report submitted with the application. The review has identified a number of minor areas with regard to the assessment that primarily relate to meteorological data used. If the application is approved by Council, it is recommended that an onsite weather station is installed and maintained so that site specific meteorological data can be used for future, more detailed air quality impacts assessments of proposed developments.

4.3 Environmental Noise Impacts

CRG Acoustics was commissioned to undertake an Environmental Noise Assessment for the range of uses envisaged within the Master Planned Area. Compliance with the relevant environmental noise criteria is demonstrated below.

The Report concludes that the concept of the Brisbane Valley Protein Precinct Master Plan can be developed to achieve the acceptable levels of the adopted noise criterion subject to the recommended acoustic treatments being incorporated into the future developments. The acoustic treatments and management principles to be implemented will depend on further detailed noise assessment based on specific plans, which will be submitted as part of subsequent Material Change of Use development applications. Possible measures identified at this initial stage include a range of options such as preparation of management plans, possible earth mounds/barriers to the north, building treatments, maintenance of all plant equipment and vehicles, acoustic treatment for mechanical plant, and maintenance of internal roads.

4.4 Environmental Management Plan - Future Environmentally Relevant Activities

Premise Agriculture was commissioned to undertake an overarching Environmental Management Plan (EMP) for the range of uses envisaged within the Master Planned Area. The BVPP Plan of Development incorporates Intensive Animal Industries, Animal Processing/Abattoirs, Function Facilities, Restaurant/Hospitality Training Facilities and short-term accommodation. The proposed animal processing/abattoir use in Sub Area 2 (Meat Processing), at this stage, may be a poultry or a beef abattoir.

The two meat processing options include:

- A beef abattoir processing a maximum of 2000 head/day which equates to a hot standard carcase weight (HSCW) production of approximately 150,000 tonnes/year; or
- A poultry abattoir processing 600,000 birds/week which equates to approximately 78,000 tonnes/year assuming a conservative 2.5kg live weight and 52 weeks of operation.

Beef and poultry abattoirs produce slightly different wastes or by-products. Both types of facilities include a liquid waste output, or effluent, which is generally contained in an effluent treatment system. Generally, poultry abattoir by-products, such as feathers and offal, are rendered resulting in no solid by-products. Beef abattoirs may have a higher proportion of solid by-products such as paunch and hides as well as manure and potentially bedding from the lairage. As such, a beef abattoir will require an on-site composting activity.

A beef abattoir will also require a lairage area where cattle are unloaded from trucks and allowed to rest prior to processing. Cattle will most likely be held for between 24 and 48 hours prior to processing. This lairage area may be covered or uncovered with some areas being constructed with a concrete floor and other areas with a compacted gravel and clay based.

The estimated employment required for the proposed beef abattoir is 750 staff and 300 staff for the poultry abattoir.

The environmental values that may be potentially impacted by poultry and beef abattoirs are surface waters, groundwater, soils, flora and fauna and community amenity.

The overarching Environmental Management Plan (EMP) has been prepared to identify the potential environmental impacts from the proposed abattoir. Some aspects of a poultry abattoir will overlap with a beef abattoir and, where possible, these aspects (eg effluent management) will be addressed as one. The EMP addresses each potential impact and the minimum standard of environmental management that will be incorporated into the final application.

In addition to environmental requirements, the proposed abattoir will also need accreditation under the *Food Production (Safety) Act 2000*. The food safety accreditations are regulated by Safe Food Production Queensland and involve regular inspections and the implementation of a safe food program. The standard of required cleanliness of the facility and site in general will significantly contribute towards the minimisation of odour, disease risk and vermin.

The external consultants conclude that the overarching EMP provides high level information to accompany the Section 242 preliminary application as well as to provide simple information to Council and the community around the environmental management of the proposed abattoir and the strict requirements that will most likely be put in place. All Environmentally Relevant Activities will require referral to the Department of Environmental and Science (DES) during the subsequent application for a Material Change of Use (MCU) for the abattoir.

5.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

5.1 Water and Sewerage Infrastructure

Refer to Section 4.3 above.

5.2 Stormwater/Drainage

Refer to Section 4.2 above.

5.3 Roads

Refer to Section 4.4 above.

5.4 Services

The provision of underground electricity and telecommunication services are available to the

site.

5.5 Infrastructure Charges

Infrastructure Charges are not applicable to a Preliminary Approval under s242 of the Sustainable Planning Act 2009. Infrastructure Charges will be considered as part of subsequent Material Change of Use development applications resulting from the Master Planned area.

6.0 PUBLIC CONSULTATION

One submission was received in relation to the proposed development. The submission was in support of the proposed Master Planned area.

7.0 STATE AGENCY REFERRALS

7.1 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; Clearing Vegetation and the Regional Plan and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. Referral response referenced DGBN18/1130 SDA-0817-041234 dated 26 September 2018. Refer to Attachment 5 and Schedule 3 of the recommended conditions.

7.2 Advice Agencies

There are no Advice Agencies relating to this application.

7.3 THIRD PARTY ADVICE AGENCIES

Third Party Advice Agency

South East Queensland Water (Seqwater)

Seqwater, as a third-party advice agency, has reviewed the application material against the Seqwater Development Guidelines in recognition that the development application seeks to vary the effect of the Planning Scheme in accordance with the Brisbane Valley Protein Precinct Plan of Development (BVPP PoD).

Seqwater has advised that should Council approve the development application the following issues should be considered for incorporation into conditions of approval:

1. Rehabilitation Strategy

- a. Amendment of the proposed Staging Plan to align with the Brisbane Valley Protein Precinct Rehabilitation Strategy.
- b. Amendment of the Brisbane Valley Protein Precinct Plan of Development (BVPP PoD) to include a statement in 3.3 Overall Outcomes, to ensure development accords with an (amended) staging to align with the Rehabilitation Strategy.

Officer comments:

The rehabilitation of Spring Creek and other waterways is of key interest to Seqwater given the proposed type and intensity of uses and potential for impacts on water quality. The Rehabilitation Strategy outlines a "Program Logic" from upstream to downstream (from east to west) which is structured over six (6) zones for the works to occur over approximately ten (10) years implemented with approximately two (2) to four (4) years per zone. The proposed Staging Plan needs to align with this logical sequence.

Section 1.3 of the PoD states that the sequence of development for the Master Plan is expected to be staged in accordance with the Staging Plan. The Brisbane Valley Protein Precinct Development Code (BVPP Code) however, only refers to the staged

rehabilitation/restoration of Spring Creek through the inclusion of AO18. Accordingly, the proposed Staging Plan should be amended to better align with the Rehabilitation Strategy. This need not necessarily change the overall intended staging of the Sub Areas and can be achieved by modifying the stages to accommodate the relevant restoration zones per the Rehabilitation Plan. There should be a stronger emphasis in the BVPP PoD regarding the staging of the development on the site, for example by inclusion in 3.3 Overall Outcomes of a statement to ensure development accords with an (amended) staging plan to align with the Rehabilitation Strategy; and inclusion of a specific Performance Outcome in the BVPP Code requiring the staging of development to be in accordance with the Rehabilitation Strategy.

Seqwater's recommendation regarding Rehabilitation Strategy is supported and conditioned in Schedule 4.

2. Linkages to Water Quality

- a. Amendment of the Brisbane Valley Protein Precinct Development Code (BVPPD Code) to include in AO14-AO15, requirements for site analysis and stormwater and wastewater management plans in accordance with *Planning Scheme Policy 3 – Catchment Management Analysis Guidelines (PSP 3)*.
- b. Amendment of the BVPPD Code to include the content of AO17 in the PO17 to strengthen these requirements.
- c. Consideration should be given to updating the reference to the latest Seqwater Development Guidelines in the BVPP PoD. If this is amendable to Council, point b) above would require the amendment of both AO17 and PO17 to require the achievements of the Performance Outcomes of the "*Development Guidelines Water Quality Management in Drinking Water Catchments 2017*."

Officer comments:

In response to linkages to water quality issues raised in Council's Information Request, the applicant states that "the BVPP PoD has been revised to provide clearer links to water quality objectives as prescribed in the SPP and Seqwater Guidelines. The BVPP Code includes Performance Outcomes PO14-PO17 under the heading of Water Quality and AO17 seeks achievement of the Specific Outcomes of the Seqwater Guidelines". Given that part of the site is within the Water supply buffer area, it is considered appropriate to require the achievement of the relevant water quality objectives in the performance outcome in addition to the acceptable outcome.

In addition, the performance outcomes or associated acceptable outcomes of the BVPP PoD do not refer to the requirements of *Planning Scheme Policy 3 – Catchment Management Analysis Guidelines (PSP 3)*. It is considered that AO14-AO15 would benefit by referring to the requirements for site analysis and stormwater and wastewater management plans outlined in PSP3, in addition to achievement of the Seqwater Guidelines.

Whilst the Seqwater Development Guidelines for Water Quality Management in Drinking Water Catchments 2012 were current at the time of the development application, it is noted that Seqwater has adopted and published revised guidelines titled: "*Development Guidelines Water Quality Management in Drinking Water Catchments 2017*". Given that the Preliminary Approval and through its PoD is intended to provide the assessment framework for future development, consideration should be given to updating the reference to the latest Seqwater Development Guidelines in the BVPP PoD.

Seqwater's recommendation regarding linkages to water quality outcomes is supported and conditioned in Schedule 4.

3. Irrigation of Effluent as Accepted development

- a. Amendment of the BVPP PoD Assessment Table for Sub Area 5 to delete “Irrigation of Effluent” as a use/activity from the table.

Officer comments:

Seqwater raises concern that the ‘Irrigation of Effluent’ is a defined use and is accepted development in Sub Area 5 of the BVPP PoD. Seqwater believe irrigation of effluent is not a defined use and should be considered during the assessment of the principal activity from which the effluent is generated, which at this point is unknown.

The irrigation of the treated effluent from proposed uses that will be lawfully established in Sub Area 2 and Sub Area 5 will be regulated by the Department of Environment and Science (DE&S) Environmental Authority Permits that regulate Wastewater Treatment within the Protein Precinct development footprint. Environmentally Relevant Activities are strictly regulated, assessed and monitored under the *Environmental Protection Act 1994*. The associated ERA aspect of the development will ensure the protein precinct is subject to strict environmental assessment.

Seqwater’s recommendation is not supported.

4. Categories of Development for High Impact Industry and Intensive Animal Industry

- a. Amendment of the BVPP PoD Assessment Tables for all Sub Areas to ensure that the categories of development for High Impact Industry and Intensive Animal Industry are the same as those in the Somerset Region Planning Scheme 2016.

Officer comments:

Seqwater believe the land uses of High Impact Industry and Intensive Animal Industry should remain as Impact Assessable development in the PoD. The categories of assessment for these uses should remain in alignment with the Planning Scheme. Seqwater believe that the potential cumulative impacts on ground water and surface water and subsequent impacts on water quality have not been examined in any detail.

The comments provided by Seqwater are not supported. The approved Poultry Farm established in Sub Area 6 has demonstrated best practice environmental management principles that are to be replicated in Sub Area 5 of the BVPP Development Footprint. The approved Site Based Management Plan for Stage 1 addresses the same issues that will apply to the proposed Poultry Farm in Sub Area 5. Consequently, the Preliminary Approval has been structured in a way to enable the second poultry farm to proceed based on code assessment, together with detailed management plans being submitted as part of the development permit process.

The Preliminary Approval does not negate the need for environmental management plans. More importantly, an Impact Assessment process is not necessary to achieve the prescribed environmental standards. Environmentally Relevant Activities are strictly regulated, assessed and monitored under the *Environmental Protection Act 1994*. The ERA component of a poultry farm is also a code assessment process and it does not rely on an impact assessment process to properly and rigorously assess the potential impacts on the environment. The subsequent Material Change of Use approval under the proposed Plan of Development is just the first component of the approval regime. The associated ERA aspect of the development will ensure the farm is the subject of strict environmental assessment. The Environmental Authority cannot be used unless the prescribed environment criteria can be achieved. The EA is in fact the key approval regarding the operation and management of a poultry farm and maintaining best practice environmental standards.

Furthermore, the assessment benchmarks have been revised to include water quality objectives in the BVPP Development Code in line with the State Planning Policy and Seqwater's Development Guidelines. The applicant did provide a Stormwater Management Strategy which outlined the overall quality and quantity management strategy for the Sub Areas. Further detailed works will be undertaken as part of all subsequent Material Change of Use development applications that will be assessed against the relevant benchmarks, including the State Planning Policy which mandates the protection of water quality.

In addition, the Overlay Codes under the Planning Scheme have been clearly identified as being relevant Assessment Benchmarks. All applications will be assessed against the Catchment Management Overlay Code, amongst other applicable Overlay Codes, which stipulates development setbacks from watercourses and other water quality outcomes.

8.0 CONCLUSION

Based on the detailed assessment of the application as outlined in the preceding sections of this report, it is concluded that the development application complies with the intent of the *Somerset Region Planning Scheme 2016*, the *Sustainable Planning Act 2009*; the *Sustainable Planning Regulation 2009*; the *South-East Queensland Regional Plan 2009-2031 and Shaping SEQ*; the *State Planning Policy 2017*; the *State Development Assessment Provisions (SDAP)* and *Seqwater Development Guidelines 2017*.

The establishment of a variety of rural uses and industries as proposed is clearly anticipated in the Coominya locality and is expressed explicitly within various sections of the planning scheme through the intent of the Coominya Food Production Investigation Area. However, this Precinct is only supported where it is responsive to onsite conditions. This application has demonstrated that the development can be designed to respond to on-site conditions through the implementation of the Plan of Development, Master Plan and supporting staging plan. These documents provide the framework for development within this Precinct.

Master planning of the site is fundamental in the achievement of the Scheme's strategic objective. The Rural Zone provisions of the Planning Scheme need to be tailored to suit this unique concept and this application, made pursuant to Section 242 of the *Sustainable Planning Act 2009* is considered the most effective way of delivering the desired outcome.

The Preliminary Approval is structured in a way that ensures the core uses in each of the Sub Areas are subject to further development applications. This provides the mechanism for specific management plans to be submitted at the appropriate stage of development for Council approval. Such plans cannot be prepared at the preliminary approval stage as building designs need to be finalized along with preliminary bulk earthworks plans. Each Sub Area will be designed in accordance with 'best practice environmental management practices'.

This report, read in conjunction with the supporting specialist reports, demonstrates the suitability of the mixed-use food production and tourism concept articulated by the Master Plan. The supporting BVPP Plan of Development provides an assessment framework for future development within the Precinct, which will ultimately enhance the character and amenity of the locality. Furthermore, the development will also deliver a significant economic boost to the local economy and to the wider region.

9.0 ATTACHMENTS

1.	Brisbane Valley Protein Precinct Plan of Development Ref 3621, Rev 3.3A, dated 26 September 2018 and prepared by TJ Kelly Surveys Pty Ltd.
2.	Brisbane Valley Protein Precinct Master Plan , reference Project No. 1017066 Rev 3, Drawing 1, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.

3.	Brisbane Valley Protein Precinct Staging Plan , reference Project No. 1017066 Rev 3, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.
4.	Concept Sketches for Sub Area 1 and 2, prepared by Gall Architects and dated 28 May 2018.
5.	Department of State Development, Manufacturing, Infrastructure and Planning referral agency response (concurrence) with conditions, referenced DGBN18/1130 SDA-0817-041234 dated 26 September 2018.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Material Change of Use for a Preliminary Approval Overriding the Planning Scheme under s242 of the *Sustainable Planning Act 2009* – Brisbane Valley Protein Precinct on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

Site Schedule

<i>Owners</i>	<i>Lot Details</i>	<i>Zone</i>	<i>Current Use</i>	<i>Land Area Hectares</i>	<i>Address</i>
Duncan Brown and Selena Gomersall	10 SP280893	Rural	Vacant	25.18	29 Coominya Connection Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	11 SP280893	Rural	Vacant	623.4205	301 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	2 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	3 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	4 SP214262	Rural	Vacant	100.5	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	101 RP889967	Rural	Dwelling	2.0	289 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	102 RP889967	Rural	Dwelling	2.0	367 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	103 RO889967	Rural	Dwelling	2.0	369 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	107 RP889965	Rural	Vacant	70.457	West Road, Coominya

Sandy Teng and Cynthia St Peng	1 RP149534	Rural	Vacant	28.48	Brisbane Valley Highway, Coominya
Denis and Karen Matthews	10 SP167573	Rural	Dwelling	4.0	334 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	11 SP167573	Rural	Dwelling	4.0	350 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	12 SP167573	Rural	Poultry Farm	121.4994	390 West Road, Coominya
Duncan Brown and Selena Gomersall	164 CA3115	Rural	Vacant	32.375	541 Mahons Road, Coominya

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 Development – Brisbane Valley Protein Precinct , Ref 3621, Rev 3.3A, dated 26 September 2018 and prepared by TJ Kelly Surveys Pty Ltd.	
	Master Plan – Brisbane Valley Protein Precinct , reference Project No. 1017066 Rev 3, Drawing 1, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.	
	Staging Plan – Brisbane Valley Protein Precinct , reference Project No. 1017066 Rev 3, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.	
	Concept Sketches for Sub Area 1 and 2, prepared by Gall Architects and dated 28 May 2018.	
	Traffic Impact Assessment (Preliminary Approval) - "Brisbane Valley Protein Precinct Sub Area" 390 West Road and 29 Coominya Connection Road, Coominya (Response to SARA dated 19 September 2017), prepared by Rytenskild Traffic Engineering dated 5 June 2018.	
	Overarching Stormwater Management Strategy – "Brisbane Valley Protein Precinct" Report Number: 8497/1600574 Issue date: 25 November 2016, and prepared by FSA Consulting Group.	
	Preliminary Abattoir Environmental Management Plan -	

	prepared for the Brisbane Valley Protein Precinct Preliminary Approval for a Beef/Poultry Abattoir, referenced BVP-0001/1802156 Rev: B, dated 16/04/2018 and prepared by Premise Agriculture.	
	Odour Impact Assessment – prepared for the Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 4 June 2018 Final Document, reference D17071-4 and prepared by Katestone Environmental Pty Ltd.	
	Environmental Noise Impact Assessment – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 6 June 2018 referenced crgref: 16190 report Master Plan Rev.7, and prepared by CRG Acoustics Pty Ltd.	
	Land Resource Assessment – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, Project Number ECON0082 dated 31 August 2016, and prepared by Integrated Sustainability Systems (SIS).	
	Ecological Assessment Report – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 23 September 2016 and prepared by Eco Networks.	
	Ecological Restoration Management Plan – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated September 2016 and prepared by Landscape Conservation Land Management Contractors.	
	Rehabilitation Strategy – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 29 May 2018 and prepared by Envirosphere Consulting.	
SCHEDULE 2 – Environmental		
<i>Assessment Manager</i>		
NO.	CONDITION	TIMING
2.1	Notwithstanding any other condition of this Preliminary Approval under section 242 of the <i>Sustainable Planning Act 2009</i> , this Preliminary Approval does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site and between different Sub-Areas within the Master Planned development area.	At all times
2.2	Install and maintain a weather station in line with: <ul style="list-style-type: none"> AS3580.1.1:2016: Methods for sampling and analysis of ambient air: Guide for the siting of sampling units (or any superseding document as published from time to time). AS3580.14:2014: Methods for sampling and analysis 	Prior to commencement of the BVPP Master Planned Development Area; and At all times.

	of ambient air: Meteorological monitoring for ambient air quality monitoring applications (or any superseding document as published from time to time).	
2.3	The approval holder must maintain all records obtained from the weather station required in condition 2.2 above.	At all times.
2.4	Submit data obtained from the weather station required in condition 2.2 when requested by Council.	Within one month of receiving a request from Council.
SCHEDULE 3 – REFERRAL AGENCY DEPARTMENT OF STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING (DSDMIP) <i>Concurrence Agency Status</i> <i>Agency Response: Recommend Conditions Apply</i>		
3.1	The Department of State Development, Manufacturing, Infrastructure and Planning, as a Referral Agency (concurrence) has assessed the impact of the proposed development in accordance with its jurisdiction under Schedule 7, table 3, item 1 State-controlled road; Schedule 7, table 3, item 2 Development impacting on state-transport infrastructure; Schedule 7, table 3, item 10 Clearing Vegetation; and Schedule 7, table 3, item 12 Regional Plans of the <i>Sustainable Planning Regulation 2009</i> .	
3.2	The Department of State Development, Manufacturing, Infrastructure and Planning supports this application subject to the inclusion of conditions in the Assessment Manager Decision Notice.	
3.3	Concurrence Agency response with conditions dated 26 September 2018 and referenced DGBN 18/1130 SDA-0817-041234, given under section 285 of the <i>Sustainable Planning Act 2009</i> .	
3.4	Concurrence Agency response will be attached to Council's Decision Notice for DA16915.	
SCHEDULE 4 – THIRD PARTY ADVICE AGENCY SEQ WATER		
4.1	Rehabilitation Strategy 1. Amend the proposed Staging Plan to align with the Brisbane Valley Protein Precinct Rehabilitation Strategy. 2. Amend the Brisbane Valley Protein Precinct Plan of Development (BVPP PoD) to include a statement in 3.3 Overall Outcomes, to ensure development accords with an (amended) staging to align with the Rehabilitation Strategy.	
4.2	Linkages to Water Quality 1. Amend the Brisbane Valley Protein Precinct Development Code (BVPPD Code) to include in AO14-AO15, requirements for site analysis and stormwater and wastewater management plans in accordance with <i>Planning Scheme Policy 3 – Catchment Management Analysis Guidelines (PSP 3)</i> . 2. Amend the BVP PD Code to include the content of AO17 in the PO17 to strengthen these requirements. 3. Update the reference to the latest Seqwater Development Guidelines (2017)	

	in the BVPP PoD. Amend both AO17 and PO17 to require the achievements of the Performance Outcomes of the <i>“Development Guidelines Water Quality Management in Drinking Water Catchments 2017.”</i>
SCHEDULE 5 – ADVISORY NOTES	
This approval has effect in accordance with the provisions of <i>Division 5 Section 339</i> of the <i>Sustainable Planning Act 2009</i> . [A copy of Section 339 will be enclosed with the Decision Notice].	
Stated Period - Pursuant to <i>Section 341</i> of the ‘Act’ the approval will lapse if the first change of the use under the approval does not start within the ‘stated period’ – ten (10) years starting the day the approval takes effect.	
The <i>Sustainable Planning Act 2009 (SPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval.	
Pursuant to <i>Division 8 Section 461</i> of the <i>Sustainable Planning Act 2009</i> , the Applicant has the Right of Appeal to the <i>Planning and Environment Court</i> regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under <i>section 242</i> of the ‘Act’. [A copy of the Right of Appeal will be enclosed with the Decision Notice].	

Attachments for the Decision Notice include:

1.	Brisbane Valley Protein Precinct Plan of Development Ref 3621, Rev 3.3A, dated 26 September 2018 and prepared by TJ Kelly Surveys Pty Ltd.
2.	Brisbane Valley Protein Precinct Master Plan, reference Project No. 1017066 Rev 3, Drawing 1, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.
3.	Brisbane Valley Protein Precinct Staging Plan, reference Project No. 1017066 Rev 3, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.
5.	Department of State Development, Manufacturing, Infrastructure and Planning referral agency response (concurrence) with conditions, referenced DGBN18/1130 SDA-0817-041234 dated 26 September 2018.

Decision:

Moved - Cr Hall

Seconded - Cr Choat

“THAT Council approve the Development Application for a Material Change of Use for a Preliminary Approval Overriding the Planning Scheme under s242 of the *Sustainable Planning Act 2009* – Brisbane Valley Protein Precinct on land described in the Site Schedule below, and subject to the requirements and conditions contained in the Schedules and Attachments.

Site Schedule

Owners	Lot Details	Zone	Current Use	Land Area Hectares	Address
Duncan Brown and Selena Gomersall	10 SP280893	Rural	Vacant	25.18	29 Coominya Connection Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	11 SP280893	Rural	Vacant	623.4205	301 West Road, Coominya

Brisbane Valley Protein Precinct Pty Ltd	2 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	3 SP214262	Rural	Vacant	100.0	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	4 SP214262	Rural	Vacant	100.5	Winders Gravel Pit Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	101 RP889967	Rural	Dwelling	2.0	289 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	102 RP889967	Rural	Dwelling	2.0	367 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	103 RO889967	Rural	Dwelling	2.0	369 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	107 RP889965	Rural	Vacant	70.457	West Road, Coominya
Sandy Teng and Cynthia St Peng	1 RP149534	Rural	Vacant	28.48	Brisbane Valley Highway, Coominya
Denis and Karen Matthews	10 SP167573	Rural	Dwelling	4.0	334 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	11 SP167573	Rural	Dwelling	4.0	350 West Road, Coominya
Brisbane Valley Protein Precinct Pty Ltd	12 SP167573	Rural	Poultry Farm	121.4994	390 West Road, Coominya
Duncan Brown and Selena Gomersall	164 CA3115	Rural	Vacant	32.375	541 Mahons Road, Coominya

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 Development – Brisbane Valley Protein Precinct , Ref 3621, Rev 3.3A, dated 26 September 2018 and prepared by TJ Kelly Surveys Pty Ltd.	
	Master Plan – Brisbane Valley Protein Precinct , reference Project No. 1017066 Rev 3, Drawing 1, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.	
	Staging Plan – Brisbane Valley Protein Precinct , reference Project No. 1017066 Rev 3, dated 24/05/2018 and prepared by Place Design Group Pty Ltd.	
	Concept Sketches for Sub Area 1 and 2, prepared by Gall Architects and dated 28 May 2018.	
	Traffic Impact Assessment (Preliminary Approval) - “Brisbane Valley Protein Precinct Sub Area” 390 West Road and 29 Coominya Connection Road, Coominya (Response to SARA dated 19 September 2017), prepared by Rytenskiid Traffic Engineering dated 5 June 2018.	
	Overarching Stormwater Management Strategy – “Brisbane Valley Protein Precinct” Report Number: 8497/1600574 Issue date: 25 November 2016, and prepared by FSA Consulting Group.	
	Preliminary Abattoir Environmental Management Plan - prepared for the Brisbane Valley Protein Precinct Preliminary Approval for a Beef/Poultry Abattoir, referenced BVP-0001/1802156 Rev: B, dated 16/04/2018 and prepared by Premise Agriculture.	
	Odour Impact Assessment – prepared for the Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 4 June 2018 Final Document, reference D17071-4 and prepared by Katestone Environmental Pty Ltd.	
	Environmental Noise Impact Assessment – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 6 June 2018 referenced cgrref: 16190 report Master Plan Rev.7, and prepared by CRG Acoustics Pty Ltd.	
	Land Resource Assessment – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, Project Number ECON0082 dated 31 August 2016, and prepared by Integrated Sustainability Systems (SIS).	
	Ecological Assessment Report – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 23 September 2016 and prepared by Eco Networks.	

	Ecological Restoration Management Plan – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated September 2016 and prepared by Landscape Conservation Land Management Contractors.	
	Rehabilitation Strategy – prepared for Brisbane Valley Protein Precinct Preliminary Approval section 242 of SPA, dated 29 May 2018 and prepared by Envirosphere Consulting.	
SCHEDULE 2 – Environmental		
<i>Assessment Manager</i>		
NO.	CONDITION	TIMING
2.1	Notwithstanding any other condition of this Preliminary Approval under section 242 of the <i>Sustainable Planning Act 2009</i> , this Preliminary Approval does not authorise any release of contaminants that causes, or is likely to cause environmental harm including environmental nuisance beyond the boundaries of the development site and between different Sub-Areas within the Master Planned development area.	At all times
2.2	Install and maintain a weather station in line with: <ul style="list-style-type: none"> AS3580.1.1:2016: Methods for sampling and analysis of ambient air: Guide for the siting of sampling units (or any superseding document as published from time to time). AS3580.14:2014: Methods for sampling and analysis of ambient air: Meteorological monitoring for ambient air quality monitoring applications (or any superseding document as published from time to time). 	Prior to commencement of the BVPP Master Planned Development Area; and At all times.
2.3	The approval holder must maintain all records obtained from the weather station required in condition 2.2 above.	At all times.
2.4	Submit data obtained from the weather station required in condition 2.2 when requested by Council.	Within one month of receiving a request from Council.
SCHEDULE 3 – REFERRAL AGENCY		
DEPARTMENT OF STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING (DSDMIP)		
<i>Concurrence Agency Status</i>		
<i>Agency Response: Recommend Conditions Apply</i>		
3.1	The Department of State Development, Manufacturing, Infrastructure and Planning, as a Referral Agency (concurrence) has assessed the impact of the proposed development in accordance with its jurisdiction under Schedule 7, table 3, item 1 State-controlled road; Schedule 7, table 3, item 2 Development impacting on state-transport infrastructure; Schedule 7, table 3, item 10 Clearing Vegetation; and Schedule 7, table 3, item 12 Regional Plans of the <i>Sustainable Planning Regulation 2009</i> .	
3.2	The Department of State Development, Manufacturing, Infrastructure and Planning supports this application subject to the inclusion of conditions in the Assessment	

	Manager Decision Notice.
3.3	Concurrence Agency response with conditions dated 26 September 2018 and referenced DGBN 18/1130 SDA-0817-041234, given under section 285 of the <i>Sustainable Planning Act 2009</i> .
3.4	Concurrence Agency response will be attached to Council's Decision Notice for DA16915.
SCHEDULE 4 – THIRD PARTY ADVICE AGENCY SEQ WATER	
4.1	Rehabilitation Strategy <ol style="list-style-type: none"> 1. Amend the proposed Staging Plan to align with the Brisbane Valley Protein Precinct Rehabilitation Strategy. 2. Amend the Brisbane Valley Protein Precinct Plan of Development (BVPP PoD) to include a statement in 3.3 Overall Outcomes, to ensure development accords with an (amended) staging to align with the Rehabilitation Strategy.
4.2	Linkages to Water Quality <ol style="list-style-type: none"> 1. Amend the Brisbane Valley Protein Precinct Development Code (BVPPD Code) to include in AO14-AO15, requirements for site analysis and stormwater and wastewater management plans in accordance with <i>Planning Scheme Policy 3 – Catchment Management Analysis Guidelines (PSP 3)</i>. 2. Amend the BVP PD Code to include the content of AO17 in the PO17 to strengthen these requirements. 3. Update the reference to the latest Seqwater Development Guidelines (2017) in the BVPP PoD. Amend both AO17 and PO17 to require the achievements of the Performance Outcomes of the "<i>Development Guidelines Water Quality Management in Drinking Water Catchments 2017</i>."
SCHEDULE 5 – ADVISORY NOTES	
This approval has effect in accordance with the provisions of <i>Division 5 Section 339</i> of the <i>Sustainable Planning Act 2009</i> . [A copy of Section 339 will be enclosed with the Decision Notice].	
Stated Period - Pursuant to <i>Section 341</i> of the 'Act' the approval will lapse if the first change of the use under the approval does not start within the 'stated period' – ten (10) years starting the day the approval takes effect.	
The <i>Sustainable Planning Act 2009 (SPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval.	
Pursuant to <i>Division 8 Section 461</i> of the <i>Sustainable Planning Act 2009</i> , the Applicant has the Right of Appeal to the <i>Planning and Environment Court</i> regarding any condition of this approval; another matter stated in the development approval and the identification or inclusion of a code under <i>section 242</i> of the 'Act'. [A copy of the Right of Appeal will be enclosed with the Decision Notice]."	
<u>Carried</u>	

Subject:	Audit committee independent member
File Ref:	Financial Management - Audit - 2018-2019 Audit Committee
Action Officer:	ICC

Background/Summary

Council's Audit Committee Policy provides as follows:

"The members of the audit committee are the Mayor (Chair), Deputy Mayor and an independent member. The independent member is to be a person who is not an employee of Council who is qualified as either a Chartered Accountant or a Certified Practising Accountant and who works in public accounting."

At its meeting on 12 August 2015, Council resolved that Eamon John Lynch and in his absence Allen Paul Whitehouse of Whitehouse Audit Pty Ltd be appointed as independent audit committee member for a three year term.

As this term has now expired, Council called quotations for an independent audit committee member for a five year term. Quotations closed on 13 November 2018. The request for quotation was advertised in the Gatton Star and Kilcoy Sentinel.

Only one quotation was received from the existing appointee, Eamon John Lynch of Whitehouse Audit Pty Ltd.

Mr Lynch has the required experience and qualifications and has undertaken the role of independent audit committee member over the last three years. The quoted price of \$1,353 including GST per meeting represents a 3.8% increase on the previous arrangements.

Attachments

Nil

Recommendation

THAT Eamon John Lynch and in his absence Allen Paul Whitehouse of Whitehouse Audit Pty Ltd be appointed as independent audit committee member for a five year term.

Decision:	Moved - Cr Whalley	Seconded - Cr Ogg
<p>"THAT Eamon John Lynch and in his absence Allen Paul Whitehouse of Whitehouse Audit Pty Ltd be appointed as independent audit committee member for a five year term."</p> <p style="text-align: right;"><u>Carried</u></p>		

Subject:	Queensland Urban Utilities participation agreement proposed changes
File Ref:	Government relations - utilities - QUU - Queensland Urban Utilities
Action Officer:	DFIN

Background/Summary

Queensland Urban Utilities (QUU) has proposed changes to the agreement with its participating local governments (PLGs) that would reduce QUU's obligations for producing

strategic plans and operational performance reports.

Since formation QUU has prepared a five-year corporate plan which is reviewed every twelve months. This is a requirement of the participation agreement. The corporate plan must be approved by a special majority of shareholders.

QUU propose a five-year corporate planning cycle instead of an annual cycle, similar to requirements of Council under the *Local Government Act 2009* (refer attached 1.1).

QUU also propose internally producing an annual strategic plan which would be a parallel to Council's operational plan (please refer attached 1.2).

QUU currently reports its performance to PLGs each quarter. QUU proposes six monthly performance reporting instead of quarterly reporting. (refer attached 2.1)

It is considered that Council's need for performance information from QUU for Council budgeting and other purposes would be met by six monthly reporting from QUU. The other proposed changes are unlikely to adversely affect Council.

Attachment

Email and Annex A from Queensland Urban Utilities of 13 November 2018

Recommendation

THAT Council advise Queensland Urban Utilities that it has no objection to the proposed changes to the participation agreement outlined in Annex A received 13 November 2018.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Brieschke

"THAT Council advise Queensland Urban Utilities that it has no objection to the proposed changes to the participation agreement outlined in Annex A received 13 November 2018."

Carried

Subject: Offer for lot 5 RP170610
File Ref: Council properties - disposal
Action Officer: DFIN

Background/Summary

Council owns a freehold lot along Selwyn Road Esk described as L 5 RP170610 occupying 46 square metres.

Section 236 (1) (c) (iv) is attached and provides for the disposal of land without public tender in cases where the land is impracticably small and has only one adjoining landowner.

There are cost implications to Council in holding L 5 RP170610 as freehold land and it is considered that the land has potential value only to the adjoining property owner for development purposes and would have no value to any other person.

The adjoining owner's (lot 3 RP218948) views were sought on possible options available to Council including either selling L 5 RP170610 or converting the tenure of L 5 RP170610 so that it does not attract State Government levies.

State legislation prevents subdivision in this area.

The owner of L 3 RP218948 has written offering to purchase L 5 RP170610.

Attachments

- Section 236 of the Local Government Regulation 2012
- Section 104 of the Local Government Act 2009 (sound contracting principles)
- Map of L 5 RP170610 and L 3 RP218948
- Letter to the owner of L 3 RP218948 of 7 November 2018 (provided separate to agenda)
- Letter from the owner of L 3 RP218948 received 19 November 2018 (provided separate to agenda)

Recommendation

THAT Council accepts the offer dated 15 November 2018 from the owner of L 3 RP218948 to purchase Council freehold lot L 5 RP170610 because L 5 RP170610 is not suitable to be offered for disposal by tender or auction due to its small size and shape, L 5 RP170610 adjoins only L 3 RP218948 and could not viably be acquired or used by any person other than the owner of that adjoining property, it is in the public interest for Council to dispose of L 5 RP170610 without advertising for public tenders or holding an auction and because this disposal is in accordance with sound contracting principles.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

"THAT Council accepts the offer dated 15 November 2018 from the owner of L 3 RP218948 to purchase Council freehold lot L 5 RP170610 because L 5 RP170610 is not suitable to be offered for disposal by tender or auction due to its small size and shape, L 5 RP170610 adjoins only L 3 RP218948 and could not viably be acquired or used by any person other than the owner of that adjoining property, it is in the public interest for Council to dispose of L 5 RP170610 without advertising for public tenders or holding an auction and because this disposal is in accordance with sound contracting principles."

Carried

Subject:	Tender 1107 – hire of privately owned wet hire plant for 12 months
File Ref:	Corporate management - tendering - tenders
Action Officer:	SPO

Background/Summary

Wet plant hire refers to plant hired with an operator.

26 tenders were received for wet hire plant. Two (non-local tenders) were rejected due to non-conformances or for pricing that was considered too expensive.

Tenders received have been ranked based on price using a notional hire period that is typical for the hire period for that type of plant (eg an eight hour day). The carrying capacity for truck and dog trailers has also been considered. Due to the various size and types of truck and dog trailer combinations available, two rankings have been prepared for truck and dog combinations. The first is to be used when the haulage of bulk material is needed between

quarries and/or stockpile sites and expressed in cost per tonne to cart. The second includes an hourly rate for delivery to job sites where the most suitable size truck and dog trailer combination is to be selected (expressed as total hire for an eight hour day).

All tenders have been scrutinised via set selection criteria encompassing compulsory insurances and work health and safety matters. Information around human and other resource issues that may affect the ability of tenderers to meet Council's needs were also considered. Contractors that do not meet the minimum requirements will not be used.

The tender analysis contains rankings of comparable items of plant in different localities.

Some tenderers have offered miscellaneous equipment that is not readily comparable with any other item offered by other tenderers but which may nevertheless be useful to Council on some occasions (eg articulated dump trucks). The tender analysis excludes the miscellaneous items for size reasons however the recommendation below is worded to accept all offers received for these items.

Attachments

A commercial in confidence copy of the tender analysis schedules including rankings by tenderer for each category of plant in each locality is provided separately for Councillors.

Recommendation

THAT:

- All Contractors listed on the tender analysis schedules be accepted for a 12-month period starting 3 December 2018 and terminating 3 December 2019 as ranked as per the tender analysis including the offers received for various miscellaneous equipment where a pricing schedule has been submitted; and
- Should Council become aware of any tenderer not meeting any contract requirement including minimum insurance coverage during the term of the contract, the relevant tenderer or tenderers are to be removed from the tender schedules.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT:

- All Contractors listed on the tender analysis schedules be accepted for a 12-month period starting 3 December 2018 and terminating 3 December 2019 as ranked as per the tender analysis including the offers received for various miscellaneous equipment where a pricing schedule has been submitted; and
- Should Council become aware of any tenderer not meeting any contract requirement including minimum insurance coverage during the term of the contract, the relevant tenderer or tenderers are to be removed from the tender schedules."

Carried

Subject:	State grants review
File Ref:	Grants and subsidies - programs - works for Queensland
Action Officer:	DFIN

Background/Summary

The Queensland Government has announced a policy position on grants to local government. This policy position confirms the Government's "commitment to develop a model for grant funding that is simple, adaptable and coordinated, that provides value for the State, while being responsive to community priorities."

The Department of Local Government, Racing and Multicultural Affairs (DLGRMA) has invited "key relevant officers of council" to complete a survey to provide input on the review of grants to local government.

It is considered that the following questions from the survey are a policy matter for Council:

"Do you prefer "allocation" or "competitive" based funding?" "Why?"

("Allocation" is defined as a grant program where funds are allocated based on a set of rules. "Competitive" is defined as a grant program where applicants apply for funding subject to a selection and assessment process with applications rated against criteria and other applications)

Council has been advocating to be included in the State's \$200 million per round Works for Queensland (W4Q) funding program. W4Q is easily DLGRMA's largest funding program.

W4Q is an allocation-based program to which Somerset and other south-east Queensland local governments are not eligible.

As an indication of the funds involved, Somerset's neighbouring local governments of South Burnett Regional Council and Gympie Regional Council have previously been allocated \$4,385,000 per round and \$6,080,000 per round respectively under W4Q.

Indicating a preference for an allocation-based approach would be consistent with Council's advocating to be included in Works for Queensland.

Attachment

Queensland Government grants to local government policy position

Recommendation

THAT Council endorses a preference for allocation-based funding in the State's consultation over its review of grants to local government to help support Council's case to be included in future rounds of Works for Queensland to help create, support or sustain jobs.

Decision: Moved - Cr Hall Seconded - Cr Choat

"THAT Council endorses a preference for allocation-based funding in the State's consultation over its review of grants to local government to help support Council's case to be included in future rounds of Works for Queensland to help create, support or sustain jobs."

Carried

Subject:	Youth Engagement Officer Report - October 2018
File Ref:	Community Services - Youth Development - Youth Services
Action Officer:	Youth Engagement Officer

Background/Summary

The following report contains an overview of the key projects and activities of the youth engagement officer (YEO) for October 2018. The report also outlines planned projects and proposals for future youth related projects.

Networks, partnerships and local connections

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

Networks and committees attended, and key engagements:

- Brisbane Valley Interagency
- Kilcoy Interagency
- Youth Interagency
- LAC Carers Qld NDIS
- Mayor Graeme Lehmann SRC
- Cr Cheryl Gaedtker SRC
- Cr Helen Brieschke SRC
- Mercy Lowood Hub
- Esk Hospital
- MP Shayne Neumann
- Ipswich Community Youth Service (ICYS)
- Kilcoy Aquatic Centre
- Kilcoy Visitors Information Centre
- JP, Community Volunteer
- Mental Health
- Nuts & Bolts Mental Health
- Mission Australia DES
- DATSIP
- Centrelink – Farm Household Case Officer
- Anglicare
- PCLI Brisbane North PHN
- Mercy Community
- Anglican Parish of Kilcoy and Woodford – Priest in charge
- Dept. of Social Services
- Next step – Life without barriers
- Pro Drive Driving School
- IODA Training and Education
- SPER
- QPASTT
- Drug Arm
- Community Connections
- Dept. of Employment Small Business Training
- Queensland Education
- The Base Support Services Inc
- Department of Aboriginal and Torres Strait Islander Partnerships
- Ipswich Probation and Parole
- Ipswich City Council

- Triangle House
- IFYS
- YMCA
- RFQ/MIFQ
- CSYW
- Challenge Employment and Training
- Bremer SHS
- The Salvation Army
- Busy at Work
- Project Booyah
- Qld Police - PCYC

General activities and key projects undertaken

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

- The YEO assisted the CDC with the Teddy Bears Picnic, Wednesday 3 October at the Fernvale Community Hall. All families were invited. YEO responsible for site area layout, meet and greeting of service providers that attended the event to promote their services to the community, assisted Cr Helen Brieschke serve over 350 snow cones to the early years children and parents. Very successful event, services provided a range of activities i.e. craft, painting giving the parents the opportunity to also find out what services are available in the region. Blazer Bear and Constable Clancy the Koala made appearances throughout the day and children were encouraged to bring their own bears along to join in the free community barbecue. There were lots of activities for children including craft, outdoor games, face painting, a jumping castle, balloon twisting and soccer.
- The YEO attended the Brisbane Valley Interagency Thursday 11 October. This includes support services and community groups which operate in or outreach to the Brisbane Valley. Katy O'Callaghan provided a presentation on business continuity planning project, discussed current issues Brisbane Valley clients and residents are experiencing, and the role the interagency might have in responding i.e. partnership opportunities.

Discussion included emergency relief issues, Mobile Hub in Lowood, Teddy Bears Picnic, Fernvale Hub, new initiatives, new services, upcoming community events that the interagency may want to participate in.

- The YEO attended the Youth Interagency meeting on Tuesday 16 October. The Ipswich and West Moreton Youth Interagency is a network meeting for service providers who support young people in their work across the Ipswich, Somerset and Lockyer Valley regions (and beyond). These meetings are an opportunity for service providers to network with other services and professionals across our sector, hear about the work services are doing across our region to support our community's young people, create opportunities to collaborate, find out about upcoming activities or events, hear about new funding opportunities and outcomes, and all things youth related. Speaker - Shane Leigh – Senior Stakeholder Management Officer, State Penalties Enforcement Registry (SPER) @ Officer of State Revenue, Queensland Treasury – discussed programs in place to assist people with paying off fines, options available i.e. Volunteer Work in return for payment as a possible option for those youth struggling with financial pressures. General business including any emerging trends, issues for general discussion, upcoming initiative, programs and or events.

- The YEO attended the Kilcoy Interagency meeting on Tuesday 30 October. This includes support services and community groups which operate in or outreach to the Kilcoy area. New services were invited to talk about what they offer the Kilcoy residents, identified issues that the group may like to work on collaboratively, any new initiatives offered by service providers which are open to Kilcoy residents, discussed possible upcoming events, Kilcoy Cares Book update, Rural Minds Workshop, leading discussion about how to support the farmers in the community around Mental Health, Centrelink provided information on Farm House funded programs and how they have recently extended this from 3 to 4 years. This program/payment helps Farmers with putting food on the table and paying the household bills. It is not related to the Drought and is an ongoing payment for the Farmers. Not to be used for purchase of equipment, stock feed, cattle purchase etc – purely for their household costs, bills and food only.

Youth

- The YEO attended the Kilcoy Movie Night with SRO and CDC, Friday 19 October. Children's Week activities in partnership with Save the Children Play to Learn Mobile Playgroup. Free BBQ and movie – Toy Story 2, was put on for the local families and children – approximately 50 people attended.
- The YEO assisted the SRO with the Somerset Spring School Holiday Program. This program ran between the dates of Wednesday 26 September – Thursday 4 October. The program promoted active, healthy and having fun. Tuesday 2 October- Kilcoy Information Centre and Kilcoy Aquatic Centre. Movie 'COCO' followed by pool party with inflatables, music, swimming races, water polo and volleyball. Thursday 4 October – Esk Recreation Grounds – Rocket Science Adventures – Engineer your own rocket, aviation design challenge, test your piloting skills in a real-life aircraft. YEO responsible for Fernvale Youth Bus Pick up and return, parents sign in and out – gaining signatures and general information and youth interaction.
- The YEO is continuing to liaise with KSHS, LSHS and TSHS regarding student selection and camp details for the Somerset Youth Leadership Camp scheduled for 21-23 January 2019. The YEO has provided an extension to the date based on school leader's Awards night commencing up to and end of November. TSHS has provided their nominations, just waiting on KSHC and LSHS nomination forms. An extension has been granted to no later than the end of Term 4 (prior to Christmas School Holidays starting). The YEO is now in the process of assuring all documentation submitted to the schools is quality assured and correct. YEO will continue to work with relevant stakeholders, SRO to plan this event.
- The YEO has submitted the Somerset Christmas School Holiday Program 2018/2019 for print. Target being that all schools will have both electronic version and printed version in the schools prior to 1st December. This will provide parents with plenty of time to plan their days around their busy work schedules and start utilising the school holiday program that the council have put together. YEO goal is to increase numbers interested based on previous year's figures. Suggest that council take up any opportunity to promote the program via local events, markets etc to hand out programs to interested families/parents and care givers.
- YEO has been advised that the Australian Skateboarding Community Initiative will be held on 13 April 2019 during the evening. Apparently, they have had success with evening events before so would like to trial this for the next event in Fernvale.
- YEO has been advised that the Queensland Youth Week will run from 3-14 April 2019. Queensland Youth Week gives us the opportunity to reflect on youth - people aged 12-

25 and their positive contributions to Queensland communities. Activities and events will be held across the state to celebrate the week. For 2019, they have extended the week to allow high schools to get involved at the end of the school terms. Queensland Youth Week community grants are available of up to \$2000 to support local activities and events during the Queensland Youth Week 2019. These community grants are available to local councils, not-for-profit organisations, parents and citizen groups.

- YEO has been advised that the Mental Health Expo's for 2019 at Lowood State High School will be Monday 1 April and Monday 16 September 2019.

Attachments

Somerset Christmas School Holiday Program 2018-2019
Queensland Youth Week 2019 – Community Grant information
October 2019 Corporate Services Newsletter

Recommendation

THAT the report be received.

Decision:

Moved - Cr Brieschke

Seconded - Cr Ogg

"THAT the report be received."

Carried

Subject:	Somerset Region Neighbourhood Centre Service Report for the period 1 October – 31 October 2018
File Ref:	Community services - service provision - Community Development
Action Officer:	CDC

Background/Summary

Activities throughout the month included:

- The Thursday Club met each Thursday throughout October. The group continues with their craft and board games activities.
- Toogoolawah Women's Group continues to meet twice monthly. There are almost 50 members in the group with around 25 meeting regularly. This month included an extra planning day, as the group determines and invited their own speakers.
- The new Mothers Group established in Toogoolawah to supplement the Playgroup, has continued to gain support. This month including a pamper morning. The child nurse who was scheduled to present failed to turn up and will be rescheduled.
- This month's Cuppa and Chat was small as a speaker was not able to be obtained. Seven residents attended and enjoyed the social morning.
- Teddy Bears Picnic in Fernvale attracted around 300 participants (around 80-100 families) with thirteen agencies offering activities.
- Focus on Farmers information afternoon and barbecue enabled around six farmers to socialize and obtain information from service providers.
- Partnered with Save the Children's mobile play group to provide a movie evening for Children's Week in Kilcoy. Thirty-five children attended, with their parents.

Meetings/attendances throughout the month:

- Coordinated the Kilcoy and Brisbane Valley Interagency
- Attended Masquerade “Party” evening for Mental Health Week organized by Nuts and Bolts Peer Support Group (Kilcoy)
- Attended West Moreton LLA meeting
- Attended West Moreton Health and Hospital Reference Group
- Attended Corporate Services meeting
- Attended Somerset and Lockyer Valley future mental health services discussion with PHN and Lockyer service providers
- Participated in telephone interview regarding transport options in Locker/Somerset
- Hosted Kilcoy Cares meeting

Future Planned/Proposed Events and activities:

- Farmers Information Evening – Esk – November
- Rural Mental Health Workshops – Esk and Kilcoy - November
- Seniors Trivia Morning (in association with Able Australia) – Toogoolawah – November

Somerset Region Neighbourhood Centre Service usage*Events/Activities*

Group/event name	Date	Location	Topic	Number attendees	Number new attendees
Thursday Club	4 Oct	Toogoolawah	General craft	12	0
	11 Oct		General craft	13	0
	18 Oct		General craft	15	2
	25 Oct		General craft	16	0
Toogoolawah Mothers Group	3 Oct	Toogoolawah	This month included a pamper morning	8	0
	10 Oct			8	0
	17 Oct			13	3
	24 Oct			10	0
	31 Oct			6	0
Toogoolawah Women's Group	10 Oct 24 Oct 31 Oct	Toogoolawah Community Connection Point		Around 25	0
Cuppa and Chat	5 Oct	Esk Community Connection Point	Social Gathering	7	0

Information and referrals

Referring centre/role	Total number of people assisted	Any trends (including topic and location)	How enquirers heard about the service
Esk Community Connection Point	4	Health (1) Job opportunities (1) Transport options (1) Community Garden (1)	Passing by (3) Colocation (1)

Kilcoy Community Connection Point mobile	0		
Toogoolawah Community Connection Point	Not open for info/referral		
CDC	12	Housing/homelessness (2) Kilcoy Financial (4) Toogoolawah/Kilcoy Home maintenance (aged) (2) Tarampa/Esk Aged advocacy (1) Kilcoy Transport (2) Esk/Mt Archer Activities (1) Kilcoy	Referred from agencies (1) Council referral (11)

Attachments

Nil

Recommendations

THAT the Neighbourhood Service Centre Report for the month of October 2018 be received.

Decision:

Moved - Cr Gaedtko

Seconded - Cr Brieschke

"THAT the Neighbourhood Service Centre Report for the month of October 2018 be received."

Carried

Subject: Somerset Libraries' officer report October 2018
File Ref: Officer's report
Action Officer: Regional Librarian

Background/Summary

8798 visits to Somerset Libraries were recorded in the month from October 2018. **388** 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 October 2018:

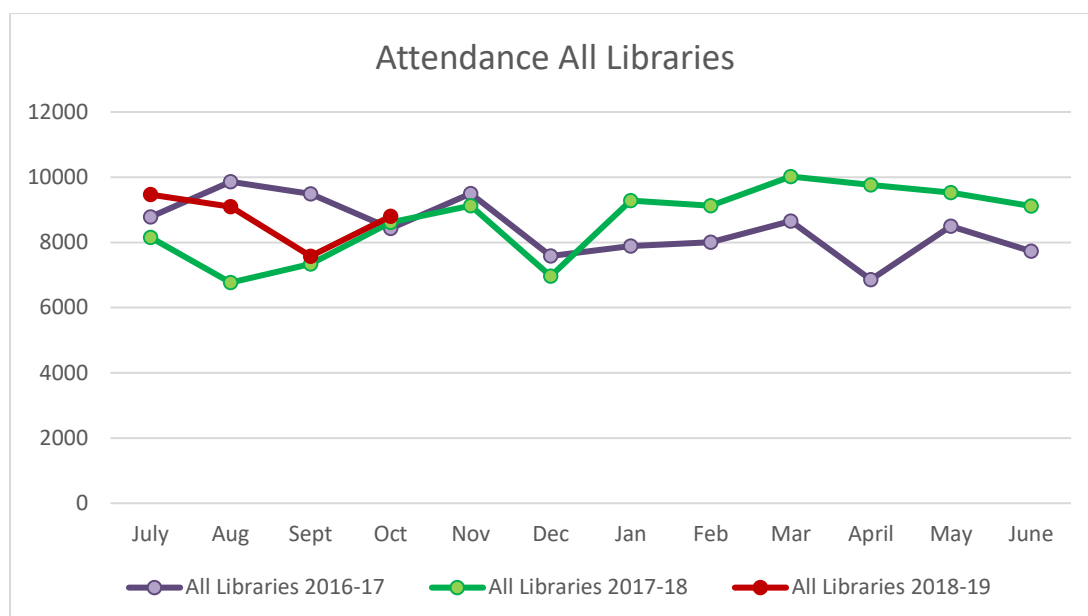
Somerset Libraries	2017	2018
Customer Service		
Visits to library branches (Appendix A)	8614	8798
Enquires answered	2983	1779
New membership (Appendix B)	96	98
Loans of library stock (Appendix C)	5909	6003
eBook loans (Appendix C)	193	490
eAudio loans (Appendix C)	42	116
Digital magazines (Appendix C)	6	52
Total loans	6150	6609
Reservations of library stock (Appendix C)	1269	1509
Computer usage (Appendix D)		
Hours of public computer use	695	741
Hours of Broadband for seniors kiosk use	274	276
Total hours of computer usage	969	1017
IT training (Appendix E)		
BFS Training	26	9
eDevice Training	19	30
Community programs (Appendix F)		
Storytime attendances	200	211
Outreach and events attendances	44	138
Total community program attendances	330	388

Lowood Library

Lowood continues to perform well across a varied platform of core library services. Throughout the month of October 46 new members joined the Lowood library. A 109% increase compared with Kilcoy library, the next closest branch library with 22 new members.

A total of 144 children and parents attended storytime in Lowood in October, 166 % increase on the closet attendance figure at Kilcoy library with 54 children and parents.

While the public access computers were booked for a total of 452 hours in Lowood over the month of October, a 234% increase on Esk Library, the nearest branch with regards to public computer use with 135 hours.



Sensory play

Four interactive sensory boards have been erected in the outdoor area of Lowood library. Aimed at children aged five years and under and funded through the First Five Forever program, these boards focus on sensory stimulation, encourage exploration, creativity and fine motor skill development and are excellent for enquiry based learning.

The boards have been a huge success with many of our younger borrowers leading their adults outside to explore this enhanced space.

Upcoming events

Somerset Libraries has an exciting program of events and activities planned in the lead up and over the summer school holiday period.

Somerset Libraries is again partaking in the Summer Reading Club which is delivered annually in public libraries and online from 1 December through to 31 January. This year's theme is Curious Creatures.

The Summer Reading Club is a collaborative reading program which allows children and young people to develop a sense of community with other children across the country. No matter where they are during the summer holidays, it is envisioned that children and young people will be able to participate in activities aligned to the annual programming theme, discover great Australian authors and illustrators, and share their voice by engaging in literary and creative activities, both online and in libraries.

<i>Date</i>	<i>Activity</i>	<i>Branch</i>
20 November 2018	Chain mail jewellery	Kilcoy Library
27 November 2018	Chain mail jewellery	Esk Library
14 December 2018	Christmas craft	Kilcoy Library
18 December 2018	Reflections of Me	Lowood Library
18 December 2018	Christmas craft	Toogoolawah Library
19 December 2018	Christmas craft	Esk Library
19 December 2018	Christmas decorations	Kilcoy Library
9 January 2019	Curious Creatures	Kilcoy Library
10 January 2019	Mazes and Races	Toogoolawah Library
10 January 2019	Lego Mindstorms	Lowood Library

11 January 2019	Make your own pet rock	Esk Library
15 January 2019	Pet snake craft	Lowood Library
16 January 2019	Holiday movie fun	Kilcoy Library
17 January 2019	Lego Mindstorms	Lowood Library
17 January 2019	Badge making	Toogoolawah Library
18 January 2019	Sphero Maze Mayhem	Esk Library
23 January 2019	Curious memory Match	Esk Library
23 January 2019	Curious Creatures	Kilcoy Library
24 January 2019	Lego Mindstorms	Lowood Library

Attachments

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

Recommendation

THAT the Somerset Libraries' report October 2018 be received.

Decision:

Moved - Cr Choat

Seconded - Cr Whalley

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

Carried

Subject: Sport and Recreation report - October 2018
File Ref: Governance - Reporting - Officer Reports
Action Officer: SRO

Background/Summary

The following report contains an overview of current activities of the sport and recreation officer (SRO) and an update of projects in planning phase and future proposals as of the end of October 2018.

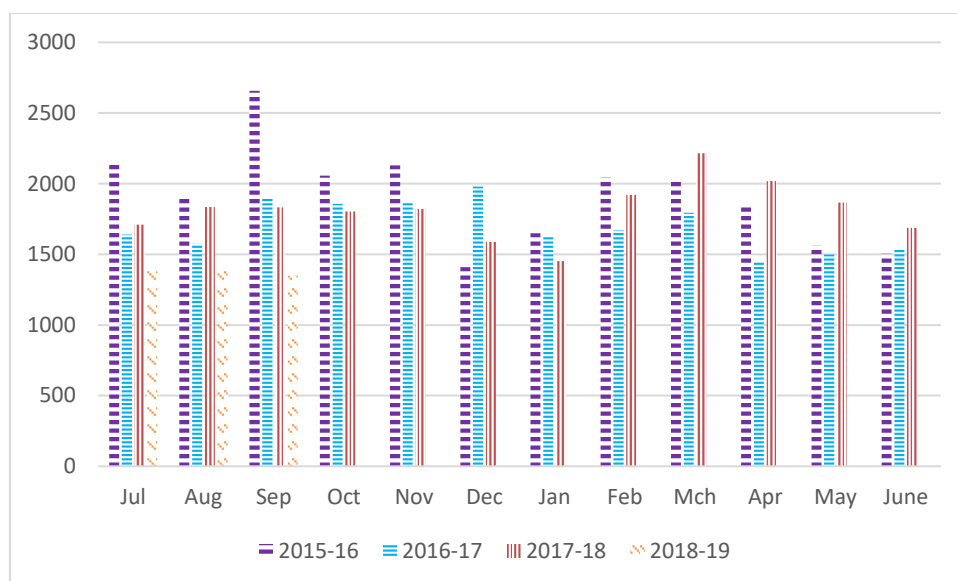
Vibrant Somerset

1. Operate Indoor Sports Facilities

Points note that the highlights are from the September sports facility reports.

Fernvale Indoor Sports Centre

- There were 1,351 attendees at the centre in September. Attendances were lower than figures recorded in the previous month and also lower than the same time last year as highlighted by the table below.



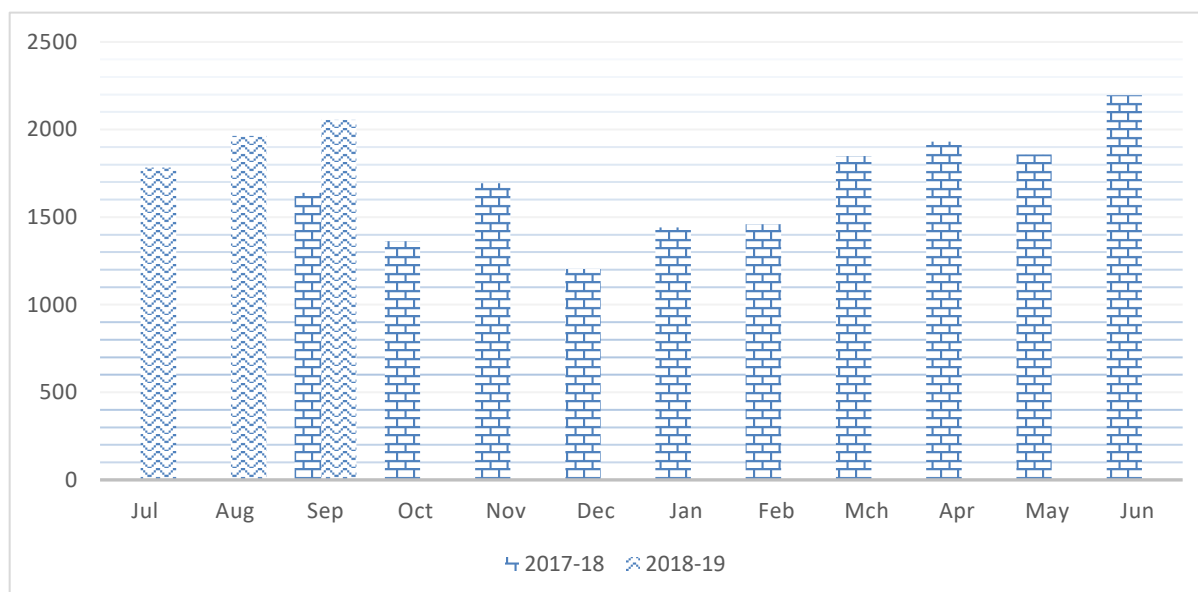
- Gym memberships for September were slightly higher than the figures recorded in the previous month and also higher than figures recorded during the same period last year.
- Internal marketing included keeping the facebook page updated with regular posts, regular posts on the facebook page as well as other forms of social media including instagram and community facebook pages are achieving a high following from the community with a high response rate to these posts.
- External marketing included encouraging new members to smash it out in September with new members not paying a joining fee. Advertising space through school newsletters and flyers distributed to local doctors and community noticeboards.

Toogoolawah Community Gym

- Attendances in September were higher than the figures recorded in the previous month.
- Internal marketing initiatives included putting more posters around the centre, in-house challenges, free passes available to the community, promotion of programs and classes and local events and activities on offer for the community.
- External marketing initiatives for September included the following:
 - Permanent space in the local newspaper.
 - Several adverts in local papers and a leaflet drop.
 - Promotion of programs, classes and local events and activities on offer to the community.
 - Sponsored several fundraisers in Somerset.
 - Free passes have been left at various businesses in Toogoolawah.
 - Regular facebook updates.
 - Space in the local high school newsletter promoting the gym.
 - Posters have been placed around town.
 - Talks to various community groups.
 - Promotion of personal training.

Kilcoy Indoor Sports Centre and Gym

- There were 2,056 attendees at the centre in September. Attendances were higher than figures recorded in the previous month. The graph below illustrates the figures recorded over the past several months.

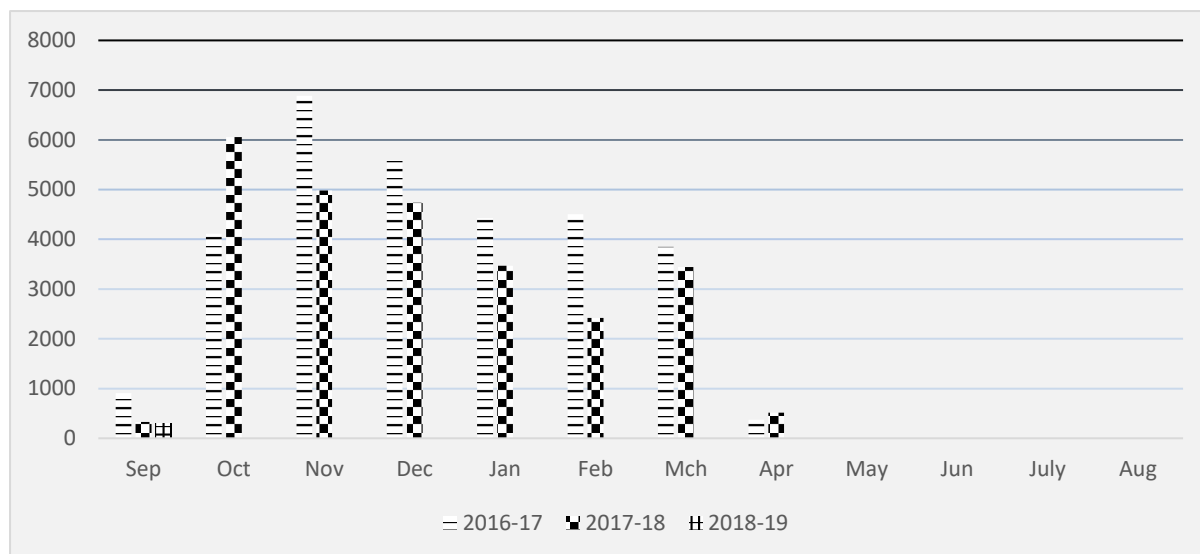


- Memberships were slightly lower than the previous month.
- Internal marketing initiatives included several internal promotions with challenges, promotion of programs, challenges and activities available for the community, suggestion box with a monthly prize, friends in fitness newsletter and the 'What's happening in Somerset' wall.
- External marketing initiatives for September included the following:
 - Weekly column for the local paper.
 - Promotion of programs and events.
 - Leaflet drop with specials and new classes.
 - Sponsored several events around Kilcoy.
 - Corporate membership packages offered to local businesses.
 - Free passes given to allied health services to hand to their patients.
 - Regular facebook updates with an increase on members from the previous month.
 - Jayne McKenzie is attending all external meetings such as Somerset Interagency Meeting, Youth Meetings, and Ladies Groups.
 - New classes created from the Active Ageing program held by Council.
 - Developed a relationship with Head Space for a group of young people at risk to attend the centre and play table tennis.
 - Working with Kilcoy Respite to offer rehab classes for 8-10 of their patients

2. Swimming pools maintained in operating condition

Kilcoy Aquatic Centre

- There were 297 attendances recorded for September ; attendance recorded are the first for the new swimming season. The graph below illustrates attendance trends from previous seasons.



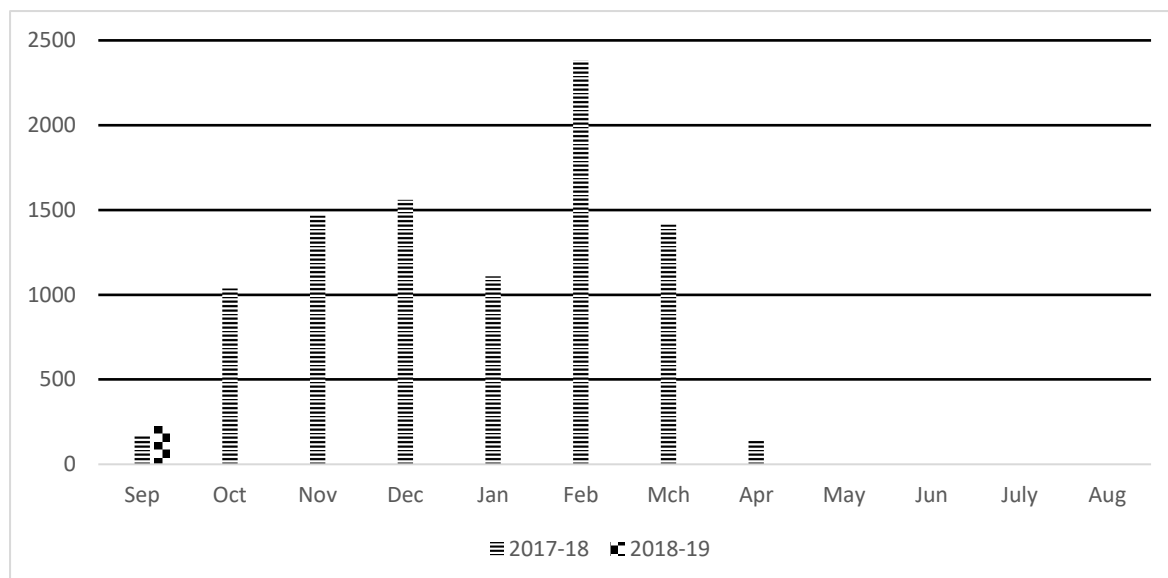
- Internal marketing initiatives included regular updates on facebook, website and the creation of flyers for all programs.
- External marketing initiatives were achieved through new facility signs and banners placed at the front of the centre to encourage community interest.
- Centre programs that are available to the community include aqua aerobics, squad training, learn to swim and pool parties.
- There were no incidents recorded for the month of September.

Toogoolawah Pool

- There were 99 attendances recorded for September; attendance figures are lower than figures recorded during the same period last year. The centre operator feels the low number is attributed to cooler weather and non-optimal water temperature.
- Internal marketing initiatives included regular updates on facebook, website and the creation of flyers for all programs.
- External marketing initiatives were achieved through new facility signs and banners placed at the front of the centre to encourage community interest.
- Centre programs that are available to the community include aqua aerobics, squad training, and learn to swim.
- There were no incidents recorded for the month of September.

Lowood Pool

- There were 225 attendances recorded for September; attendance figures are higher than the figures recorded during the same period last year. The graph below illustrates the slight increase in numbers.



- Marketing and promotional initiatives included regular facebook updates and flyers for the promotion of programs.
- There were no incidents recorded in the month of September. Several complaints were received about the temperature of the water and these have led to an assessment being done on the Solar Blanket at the Pool to determine whether repairs or replacement is necessary. The temperatures were on average in the low 20 degree temperature range which can be very unpleasant for swimming and pool activities.
- Several maintenance issues were addressed along with a number of issues surrounding the licences and certificates held by the staff at the pool.

Esk Pool

The Esk Swimming Pool commenced its season on Monday, 8 October. Attendance figures and other details will be provided in the November monthly report.

The SRO is assisting FMC with on-going maintenance issues at the various pools which are continuing to be monitored and solutions sought.

3. Increased awareness of sport, recreation and healthy lifestyle issues relevant in the region

The SRO ensured Active and Healthy Council website page was up to date with relevant information.

The SRO provided information to community sporting groups on upcoming funding opportunities, referrals to free webinars, workshops and other educational opportunities.

4. Assessment of the needs of the community for the delivery of sport and recreation

The SRO attended the monthly Lowood Recreation Complex Association meeting, various issues were discussed and resolved.

The invitation to the Stags and Eagles to utilise the Fernvale Sports Park Rectangular field were sent after the Master Plan was adopted by Council and accepted by the Committee.

5. Community participation in physical activity

December-January School Holiday Activities 2018/19

The SRO and YEO started to work on school holiday activities for December/January. There will be a number of providers offering activities throughout the school holiday period. The SRO and YEO will be facilitating 4 Pool Movie Nights across the region at each of the swimming pools.

Australia Day Pool Events 2019

The SRO commenced liaising with the Pool operators with regard to the Australia Day events at Council Swimming Pools. The SRO and YEO have put forward a proposal to Council to purchase new inflatable water based obstacle courses for the day along with the facilitation of other additional activities.

Somerset Rail Trail Fun Run 2019

The SRO has commenced planning of the 2019 event. The date of Sunday, 14 July 2019 has been proposed for the event and the starting location of Clock Park in Lowood.

LIFE – Workplace Wellness

The SRO continued to encourage fellow Council staff to get involved in the free LIFE activities that are on offer on a weekly basis.

Fernvale Memorial Park Exercise Equipment

The SRO attended a meeting with Julia Caunce from the Fernvale Community Association regarding the outdoor exercise equipment in Fernvale Memorial Park. The SRO gathered information and provided a report to Council for a decision.

6. Develop appropriate management strategies

The SRO liaised with management at Somerset Sport and Aquatics, Aqua Antics, Somerset Health and Fitness and the facilities maintenance coordinator regarding various facilities.

7. More community participation in physical activity through progressively implementing Parkland Strategies and Recreation Framework

Recommendation 3.6.1 – the SRO continues to communicate with clubs and the community on matters relating to sport and recreation through email notices and information on the Active and Healthy Council website page kept up to date.

8. Multiple use of recreation reserves

The SRO continued to liaise with user groups at the Fernvale Sports Park, Lowood Recreational Complex and Esk Recreational Grounds regarding various matters.

9. More information is made available to clubs to enable the clubs to operate effectively

Club Liaison

Several emails were sent to Somerset clubs this month. These included reminders for upcoming events, the latest grant information and information on upcoming workshops and webinars.

Club Workshop

The SRO in partnership with Sport and Recreation Services provided a Succession Planning Workshop which was held on Wednesday, 24 October at the Esk Library between 6pm and 9pm. The workshop was well received by participants.

10. Grants approved

Nothing to report this month.

11. Sports equipment library developed*October*

Esk - 17

Lowood - 4

Toogoolawah - 2

Kilcoy – 2

There was a total of 25 loans from the Active and Healthy Resource Centre in the month of September.

Attachments

Centre Attendance figures for the month of September for the Fernvale Indoor Sports Centre, Kilcoy Indoor Sports Centre, Toogoolawah Community Gym, Kilcoy Aquatic Centre, Toogoolawah Swimming Pool and Lowood Swimming Pool.

Recommendation

THAT the report be received and the contents noted.

Decision:

Moved - Cr Choat

Seconded - Cr Brieschke

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

Carried

Subject:	New Policies and procedures introduced with the Changes to the <i>Local Government Act 2009</i> - Councillors
File Ref:	Somerset Regional Council - Governance - Councillors
Action Officer:	DCORP

Background/Summary

On 9 November 2018 Council were advised by the Department of Local Government, Racing and Multi-Cultural Affairs (Department) that the changes to the *Local Government Act 2009* as a result of the reforms introduced after Operation Belcarra and the Solomon report recommendations would become effective from 3 December 2018.

This would be the final implementation date resulting from changes to the *Local Government Act 2009* (LGA 2009) which were introduced by the State Government as legislation in May 2018. The changes introduced cover changes to meetings, procedures, Policies and registers.

New Policy - Investigations

The Department has introduced a Policy about Investigations. The type of investigation contemplated would be one that results from a complaint lodged about alleged inappropriate conduct by a Councillor. The complaint may also be a complaint that is made to the Independent Assessor appointed to receive complaints about Councillors. The content, wording and references are provided by the Department as a Model for Council to adopt. The necessary changes to make the Policy look like a Somerset Regional Council Policy have been made and the Policy is ready for adoption. There have been no alterations to the wording provided in the model. If the Council does not adopt this Policy by 3 December 2018 Council will be deemed to have adopted the Policy.

New – Model Meeting procedures

The Model meeting procedures provided to Council are a model developed by the Department

for adoption by each Council. If the meeting procedures are not adopted by 3 December 2018 it will be deemed that Council has adopted the procedures. The meeting procedures provide:

- procedural guidance for Council meetings and Committee meetings where unsuitable conduct by a Councillor has occurred during the meeting or where suspected Inappropriate Conduct has been referred to Council,
- guidance where a Councillor or Councillors' have a Material Personal Interest when that might occur. When and how to declare the interest and what actions occur in the meeting,
- guidance where a Councillor or Councillors' have a real or perceived conflict of Interest. When that might occur, when and how to declare the interest and what actions occur in the meeting,
- guidance where a Councillor suspects that another Council has not declared Material Personal Interest or a Conflict of Interest. When that might occur, when and how to declare the suspected non-declaration and what actions occur in the meeting, and
- guidance about the closure of a Council meeting to the public.

The content, wording and references are provided by the Department as a Model for Council to adopt. The necessary changes to make the Policy look like a Somerset Regional Council Policy have been made and the Policy is ready for adoption. There have been no alterations to the wording provided in the model. If the Council does not adopt this Policy by 3 December 2018 Council will be deemed to have adopted the Policy.

Standing Orders

The Department have issued a new version of the Standing orders for Councils. This version of the Standing Orders makes changes by: not including sections that were in the previous version, amending sections that were in the previous version, adding new sections that didn't exist in the previous version. The old and new versions of the Standing Orders are provided to indicate the changes that have been made. If Council does not adopt the amended Standing Orders by 3 December 2018 the new version of standing orders will be inconsistent with the Model provided and it is likely that Council will be asked to make changes to the remove inconsistencies.

The current Standing Orders contained some sections that are not in the new version. With the assistance of the CEO these sections were reviewed and in two instances the existing paragraphs have been retained. These sections are, new section 3.9.2 which states that Councillors may remain seated and address the chair while moving motions etc and new section 5.2.3 which keeps the existing timeframe of Wednesday prior to the meeting to provide an application to the CEO to address Council. The Mayor is notified of the application by the CEO and it is at the Mayor's discretion whether the person will be given the opportunity to speak.

Attachments

1.	Existing Standing Orders	EX002
2.	New Standing Orders	EX002 (Revised)
3.	Investigations Policy	EX007
4.	Meeting Procedures	EX008

Recommendation

THAT Council adopts the following to take effect from 3 December 2018:

- EX/002 Standing Orders to replace the existing Standing orders for all future meetings of Council;
- EX/007 An Investigations Policy which provides Councillors and the Community with a process (based on the amended Local Government Act 2009) for dealing with complaints made against Councillors; and
- EX/008 New Meeting Procedures which provides for processes to assist Councillors when declaring Conflicts of Interest, Material Personal Interests, unsuitable or suspected inappropriate conduct and when and under what circumstances Council may close a meeting.

Decision:

Moved - Cr Hall

Seconded - Cr Gaedtke

"THAT Council adopts the following to take effect from 3 December 2018:

- EX/002 Standing Orders to replace the existing Standing orders for all future meetings of Council;
(Attachment 1 to these Minutes)
- EX/007 An Investigations Policy which provides Councillors and the Community with a process (based on the amended Local Government Act 2009) for dealing with complaints made against Councillors;
(Attachment 2 to these Minutes) and
- EX/008 New Meeting Procedures which provides for processes to assist Councillors when declaring Conflicts of Interest, Material Personal Interests, unsuitable or suspected inappropriate conduct and when and under what circumstances Council may close a meeting.
(Attachment 3 to these Minutes)"

Carried

Subject:	Somerset Rail Trail Fun Run 2019 - Event Information
File Ref:	Somerset Rail Trail Fun Run 2019
Action Officer:	SRO

Background/Summary

The Somerset Rail Trail Fun Run, an initiative of Somerset Regional Council is set to continue with the event in 2019 with again the inclusion of a bicycle leg. As the organising team prepare for the 2019 Somerset Rail Trail Fun Run key details need to be decided on in order to commence with organising the event.

Considerations for the following need to be made:

Race direction/route

Last year the event commenced from Clock Park, Lowood with minimal disruption and ease of organisation. It is recommended Council consider commencing the event from Clock Park, Lowood and finishing at the Fernvale Sports Park again in 2019 to continue utilising Council facilities.

Date of event for 2019 and 2020

With consideration of both local and regional events, the date of Sunday, 14 July has been proposed for the 2019 event. To assist with future planning of the event the date of Sunday, 12 July has been proposed for the 2020 event.

Event Beneficiary

For the 2019 event it is recommended that Council nominate the Brisbane Valley Rail Trail Users Association as the event beneficiary. The BV Users Association have assisted Council in the past with the facilitation of the bike leg and will continue to assist with the bicycle leg for the 2019 event

Attachments

Nil.

Recommendation

THAT the event start from Clock Park, Lowood and finish at the Fernvale Sports Park in 2019

THAT the event is held on Sunday, 14 July 2019 and Sunday, 12 July 2020.

THAT Council appoints the Brisbane Valley Rail Trail Users Association as the event beneficiary for the 2019 event.

Decision:

Moved - Cr Hall

Seconded - Cr Choat

"THAT the event start from Clock Park, Lowood and finish at the Fernvale Sports Park in 2019

THAT the event is held on Sunday, 14 July 2019 and Sunday, 12 July 2020.

THAT Council appoints the Brisbane Valley Rail Trail Users Association as the event beneficiary for the 2019 event."

Carried

Subject:	Request for use of 8-10 Lennox Street Moore
File Ref:	Council Properties - Leasing out - Council Land and Buildings
Action Officer:	DCORP

Background/Summary

Correspondence has been received from the Secretary of the Moore Rural Fire Brigade – Murray Broomhall regarding the current storage of the Rural Fire Brigade Equipment and the SES equipment for the Moore, Linville and Mount Stanley area.

In his letter received by Council on 20 November 2018 Murray suggests that Council consider the site at 8-10 Lennox Street Moore for future RFB/SES facilities and in particular a shed that can store all of the equipment and trucks that are dedicated to the local brigade.

The current site is on the D'Aguilar Highway (19 Main St South). The site includes a small shed and a bore. The Moore RFB lease the site from Council and the Lease expires on 21 February 2027. It is not known if the Lennox Street site would be suitable for a bore.

The Kilcoy SES may utilize an improved facility in Moore but the Kilcoy and Toogoolawah facilities have been adequate for operational activities to date. (SES Controller Opinion).

Attachments

1. Letter from Murray Broomhall Secretary Moore RFB
2. Copy of a letter from the Secretary Moore RFB to West Moreton District RFB.

Recommendations

THAT Council work with the Moore RFB to access any funding opportunity to improve their facilities on the existing site prior to any consideration of re-location.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT Council work with the Moore RFB to access any funding opportunity to improve their facilities on the existing site prior to any consideration of re-location."

Carried

Subject:	Restriction of Access to Hills Reserve
File Ref:	Parks and reserves - planning - reserves (1077357)
Action Officer:	DOPER

Background/Summary

At the Council meeting on 22 November 2017, the following resolution was carried.

"THAT Council agrees to fund one third of the estimated cost to construct a fence and gate at the western approach to Hills Reserve.

FURTHER THAT Council agrees to a trial closure of Hills Reserve for a Period of twelve (12) months.

FURTHER THAT Council actively pursue joint ventures with SEQ Water, Resilient Rivers and other partners to formalise fencing and car park provision to allow a better regulated use of the River."

Following the resolution, funding agreements were finalised, fencing constructed, cameras sourced, with the commissioning of cameras and locking of gates taking effect on 13 March 2018. Apart from the occasional offender, the locked gates with camera recording have been successful in restricting access to Hills Crossing.

Via a funding partnership agreement, Somerset Regional Council, Seqwater (lead agent) and Resilient Rivers are developing a brief for River Rehabilitation and Recreation Management Plans for Hills and Savages Crossing. A consultant is expected to be appointed in early 2019 to prepare plans with an anticipated timeframe of 12 months before the final report, and detailed designs are complete.

Due to the timeline to restrict access at Hills Crossing and to facilitate the preparation of the above report, Council may wish to consider extending the closure of Hills Reserve for a further 12 months.

Attachments

Decision of Council Meeting 22 November 2017

Recommendation

THAT Council agrees to the continued closure of Hills Crossing until the 30 November 2019.

Decision:

Moved - Cr Choat

Seconded - Cr Gaedtko

"THAT Council agrees to the continued closure of Hills Crossing until the 30 November 2019."

Carried

Subject:	Nottingham Drive, Mount Hallen - Customer Service Request - Stormwater
File Ref:	Roads - maintenance - drainage - stormwater drainage
Action Officer:	DOPER

Background/Summary

Council has received multiple customer service requests over many years from a landholder located on Lot 173 SP201662, Nottingham Drive, Mount Hallen, regarding the impact of overland stormwater on his property.

Council officers advised the landholder that the stormwater referred to is on a natural watercourse and does not meet any warrant for Council to intervene. The landholder has also been referred to the relevant State Government Department responsible for the management of natural watercourses. Council officers are aware that conversation has occurred between the landholder and the State.

Despite the communication offered by Council officers, the landholder requested a meeting with the Mayor to allow him the opportunity to present his concerns. A meeting was held with the landholder on 9 October 2018, with the Mayor, Cr Choat and Council Designate Director Operations present.

The concerns raised by the landholder revolved around upstream land use management by others that may be impacting on his land. He is concerned that unnecessary tree clearing is occurring on private land upstream, increasing the potential for erosion through his property, suggesting that other landholders are breaching their duty of care. The landholder was also concerned that the rock protection placed in an inlet downstream of his property was not constructed to the original engineering drawings approved at the time of development.

The landholder suggested that Council should take an easement over part of the natural watercourse channel within his property to enable Council to manage the stormwater passing through his land. The landholder advised he would offer up an easement at no cost to Council on the understanding that Council would pay for the survey and legal expense.

At the close of the meeting, it was agreed to investigate tree clearing upstream, compare works undertaken at the inlet to pipe crossing downstream against the development approved engineering drawings and consider his offer for a stormwater easement.

Tree clearing upstream of the natural watercourse

An assessment of the natural drainage lines that coalesce at customer property (L173

SP201662) indicates that the catchment is composed of (all or part thereof) 12 Lots (refer attached).

A desktop assessment of these identified Lots indicated only minor changes on the subject Lots within the period from March 2016, until the present (corresponding to the period when Somerset Regional Council began regulation of vegetation, beyond that already regulated by State Government). This approved activity comprises a New Dwelling, a shed, and a communications tower.

A study of available aerial imagery for this same period indicates that most of the clearing noticeable at this scale corresponds to that associated with these new structures, and associated building envelopes. Consideration also needs to be given to the March 2017 storms that heavily impacted on this area, and did result in the widespread destruction of Large trees and vegetation throughout this landscape.

One property within the catchment area did undertake some removal that was not in-line with Councils vegetation regulations, and as a result, the owners were contacted and warned not to undertake any further clearing without prior approval.

Assessment of downstream road culvert inlet against approved drawings

Council Design/Development Manager performed an onsite inspection. The findings of this investigation concluded that the culvert was built per the plans and there is more rock than shown in the drawings beyond what was called for on the upstream side. During the inspection, the landholder came out to discuss his concerns. He was provided with the opportunity to see the plans, and he agreed that what he thought was decided by the developer is not the case on the ground. The landholder has constructed his own rock weir upstream of the drainage easement, and there is a gap of about 2m between the rock placed on the drainage easement and the weir he constructed. He contends additional rock should be placed to his weir to protect from erosion. He was asked why he didn't fill in the gap when building his weir. He advised that he didn't think he could do that or would have been too much trouble to get permission.

Summary

Council Officers remain of the view that as the stormwater is contained within a natural watercourse and the landholder originally purchased the land on this knowledge, that no further action should be taken. Council Officers do not perceive any value in taking a stormwater easement over his property as sufficient easement area is available at the inlet of the road culvert crossing for Council purposes.

Attachments

Catchment of area

Recommendation

THAT Council advises the landholder of Lot 173 SP201662 that his customer service request has been thoroughly investigated and no further action will be taken.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

"THAT Council advises the landholder of Lot 173 SP201662 that his customer service request has been thoroughly investigated and no further action will be taken."

Carried

Subject:	Camera proposal - Condamine Drive, Fernvale
File Ref:	Council properties / security - unmanned cameras - CCTV
Action Officer:	DMO

Background/Summary

In March 2018 a report was presented to Council regarding issues that were occurring on Council owned land along Condamine Drive, Fernvale adjacent to the Brisbane River. At the time Council resolved to install signage like those installed at other locations within the region prohibiting vehicle access to the area.

Unfortunately, we continue to have instances in the past number of weeks whereby vandals have once again removed a bollard(s) and gained access to Council land, and subsequently the river banks. This activity has caused significant environmental damage (refer to Figure 1) that if left to continue could result in issues with regards to the rehabilitation of the already heavily affected area.

With knowledge of this ongoing malicious, destructive behaviour, Council may wish to revisit the installation of cameras at the location to help deter vandals and assist in capturing evidence should it be required for prosecution.

It is suggested that Council procure and install two portable anchored concrete blocks with poles. Mounted on the poles will be a solar panel, battery and camera capable of capturing photos of vehicles with images sent back to Council. The estimated cost to purchase and install, blocks, poles and cameras is \$8400 exclusive GST (ongoing operating costs would be approximately \$600 per annum per camera).

The installation of the anchored portable concrete block systems would enable re-use at other locations in the future for surveillance at other problematic sites, mobile depot security and traffic surveys.

Due to the portability of these cameras and multi-functional use, it is not intended to form part of Council controlled CCTV system as described in CCTV policy C/033.

Attachments

Figure 1

Recommendation

THAT Council procure two portable anchored concrete blocks with poles and cameras at a cost of approximately \$8,400 exclusive GST.

Decision:	Moved - Cr Choat	Seconded - Cr Brieschke
	"THAT Council procure two portable anchored concrete blocks with poles and cameras at a cost of approximately \$8,400 exclusive GST."	

Carried

Subject:	Parking facilities - Prospect Street - Lowood State High School
File Ref:	Roads - maintenance - line marking (1071308)
Action Officer:	QAO / SES

Background/Summary

Street parking arrangements in Prospect Street, Lowood, near the road crossing point, fronting the Lowood High School, currently allow vehicles to be parked in these areas for extended periods of time (refer to attachment). This practice is reducing availability for parents/guardians dropping off and/or collecting students at the commencement and the conclusion of the school day.

Recent discussions with the school administration have determined that these areas would be best signed as five-minute loading zones to remove the option of vehicles occupying the areas for extended periods during defined time periods.

The areas in question would effectively become "STOP – DROP – GO" zones for the school, providing dedicated areas for the safe unloading and loading of students.

Due to the limited width of roadway east of the school crossing on the northern side of Prospect Street, it is also considered to be appropriate to extend the "No Stopping" zone in that narrow area.

In conjunction with the proposed changes to parking control signs, it is suggested that:

- the line marking for these loading zones be repainted to define seven and three individual parking bays in the respective locations, and
- a portion of the current chevron pavement markings on the southern side of Prospect Street be removed to allow better definition of the school crossing in this vicinity.

The proposed arrangements are based on approved parking control signs per the Manual of Uniform Traffic Control Devices and have been endorsed by the Department of Transport and Main Roads' Manager (Road Safety) SEQ North.

The existing and proposed arrangements are shown on the attached document.

Attachments

Existing and proposed parking control signs arrangement – Lowood High School, Prospect Street

Recommendation

THAT Council endorse the proposed changes to parking control signage and associated pavement markings in Prospect Street, Lowood in accordance with the requirements of the MUTCD.

Decision:

Moved - Cr Whalley

Seconded - Cr Gaedtke

"THAT Council endorse the proposed changes to parking control signage and associated pavement markings in Prospect Street, Lowood in accordance with the requirements of the MUTCD."

Carried

Subject:	Applications to License Existing Grids on Louisavale Road Monsildale – GR2755-1.97, GR2755-3.24 and GR2755-3.77
File Ref:	Roads / Design and Construction / Gates and Grids (1057723, 1056706)
Action Officer:	CSSA

Background/Summary

Council is in receipt of applications from Roy Gilliland and Steven Patrick, for permission to licence existing grids at chainages 1.97km, 3.24km, 3.77km on Louisavale Road, Monsildale.

The applicants do not own the property on both sides of the road at the existing grid at chainage 3.77km but do own the properties on both sides of the road adjacent to existing grids at chainages 1.97km and 3.24km.

The applications to licence these existing grids were advertised in the Kilcoy Sentinel on Thursday, 6 September 2018. Council received no objections at the close of the objection period, 6 October 2018.

One of Council's standard conditions is that the approaches must be sealed for a distance of five metres either side of the grid. However, due to the location of this road, it is recommended that this condition is relaxed for grid numbers GR2755-1.97, GR2755-3.24 and GR2755-3.77.

It should be noted that any approvals issued by Council, for gates or grids, are issued subject to the condition that, Council can withdraw the permission at a later time.

Attachments

NIL

Recommendation

THAT Council approve the application to licence the three existing grids on Louisavale Road, Monsildale at chainages 1.97km, 3.24km and 3.77km (numbers GR2755-1.97, GR2755-3.24 and GR2755-3.77) as per Council's standard conditions and standard drawing SD002; and

THAT due to the location of Louisavale Road, the relaxation of the bitumen sealing of the approaches either side of the grid for 5m be relaxed for GR2755-1.97, GR2755-3.24 and GR2755-3.77.

Decision:

Moved – Cr Hall

Seconded - Cr Brieschke

"THAT Council approve the application to licence the three existing grids on Louisavale Road, Monsildale at chainages 1.97km, 3.24km and 3.77km (numbers GR2755-1.97, GR2755-3.24 and GR2755-3.77) as per Council's standard conditions and standard drawing SD002; and

THAT due to the location of Louisavale Road, the relaxation of the bitumen sealing of the approaches either side of the grid for 5m be relaxed for GR2755-1.97, GR2755-3.24 and GR2755-3.77."

Carried

Subject:	Application to License Existing Gate on Louisavale Road Monsildale – GA2755-5.810
File Ref:	Roads / Design and Construction / Gates and Grids (1065371)
Action Officer:	CSSA

Background/Summary

Council is in receipt of applications from Roy and Denise Gilliland, for permission to licence the existing gate at chainage 5.810km on Louisavale Road, Monsildale.

The applicant does not own the property on both sides of the road at this existing gate.

The gate application was advertised in the Kilcoy Sentinel on Thursday, 18 October 2018. There were no objections received by Council at the close of the objection period, 15 November 2018. The adjacent property owner verbally advised that he offered no objection to the licensing of this existing gate.

It is recommended that Council license the existing gate, known as GA2755-5.810 as per Council's standard conditions and standard drawing number SD001.

One of Council's standard conditions is that the approaches must be sealed for a distance of five metres either side of the gate. However, due to the location of this road, it is recommended that this condition is relaxed for gate number GA2755-5.810.

It should be noted that any approvals issued by Council, for gates or grids, are issued subject to the condition that, Council can withdraw the permission at a later time.

Attachments

NIL

Recommendation

THAT Council approve the application to licence the existing gate on Louisavale Road at chainage 5.810 (number GA2755-5.810) as per Council's standard conditions and standard drawing SD001; and

THAT due to the location of Louisavale Road, the relaxation of the bitumen sealing of the approaches either side of the gate for 5m be relaxed for GA2755-5.810.

Decision:	Moved – Cr Whalley	Seconded - Cr Gaedtke
	<p>"THAT Council approve the application to licence the existing gate on Louisavale Road at chainage 5.810 (number GA2755-5.810) as per Council's standard conditions and standard drawing SD001; and</p> <p>THAT due to the location of Louisavale Road, the relaxation of the bitumen sealing of the approaches either side of the gate for 5m be relaxed for GA2755-5.810."</p>	

Carried

Subject:	Denning Street Fernvale Signage Request
File Ref:	Customer service - public reaction - request for service 2018-2019 (1072103)
Action Officer:	DDM

Background/Summary

Council received a request from residents of Ferndale Estate located off Denning Street, Fernvale. The request asks Council to consider the erection of a sign at the beginning of Denning Street stating similar to "We love our children, please drive carefully".

Council follows signage guidelines from the Manual of Uniform Traffic Control Devices (MUTCD). The MUTCD does not support this type of signage being erected in a built-up area in Queensland. The reason is that lower default speed limits are applied on local streets which includes Denning Street. Speed restriction signs are generally not installed on local streets as the installation will have a negative impact on other unsigned streets. It is also advised that speed control is limited by the street environment, with the geometric alignment purposely designed as part of the subdivision layout.

Attachments

NIL

Recommendation

THAT Council does not erect community signage at Denning Street as requested.

Decision:	Moved - Cr Hall	Seconded - Cr Brieschke
	"THAT Council does not erect community signage at Denning Street as requested."	
		<u>Carried</u>

Subject:	Transport and Tourism Connections (TTC) program, round two (access to key tourist sites)
File Ref:	Grants and subsidies - applications - grant funding - subsidies
Action Officer:	DDM

Background/Summary

Council has been advised by the Department of Transport and Main Roads (TMR) that the Transport and Tourism Connections (TTC) program, round two (access to key tourist sites) has been opened. It is advised that the application closing date is the end of November and the program will be announced in February 2019. Delivery of round two of the program would be by the 30 June 2020.

Bids for funding should demonstrate how projects will improve transport and roads access to established tourist attractions on the state-controlled and local government-controlled road networks. Priority will be given to sites on Queensland's strategic drive tourism routes or high trafficked regional tourist routes. Funding for sites is subject to 50:50 contribution by local and state government.

Potential candidate projects for submission to the program have been identified as follows:

1. Clive Street, Fernvale sealing of parking and access – Total cost \$277,000 for improvement to access, parking, turnaround area, and RV dump point. Provides parking for the rail trail, RV dump point, adjacent community facilities, and close to the CBD.
2. Gardner Street North, Toogoolawah sealing of parking and access – Total cost \$145,000 for improvement to access, parking, turnaround area and landscaping. Provides parking for the rail trail, adjacent community facilities, RV parking area, and close to the CBD.
3. Improved signage for Brisbane Valley Heritage Trail (Regional tourist drive) – Total cost \$50,000 for signage scheme and signage replacements.
4. Esk Visitor Information Centre (EVIC) sealing of parking and access – Total \$110,000. Construction of bitumen sealing of parking area for recreation vehicles and caravan in Ipswich Street. Provides RV and caravan parking for patrons attending the EVIC, and close to CBD.

Attachments

Transport and Tourism Connections (TTC) program, round two details
 Sketch of Clive Street, Fernvale parking and access
 Sketch of Gardner Street North, Toogoolawah parking and access
 Regional Map showing Brisbane Valley Heritage Trail (Regional tourist drive)
 Sketch Ipswich Street, Esk sealing of parking and access

Recommendation

THAT Council applies for funding under the Transport and Tourism Connections (TTC) program, round two for the following projects:

1. Clive Street, Fernvale sealing of parking and access;
2. Gardner Street North, Toogoolawah sealing of parking and access;
3. Improved signage for Brisbane Valley Heritage Trail (Regional tourist drive);
4. Ipswich Street, Esk, sealing of parking and access; and

THAT Council confirm that Council funding of 50% of the estimated project cost is available as Council's partner cash contribution towards each Transport and Tourism Connections (TTC) Program proposal.

Decision:

Moved - Cr Choat

Seconded - Cr Whalley

"THAT Council applies for funding under the Transport and Tourism Connections (TTC) program, round two for the following projects:

1. Clive Street, Fernvale sealing of parking and access;
2. Gardner Street North, Toogoolawah sealing of parking and access;
3. Improved signage for Brisbane Valley Heritage Trail (Regional tourist drive);

4. Ipswich Street, Esk, sealing of parking and access; and

THAT Council confirm that Council funding of 50% of the estimated project cost is available as Council's partner cash contribution towards each Transport and Tourism Connections (TTC) Program proposal.

Carried

Subject:	2019-2020 Cycle Network Local Government Grants Program
File Ref:	rants and subsidies - programs - cycle grants
Action Officer:	DDM

Background/Summary

Council has been advised by the Department of Transport and Main Roads (TMR) that the 2019-2020 Cycle Network Local Governments Grants Program has been opened. It is advised that the application closing date is 20 December 2018 and the program will be announced in June/July 2019 through the publication of the Queensland Transport and Roads Investment Program (QTRIP).

The objective of the program is to encourage more people to cycle, more often in Queensland by accelerating the delivery of the principal cycle network across the State. The program is to work with local governments to deliver best practice, high quality and safe cycling infrastructure and facilities on principal cycle networks across Queensland.

Local governments with a published Principal Cycle Network Plan (PCNP) are eligible to apply for a 50 percent grant for the design and/or construction of high-quality cycling infrastructure on the highest priority routes of the principal cycle network.

Council previously received grants under the 2016-2017, 2017-2018, and 2018-2019 programs for the following projects:

- Prospect Street from Park Street to Peregrine Drive, Lowood (Completed)
- Brisbane Valley Highway from Clive Street to Brouff Road, Fernvale (Completed)
- William Street (Kilcoy) Cycle Facilities Design (Completed)
- Prospect Street (Lowood) Shared Use Bridge Design and Construction (Completed)
- D'Aguilar Highway (Kilcoy) Shared Path Design and Construction (Completed)
- Esk Shared Path Design and Construction (Completed)
- Toogoolawah High School Shared Path Design and Construction
- Forest Hill Fernvale Road (Lowood) Shared Path Design and Construction - Peregrine to Sea Eagle Dr
- Clive Street Shared Path (Fernvale) Design and Construction
- Prospect Street (Lowood) Shared Path Stage 2 Design and Construction – Park to Main St
- Somerset – Bicycle Parking Installation
- Fernvale Data Counter

The routes focus on journeys to work, school, and social/utility trips. Only Principal routes are eligible for funding under the program.

- **Principal routes** form the spine or main routes from which local cycle networks are built from. Principal routes connect residential areas to major trip attractors such as

public transport, park and rides, schools, shopping and commercial centres, industrial areas, and regional recreational facilities.

The program has higher design requirements to deliver the highest priority routes in a region's principal cycle network and encourage more people to cycle more often for transport purposes. Shared facilities may also be useful to pedestrians, mobility scooters, roller blades, scooters, skateboards and others by providing a smooth surface within urban areas to support alternative ways to travel rather than driving. Projects eligible for funding include:

- Off-road bikeways
- Off-road shared paths (2.5m minimum, 3.0m desired)
- On-road bicycle lanes which are physically separated from motorised traffic
- Advisory lanes
- On-road facilities including bike lanes, shoulder widening, line marking, lane and intersection reconfiguration
- Crossing provisions including at-grade treatments, bridges and underpasses
- Mid-trip and end-of-trip facilities (i.e. bike racks, cycle repair stations, lockers, drinking water, showers, toilets, etc.)
- Directional and route signage
- Lighting
- Data collection for monitoring and reporting on the performance of cycling infrastructure (i.e. counters)
- Marketing, communication, promotion and engagement activities

TMR has indicated that they would investigate providing On-road bike lanes along main roads in the town areas when they come up for surface renewal.

An endorsement is sought for applying for the construction of the below principal routes under 2019-2020 Cycle Network Local Governments Grants Program. The routes are listed in order of suggested priority, and the Priority Route Maps of the proposed sections in each town are attached:

Priority	Project	Description	Project Cost
1	Shared path on rail trail (Lowood) from Main Street to Walter Street gully	Install new 2.5m off-road shared path with counter along rail trail from Main to Walter Street gully	\$510,000
2	William Street (Kilcoy) Separated Cycle Facilities from Kennedy to Carseldine Street	Stage 1 of William Street Cycle Facilities Concept Design	\$460,000
3	Shared path on rail trail (Toogoolawah) from Cressbrook Street to Railway Station	Install new 2.5m off-road shared path along rail trail from Cressbrook Street to Railway Station	\$580,000
4	Shared path on rail trail (Esk) from Ipswich Street to Peters Street	Install new 2.5m off-road shared path with counter along rail trail from Ipswich Street (Brisbane Valley Highway) to Peters Street.	\$420,000
5	Shared path on rail trail	Install new 3.0m off-road shared path	\$460,000

	(Fernvale) through Memorial Park	with lighting along rail trail from Clive Street to Denning Street footpath	
--	----------------------------------	---	--

Attachments

Priority Route Maps for 2019-20 projects

Recommendation

THAT Council applies for funding under the 2019-2020 Cycle Network Local Governments Grants Program for the following projects:

1. Shared path on rail trail (Lowood) from Main Street to Walter Street gully;
2. William Street (Kilcoy) Separated Cycle Facilities from Kennedy to Carseldine Street.

THAT Council confirm that Council funding of 50% of the estimated project cost is available as Council's partner cash contribution towards each 2019-2020 Cycle Network Local Governments Grants Program proposal.

Decision:

Moved - Cr Hall

Seconded - Cr Whalley

"THAT Council applies for funding under the 2019-2020 Cycle Network Local Governments Grants Program for the following projects:

1. Shared path on rail trail (Lowood) from Main Street to Walter Street gully;
2. William Street (Kilcoy) Separated Cycle Facilities from Kennedy to Carseldine Street.

THAT Council confirm that Council funding of 50% of the estimated project cost is available as Council's partner cash contribution towards each 2019-2020 Cycle Network Local Governments Grants Program proposal."

Carried

Subject: Original Kilcoy Yowie
File Ref: Corporate management - tenders - quotations - 2018-2019 - quotations - unnumbered (1063134)
Action Officer: DOPER

Background/Summary

Council has written to various community groups within the Kilcoy area seeking expressions of interest (EOI) for future opportunities of the original Kilcoy Yowie. Community groups were advised that the original Yowie is in very poor condition with substantial timber decay and is not to be erected in any public space under the control of Council.

Viewing of the Yowie occurred on Thursday 25 October 2018, with expressions of interest closing on the 8 November 2018. A total of four (4) people viewed the Yowie, and one joint expression of interest was received from the Kilcoy District Progress Alliance Inc (KDPA) and Kilcoy Historical Society (KHS).

The KDPA and KHS propose that the sculpture is released to them to allow them to position the Yowie on the island in Yowie Lake, citing that public cannot easily access this location and furthering the tourist attraction of the Yowie story. The KDPA and KHS intend to undertake necessary repair work to ensure the sculpture is better stabilised when sited on the island. Further, they plan to approach SEQwater to obtain approval.

It is advised that the proposed location is within Council controlled land under the arrangement of a lease with SEQwater. Hence, the option described above does not meet the criteria specified by Council when the EOI was called. It is also noted that this area is within the flood zone and subject to potential damage.

Council is reminded that advanced timber decay in the original Yowie is very evident (particularly in the legs and arms), making it unsuitable for the original Yowie to be re-purposed in a public space.

Council may wish to consider another option of removing the top half of the Yowie (chest and head), treating decay and then placing in a cabinet at the Kilcoy Visitor Information Centre (KVIC). A timber restoration company has been contacted, and they advise the preservation cost to cut around chest height, remove decay, diffusing, lightly sanding and vanish to be about \$750 plus transport costs. The cost of a suitable display cabinet is expected to cost about \$1,500.

The Kilcoy Yowie would be an added attraction at the KVIC as staff do field quite a few enquiries about the Yowie, and may, in fact, help increase numbers at the KVIC and associated environmental interpretative centre.

Attachments

EOI letter sent out to community groups / Joint response from KDPA and KHS

Recommendation

THAT Council removes the top half of the Original Kilcoy Yowie (chest and head), preserving the timber, and then placing the Yowie on display, in a cabinet at the Kilcoy Visitor Information Centre.

Decision:

Moved - Cr Ogg

Seconded - Cr Whalley

"THAT Council removes the top half of the Original Kilcoy Yowie (chest and head), preserving the timber, and then placing the Yowie on display, in a cabinet at the Kilcoy Visitor Information Centre."

Carried

Subject:	Carols in the Clock Park – The Lions Club of Lowood Inc
File Ref:	Licencing - local laws - regulated activities - 2018-2019 – regulated activities (1079222)
Action Officer:	CSSA

Background/Summary

The Lions Club of Lowood Inc has requested the use of Clock Park to hold their community event, Carols in the Clock park on Friday, 14 December 2018 between 3pm and 8.30pm.

They have requested approval to close the section of the car park between Railway Station

(Lions den) and Jean Brays Place to vehicles between 3pm and 9pm on the same day.

The Lions Club will have a band set up on the verandah of Trax Church to play the music for the Christmas carols and will have their food van and the Prenzlau fire brigade coffee van. There are no other activities or food venues to be at the event.

Attachments

NIL

Recommendation

THAT Council approve the Lions Club of Lowood Inc to use Clock Park to hold their community event, Carols in the Clock Park on Friday, 14 December 2018 subject to the following conditions:

- The event is to be held between the hours of 3pm and 8.30pm only.
- The area is to be kept in a clean and tidy state and the organisers are required to adequately provide for the collection and disposal of waste generated by the event.
- It is noted that toilet facilities are available in Clock Park. These facilities are cleaned Monday to Friday of each week. Therefore, should these facilities require cleaning or stocking up of supplies during or after the event, you will be required to ensure that these facilities are kept clean and supplied with the necessary stocks.
- Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.
- All temporary signage for your event must be displayed on private property only and are only to be displayed 14 days prior to the event and all signage must be removed from display one day after the event.
- The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.
- The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.
- There is to be no vehicular access into the park.
- Should a temporary shade structure be required, only a standalone marquee (no tent pegs or spikes) is permitted to be used within the park or within the car park area.
- The approval holder must have public liability insurance in an amount not less than \$10,000,000 with Somerset Regional Council being nominated as an interested party. A copy of the public liability certificate of currency must be provided to Council before the commencement of the event.
- If food is to be sold at the event for profit, a food business licence must be obtained from Council. Some exemptions do apply for non-profit organisations; please contact Council's Environmental Health Section for further information.
- The carpark is closed between the Railway Station (Lion's Den) and Jean Bray's Place

to vehicles between 3pm and 9pm on Friday, 14 December 2018.

AND THAT Council provide support to the Lions Club by supplying two road closed signs and stands and three community bins to assist with waste disposal.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Choat

“THAT Council approve the Lions Club of Lowood Inc to use Clock Park to hold their community event, Carols in the Clock Park on Friday, 14 December 2018 subject to the following conditions:

- The event is to be held between the hours of 3pm and 8.30pm only.
- The area is to be kept in a clean and tidy state and the organisers are required to adequately provide for the collection and disposal of waste generated by the event.
- It is noted that toilet facilities are available in Clock Park. These facilities are cleaned Monday to Friday of each week. Therefore, should these facilities require cleaning or stocking up of supplies during or after the event, you will be required to ensure that these facilities are kept clean and supplied with the necessary stocks.
- Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.
- All temporary signage for your event must be displayed on private property only and are only to be displayed 14 days prior to the event and all signage must be removed from display one day after the event.
- The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.
- The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.
- There is to be no vehicular access into the park.
- Should a temporary shade structure be required, only a standalone marquee (no tent pegs or spikes) is permitted to be used within the park or within the car park area.
- The approval holder must have public liability insurance in an amount not less than \$10,000,000 with Somerset Regional Council being nominated as an interested party. A copy of the public liability certificate of currency must be provided to Council before the commencement of the event.

- If food is to be sold at the event for profit, a food business licence must be obtained from Council. Some exemptions do apply for non-profit organisations; please contact Council's Environmental Health Section for further information.
- The carpark is closed between the Railway Station (Lion's Den) and Jean Bray's Place to vehicles between 3pm and 9pm on Friday, 14 December 2018.

AND THAT Council provide support to the Lions Club by supplying two road closed signs and stands and three community bins to assist with waste disposal."

Carried

Subject:	Community Assistance Grants 2018 - 19 Glamorgan Vale Community Hall Association Inc - Doc Id 1076143
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

Grant to assist with the costs of holding the 2018 Glamorgan Vale Community Christmas Carnival held 24 November 2018.

Amount requested:	\$ 550
Total cost of project:	\$10,999.85
Amount granted:	\$ 500

Assessor's Summary

The applicant has requested in writing that this application be considered by Council outside of the specified funding rounds as the group had an outstanding grant which has now been acquitted.

The applicant states the Glamorgan Vale Community Hall annual Christmas Carnivals are always wonderful, entertaining and happy social events which are enjoyed by the whole community. Further, that a community assistance grant would greatly assist the Glamorgan Vale Community Hall Association with the costs associated with providing entertainment for the annual Christmas Carnival including the costs of hiring rides and activities for children.

The group are also seeking in kind support of:

10 x community bins to assist with waste management during the event.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be considered for funding and \$500 plus in-kind support of 10 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs of holding the 2018 Glamorgan Vale Community Christmas Carnival held 24 November 2018.

Decision: Moved - Cr Choat Seconded - Cr Whalley

"THAT the application as summarised in this report be considered for funding and \$500 plus in-kind support of 10 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs of holding the 2018 Glamorgan Vale Community Christmas Carnival held 24 November 2018."

Carried

Subject: Tourism Advisory Committee Meeting Report - 13 November 2018
File Ref: Tourism Advisory Committee
Action Officer: CMM

Background/Summary

A meeting of the Somerset Regional Council Tourism Advisory Committee was held on Tuesday, 13 November 2018.

Noted in the report is a request to investigate costs associated with Council acquiring self-contained mobile water bottle filling stations for use at SRC events and for loan or hire to other community events. Investigations revealed that to purchase a mobile water trailer or fitted out van, the cost varies between \$40,000 to \$100,000 excluding ongoing maintenance costs.

Further, several organisations that Council officers spoke with advised that they prefer units that are hooked up to town water supply.

Attachments

Meeting Report Somerset Regional Council Tourism Advisory Committee

Recommendation

THAT the report be received and the contents noted.

THAT Council not purchase a self-contained mobile water bottle filling station.

THAT Council prepare a report on what possibilities exist to alleviate concerns about accessibility to water bubblers along the trail in areas under Council's lease where there is no access to Council's water supply.

Decision: Moved - Cr Hall Seconded - Cr Whalley

"THAT the report be received and the contents noted.

THAT Council not purchase a self-contained mobile water bottle filling station.

THAT Council prepare a report on what possibilities exist to alleviate concerns about accessibility to water bubblers along the trail in areas under Council's lease where there is no access to Council's water supply."

Carried

Staff Service Presentation -

The Mayor presented Mr Andrew Johnson, Director of Operations Designate, with a certificate and gift in recognition of ten years' service to Council. The Mayor and Councillors thanked Mr Johnson for his service.

Adjournment of Meeting

The meeting adjourned at 10.05am for morning tea, resuming at 10.25am

Closed session - to discuss a staffing matter

Decision:	Moved - Cr Whalley	Seconded - Cr Hall
"THAT the meeting move into a closed session at 10.25am to discuss a staffing matter."		
<u>Carried</u>		

Decision:	Moved - Cr Whalley	Seconded - Cr Hall
"THAT the meeting move out of the closed session at 10.40am and be once again open to the public."		
<u>Carried</u>		

Decision:	Moved - Cr Whalley	Seconded - Cr Hall
"THAT the confidential report of the Chief Executive Officer Selection Panel be adopted and that the Mayor be authorised to enter into a contract with the proposed candidate subject to satisfactory reference results and other essential pre-employment processes."		
<u>Carried</u>		

Meetings authorised by Council

Nil

Mayor and Councillor Reports**Cr Hall - Councillor report**

Focus on Farmers dinner was well done and well received by the public. Those who attended would like more events like this.

Cr Brieschke - Councillor report

Focus on Farmers to have that many people attend is an indication that we are working in the right direction.

Thank you to Lowood Slimmers on their dinner on Friday night, and congratulate them to support various associations in the community - Scouts, Show Society, Glenwood, Toogoolawah Fire Appeal, Cancer Council. Good on them for their work.

Cr Choat - Councillor report

14/11/2018 Council General Meeting and Workshop – Council Chambers Esk
18/11/2018 Zion Lutheran Church Minden 140th Anniversary
21/11/2018 LDMG Meeting Council Chambers Esk
23/11/2018 Minden State School Carnival
23/11/2018 Lowood Slimmers Annual Presentation Night
24/11/2018 Glamorgan Vale annual Christmas Carnival
26/11/2018 Somerset Farmers' Forum Dinner and Presentation
27/11/2018 Fernvale Lions Dinner Meeting

Focus on Farmers, in the night and twice since comment on councillors working together. Mr Ross Buchanan called Cr Choat how fantastic the evening was.

Cr Whalley - Councillor report

Cr Whalley echoed the previous sentiments re Focus on Farmers event this week.

Cr Gaedtke - Councillor report

14 November Kilcoy High School Council Meeting
14 November Kilcoy High School P and C Assoc Meeting
16 November Senior Valedictory Ceremony – Kilcoy High School
19 November CEO Position Interviews - Esk
19 November RADF Committee Meeting - Esk
19 November BVRT Harlin Beautification Project
22 November LGAQ Diploma Units - Local Government House – Brisbane
22 November Kilcoy Chamber of Commerce Monthly Meeting
26 November Somerset Condensery Gallery Advisory Committee Meeting – Esk
26 November Focus on Farmers – Esk
27 November Kilcoy Interagency Meeting

I would like to express my appreciation of the organisation of the Focus on Farmers event held at the Somerset Civic Centre. The event was well attended and very informative. Congratulations to all those who were involved. Feedback obtained from the event recorded the gratitude felt by many who attended the evening.

It was reported in the Sunday Mail through a research project undertaken by Queensland's Bond University, that Somerset Regional Council is in the top ten most unaffordable housing LG area. Cost of housing weighed against income, size of housing and housing stress. Kilcoy Interagency decided to form a sub-committee to address this issue.

The Queensland Core Skills test results have been released and Kilcoy State High School is proud to announce that four of their Year 12 students received an A on their QCE. An A result represents students who have achieved in the top 5% of the state. The school has also a 100% QCE attainment for their students. The excellent results reflect the talent and hard work of the students, the support of the teaches, and the guidance and encouragement of parents.

Mayor's report

The Mayor presented a report of his activities from 25 October 2018 to 28 November 2018 as follows -

Thursday 25 October 2018	11am	Esk Country Women's Association 95th birthday celebrations
	12noon	Skype meeting with Mayor Milligan and CEO Bob Bain regarding LGAQ matters
	2.30pm	Met with ABLE CEO Kate McCrea at the Lowood office
	6.30pm	Attended Spirit of the Valley preview at Laidley Cultural Centre
Friday 26 October 2018	7am	Lowood Swimming Club cheque presentation by Jim McDonald, Member for Lockyer
	9am	Photo opportunity at Anuha at the Gatton Depot re container deposit scheme
	3.30pm	Teleconference - SEQ Regional Recreational Facility AGM
Saturday 27 October 2018	10am	Music campout event at the Toogoolawah Showgrounds
	1.30pm	Toogoolawah Social Tennis Club 110th anniversary afternoon tea
	6.30pm	Lowood Lodge installation banquet
29, 30 and 31 October 2018	LGAQ Annual Conference, Brisbane Convention Centre	
31 October 2018	6pm	Lowood High School awards night.
Thursday 1 November 2018	11am	Solar farm update with CEO and Peter Tabulo, DPAD
Saturday 3 November 2018	11.30am	Esk Campdraft Association, presentation of prizes at Esk Campdraft Grounds.
Sunday 4 November 2018	10am	90th anniversary of Glamorgan Vale Hall
Tuesday 6 November 2018	9am	Ipswich DDMG meeting at Yamanto
Wednesday 7 November 2018	9.30am	SEQ Regional Planning Committee meeting at Queensland Room, William Street, Brisbane
Thursday 8 November 2018	9am	SEQCMA Board Meeting and site tour at the Kilcoy Information Centre
Friday 9 November 2018	9am	Council of Mayors Resilient Rivers Meeting, Brisbane
Saturday 10 November 2018	11am	Caboonbah Church Service
	2pm	Opening of World War I Memorial Exhibition at The Condensery

	5pm	Thank you dinner for sponsors of Lowood Bowls Club
Sunday 11 November 2018	9am 10.30am	Fernvale Memorial plaque unveiling Remembrance Day service at Lowood RSL
Monday 12 November 2018	9am 7pm	Councillor Integrity Training Lowood Lions meeting
Tuesday 13 November 2018	10am 1pm 3pm 6.30pm	Citizenship Ceremony at Esk Tourism Advisory Committee meeting at Esk Visited Mrs Joan Jones of Fernvale on the occasion of her 90th birthday Bendigo Bank AGM at Lowood Bowls Club
Thursday 15 November 2018	9.30am	Healthy Land and Water and SEQCMA AGM at Wesley Mission Building, Brisbane
Friday 16 November 2018	8.45am	Kilcoy State High School Valedictory ceremony
Saturday 17 November 2018	1.30pm	Kilcoy Motor Cycle Club presentations
Sunday 18 November 2018	10am	Zion Lutheran Church Minden 140th Anniversary service and lunch
Monday 19 November 2018	8am 4.30pm	Interviews Celebration of landscaping rail trail view point at Harlin
Tuesday 20 November 2018	2pm 7pm	Met with Mr Somerville and Peter Tabulo DPAD, regarding Fernvale DA18074 Somerset Wivenhoe Fishstocking Association meeting at Fernvale Futures
Wednesday 21 November 2018	9.30am 11am	Traffic Safety Advisory Committee meeting at Esk Local Disaster Management Group meeting at Esk
Friday 23 November 2018	3pm 7pm	Lockyer Valley Somerset Water Collaborative meeting at Gatton Santa at Minden School
Monday 26 November 2018	10am 5.30pm	Radiation Health meeting at Fernvale Futures with CEO and Cr Whalley Focus on Farmers event at the Somerset Civic Centre

Decision:

Moved - Cr Ogg

Seconded - Cr Brieschke

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

Carried

Receipt of Petition**Petition regarding Larkhill Boundary Road**

Cr Choat tabled a letter from Mr Mick Morton and Mr Allen Bellew of Glamorgan Vale enclosing a petition from residents of the Larkhill District. The petition refers to the condition of Larkhill Boundary Road, and formally requests that the unsealed sections of Larkhill Boundary Road be sealed.

Decision:

Moved – Cr Choat

Seconded - Cr Whalley

“THAT the petition from residents of the Larkhill District regarding the condition of Larkhill Boundary Road and seeking that unsealed sections be sealed, be received.”

Carried**Consideration of notified motions**

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 11am.

ATTACHMENT 1

Policy Subject/Title: **STANDING ORDERS**

Policy Number: **EX002**

Responsible Person: Director Corporate and Community Services

Authorised by: Somerset Regional Council

Authorised on: ... November 2018

Review / Amendment dates:

- 14 July 2010
- 27 June 2012
- 24 July 2012 [Doc ID 629320]
- 11 July 2013 [Doc ID 711676]
- 19 December 2014 [Doc ID 794417]
- ... November 2018 [Doc ID]

Table of Contents

Intent 148

1.	Standing Orders	148	
2.	Procedures for Meetings of Council	148	
2.1.	Presiding Officer	148	
2.2.	Order of Business	148	
2.3.	Agendas	149	
2.4.	Petitions	149	
2.5.	Deputations	150	
2.6.	Business Papers	150	
3.	Motions	150	
3.1.	Motion to be moved	150	
3.2.	Absence of Mover of Motion	151	
3.3.	Motion to be seconded	151	
3.4.	Amendment of Motion	151	
3.5.	Speaking to motions and amendments	151	
3.6.	Method of taking vote	152	
3.7.	Repealing or amending resolutions	152	
3.8.	Procedural motions	153	
3.9.	Conduct during Meetings	154	
3.10.	Questions	155	
4.	Maintenance of Good Order	155	
4.1.	Disorder	155	
5.	Attendance and Non-Attendance	155	
5.1.	Attendance of public and the media at meeting	155	
5.2.	Public participation at meeting	156	
	Version Control	157	

Intent

To provide written rules for the orderly conduct of Council Meetings.

1. Standing Orders

- 1.1. These Standing Orders apply to all meetings of Council and any Standing Committees.
- 1.2. Any provision of these Standing Orders may be suspended by resolution of any meeting of Council. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3. Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

2. Procedures for Meetings of Council**2.1. Presiding Officer**

- 2.1.1 The Mayor will preside at a meeting of Council.
- 2.1.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.1.3 If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.1.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 2.1.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

2.2. Order of Business

- 2.2.1. Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.
- 2.2.2. The order of business shall be determined by resolution of Council from time to time. The order of business may be altered for a particular meeting where the Councillors at that meeting pass a motion to that effect. A motion to alter the order of business may be moved without notice.
- 2.2.3. Unless otherwise altered, the order of business shall be as follows:
 - attendances
 - apologies and granting of leaves of absence
 - confirmation of Minutes
 - Committee, Delegate and Officer Reports referred to the meeting by the

CEO

- 2.2.4. The minutes of a preceding meeting whether an ordinary or a special meeting, not previously confirmed shall be taken into consideration, at every ordinary meeting of Council, in order that such minutes may be confirmed and no discussion shall be permitted with respect to such minutes except with respect to their accuracy as a record of the proceedings.

2.3. Agendas

- 2.3.1. The Agenda may contain:

- Notice of meeting
- Leave of Absence
- Minutes of the previous meetings (confirmation / business arising)
- Business which the Mayor wishes to have considered at that meeting without notice
- Matters of which notice has been given
- Matters of Public Interest
- Receipt of Petitions
- Committees' reports to Council referred to the meeting by the CEO
- Officers' reports to Council referred to the meeting by the CEO
- Deputations and delegations
- Receipt of Notices of Motion for next meeting
- Any other business Council determines by resolution be included in the agenda paper.

- 2.3.2. Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

2.4. Petitions

- 2.4.1. Any petition presented to a meeting of Council shall:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures
- include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue)
- include the postcode of all petitioners, and
- have the details of the specific request/matter appear on each page of the petition.

- 2.4.2. Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is that the petition be received; or received and referred to a committee or officer for consideration and a report to Council; or not be received because it is deemed invalid.

- 2.4.3. Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

2.5. Deputations

- 2.5.1. A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
- 2.5.2. The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.
- 2.5.3. For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 2.5.4. If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.
- 2.5.5. The Chairperson may terminate an address by a person in a deputation at any time where:
 - the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
 - the time period allowed for a deputation has expired, or
 - the person uses insulting or offensive language or is derogatory towards Councillors or staff members.
- 2.5.6. The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

2.6. Business Papers

- 2.6.1. The Chief Executive Officer shall within such time as the Council determines by resolution, prepare or have prepared Business Papers for the next meeting, which shall be made available to Councillors if practicable two days prior to the relevant meeting.
- 2.6.2. A business paper shall consist of, where applicable:
 - Reports referred to Council by a Committee
 - Officers reports to the Council referred to the meeting by the Chief Executive Officer
 - Correspondence to the Council referred to the meeting by the Chief Executive Officer
 - Notified motions
 - Any other business Council determines by resolution to be included in the business paper

3. Motions

- 3.1. Motion to be moved

- 3.1.1. A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 3.1.2. When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 3.1.3. Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- 3.1.4. A motion brought before a meeting of Council in accordance with the *Local Government Act 2009* or these Standing Orders shall be received and put to the meeting by the Chairperson. The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
- 3.1.5. The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion.

3.2. Absence of Mover of Motion

Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:

- moved by another Councillor at the meeting, or
- deferred to the next meeting.

3.3. Motion to be seconded

A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

3.4. Amendment of Motion

- 3.4.1. An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 3.4.2. Not more than one motion or one proposed amendment to a motion may be put before a meeting of Council at any one time.
- 3.4.3. Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been put.
- 3.4.4. Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

3.5. Speaking to motions and amendments

- 3.5.1. The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.
- 3.5.2. The Chairperson will manage the debate by allowing the Councillor who

proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

- 3.5.3. A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.
- 3.5.4. A motion or amendment may be withdrawn by the mover thereof with the consent of Council, which shall be signified without debate, and a Councillor shall not speak upon such motion or amendment thereof after the mover has been granted permission by Council for its withdrawal.
- 3.5.5. The mover of a motion or amendment shall have the right to reply. Each Councillor shall speak no more than once to the same motion or same amendment except as a right of reply.
- 3.5.6. Each speaker shall be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.
- 3.5.7. Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.
- 3.5.8. In accordance with Section 273 of the Local Government Regulation 2012, if a decision made at a meeting is inconsistent with a recommendation or advice given to Council by an advisor of the Council, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

3.6. Method of taking vote

- 3.6.1. The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 3.6.2. Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 3.6.3. Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.
- 3.6.4. If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation.

3.7. Repealing or amending resolutions

- 3.7.1. A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the *Local Government Act 2009* or the *Local Government Regulation 2012*.

- 3.7.2. Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

3.8. Procedural motions

- 3.8.1. A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:

- that the question/motion be now put
- that the motion or amendment now before the meeting be adjourned
- that the meeting proceed to the next item of business
- that the question lie on the table
- a point of order
- a motion of dissent against the Chairperson's decision
- that this report/document be tabled
- to suspend the rule requiring that (insert requirement)
- that the meeting stand adjourned.

- 3.8.2. A procedural motion, that the question be put, may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion shall continue.

- 3.8.3. The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned.

Where no date or time is specified:

- a further motion may be moved to specify such a time or date, or
- the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.

- 3.8.4. Where a procedural motion, that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.

- 3.8.5. A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.

- 3.8.6. Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:

- has failed to comply with proper procedures

- is in contravention of the Local Government Act/Regulations, or
- is beyond the jurisdiction power of Council.

Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.

- 3.8.7. A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Where as a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.
- 3.8.8. The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 3.8.9. A procedural motion, "to suspend the rule requiring that ...", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 3.8.10. A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

3.9. Conduct during Meetings

- 3.9.1. Councillors will conduct themselves in accordance with the principles of the *Local Government Act 2009* and the standards of behaviour set out in the Code of Conduct. The Chairperson may observe or be made aware of instances of possible unsuitable meeting conduct.
- 3.9.2. Councillors may remain seated and address the chair while moving any motion or amendment, seconding any motion or amendment or taking part in any discussion, placing or replying to any question, or addressing the Council for

any other purpose.

- 3.9.3. After a meeting of Council has been formally constituted and the business commenced, a Councillor shall not enter or leave from such meeting without first notifying the Chairperson.
- 3.9.4. Councillors shall speak of each other during the Council meeting by their respective titles, "Mayor" or "Councillor", and in speaking of or addressing officers shall designate them by their respective official or departmental title and shall confine their remarks to the matter then under consideration.
- 3.9.5. No Councillor who is speaking shall be interrupted except upon a point of order being raised either by the Chairperson or by a Councillor.
- 3.9.6. When the Chairperson speaks during the process of a debate, the Councillor then speaking or offering to speak shall immediately cease speaking, and each Councillor present shall preserve strict silence so that the Chairperson may be heard without interruption.

3.10. Questions

- 3.10.1. A Councillor may at a Council meeting ask a question for reply by another Councillor or an officer regarding any matter under consideration at the meeting. A question shall be asked categorically and without argument and no discussion shall be permitted at the meeting of Council in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next Meeting.
- 3.10.2. A Councillor who asks a question at a meeting, whether or not upon notice, shall be deemed not to have spoken to the debate of the motion to which the question relates.
- 3.10.3. The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if such motion be carried the Chairperson shall allow such question.

4. Maintenance of Good Order

4.1. Disorder

The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

5. Attendance and Non-Attendance

5.1. Attendance of public and the media at meeting

- 5.1.1. An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives

of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.

- 5.1.2. When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.
- 5.1.3. The resolution that Council proceed into Closed Session must specify the nature of the matters to be considered and these matters must be in accordance with Section 275 Local Government Regulation 2012. The Chairperson may direct any persons improperly present to withdraw immediately. Council must not make a resolution (other than a procedural resolution) in a closed session. Council must resolve to move out of closed session so that a resolution can be passed on the matters considered in Closed Session.

5.2. Public participation at meeting

- 5.2.1. A member of the public may take part in the proceeding of a meeting only when invited to do so by the Chairperson.
- 5.2.2. In each Meeting, time may be required to permit members of the public to address the Council on matters of public interest related to local government. The time allotted shall not exceed fifteen minutes and no more than three speakers shall be permitted to speak at any one meeting. The right of any individual to address the Council during this period shall be at the absolute discretion of Council.
- 5.2.3. Any person who wishes to address Council during this time shall make application to the Chief Executive Officer, in writing, prior to 12 noon on the Wednesday of the week before the Ordinary Meeting at which he/she wishes to speak. The application shall set out briefly the subject matter to be dealt with. The Chief Executive Officer shall notify the applicant in writing, and by telephone if possible, whether the application has been approved or not. The right of any individual to address the Council during this period shall be at the absolute discretion of the Mayor.
- 5.2.4. If any address or comment is irrelevant, offensive, or unduly long, the Chairperson may require the person to cease making the submission or comment.
- 5.2.5. For any matter arising from such an address, Council may take the following actions:
 - refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
- 5.2.6. Any person addressing the Council shall stand and act and speak with decorum and frame any remarks in respectful and courteous language.
- 5.2.7. Any person who is considered by the Council or the Mayor to be unsuitably dressed may be directed by the Mayor or Chairperson to immediately withdraw

from the meeting. Failure to comply with such a request may be considered an act of disorder.

1. Version Control

This policy is to remain in force until otherwise determined by Council.

Release Notice			
Version Number	Date of issue	Amendment details	Responsible officer
1	__/__/__	Procedure drafted	Director, Corporate and Community Services
1	__/__/__	Procedure adopted	Director, Corporate and Community Services
1	__/__/__	Due date for revision	Director, Corporate and Community Services

ATTACHMENT 2



Policy Subject/Title: Investigation Policy

Policy Number: EX/007

Responsible Officer: Director, Corporate and Community Services

Related Policies / Procedures:

Authorised by: Somerset Regional Council

Authorised on: 28 November 2018 / Doc ID of Decision]

Amendments: [Date and Doc ID of any subsequent amendments]

Table of Contents

1.	<i>Authority</i>	160
2.	<i>Commencement</i>	160
3.	<i>Scope</i>	160
4.	<i>Definitions</i>	160
5.	<i>Confidentiality</i>	161
6.	<i>Natural Justice</i>	161
7.	<i>Assessor's referral</i>	161
8.	<i>Receipt of Assessor's referral</i>	162
9.	<i>Investigator</i>	162
10.	<i>Early resolution</i>	162
11.	<i>Timeliness</i>	163
12.	<i>Assistance for Investigator</i>	163
13.	<i>Possible misconduct or corrupt conduct</i>	163
14.	<i>Completion of investigation</i>	163
15.	<i>Notice about the outcome of investigation</i>	164
16.	<i>Councillor conduct register</i>	164
17.	<i>Expenses</i>	164

2. Authority

This is Somerset Regional Council's Investigation Policy for how complaints about the inappropriate conduct of Councillors will be dealt with as required by section 150AE of the *Local Government Act 2009* (LGA). However, this Policy does not relate to more serious Councillor conduct.

3. Commencement

The Investigation Policy was adopted by Council resolution on 28 November 2018 and applies from 3 December 2018.

4. Scope

This Investigation Policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s which has been referred by the Independent Assessor (Assessor)

5. Definitions

Assessor means the Independent Assessor appointed under section 150CV of the LGA

Behavioural standard means a standard of behaviour for Councillors set out in the Code of Conduct approved under section 150E of the LGA

Conduct includes -

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

Council means the Somerset Regional Council, 2 Redbank Street, Esk QLD 4312.

Councillor Conduct Register means the register required to be kept by Council as set out in section 150DX of the LGA

Inappropriate Conduct see section 150K of the LGA

Investigation Policy, refers to this policy, as required by section 150AE of the LGA

Investigator means the person responsible under this Investigation Policy for carrying out the investigation of the suspected inappropriate conduct of a Councillor or Mayor

LGA means the *Local Government Act 2009*

Local Government meeting means a meeting of -

- (a) a local government; or
- (b) a committee of a local government.

Misconduct see section 150L of the LGA

Model Procedures see section 150F of the LGA

Natural Justice – a set of principles to ensure fair and just decision making, including a fair hearing, an absence of bias, decisions based on evidence, and the proper examination of all issues.

Referral Notice see section 150AC of the LGA

Tribunal means the Councillor Conduct Tribunal as established under section 150DK of the LGA

Unsuitable Meeting Conduct see section 150H of the LGA

6. Confidentiality

Matters of suspected inappropriate conduct of a Councillor are confidential except as otherwise specifically provided for either in the LGA or this Investigation Policy.

Note: It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to Council. Any release of confidential information that a Councillor knows, or should reasonably know, to be confidential to Council, may be contrary to section 171(3) of the LGA and dealt with as misconduct.

7. Natural Justice

Any investigation of suspected inappropriate conduct of a Councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

“Natural justice” or procedural fairness, refers to three key principles:

- the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing);
- the Investigator(s) should be objective and impartial (absence of bias); and
- any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the Councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

Decisions based on evidence require that the investigation should not be based on mere speculation or suspicion but instead must be based upon evidence material.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party’s case.

8. Assessor’s referral

The Council may receive from the Assessor a referral notice about the suspected inappropriate conduct of a Councillor/s. Council may also receive referrals directly.

9. Receipt of Assessor's referral

On receipt of a referral notice about the suspected inappropriate conduct of a Councillor/s from the Assessor, Council's Chief Executive Officer will forward a copy of that referral notice to the Mayor and all Councillors as a confidential document.

Should the Mayor or a Councillor/s (other than the subject of the complaint or the complainant) disagree with any recommendation accompanying the Assessor's referral notice or form the opinion that the complaint should be dealt with in a way other than under this policy, the Mayor or Councillor may request the matter be placed on the agenda of the next Council meeting to decide on the appropriate process to investigate the complaint. Such a request must be made in accordance with the Council's Meeting Procedures Policy.

10. Investigator

Unless otherwise resolved by Council, the Mayor will manage the investigation of suspected inappropriate conduct of other Councillors.

If the suspected inappropriate conduct involves conduct that in the circumstances, the Mayor believes, is in the best interests of the investigation to refer the matter for external investigation, then the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to the Council about dealing with the conduct.

If the suspected inappropriate conduct involves:

- an allegation about the conduct of the Mayor, or
- the Mayor as the complainant, then

the Chief Executive Officer must refer the suspected inappropriate conduct to the President of the Tribunal to investigate and make recommendations to Council about dealing with the conduct.

11. Early resolution

Before beginning an investigation, the Investigator must consider whether the matter is appropriate for resolution prior to the investigation. This consideration includes any recommendation made by the Assessor.

A matter is only appropriate for early resolution if the parties to the matter agree to explore early resolution.

The Investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this Investigation Policy.

If the matter is resolved prior to investigation, the Investigator will advise the Chief Executive Officer of this outcome. In turn, the Chief Executive Officer will advise the Mayor (if the Mayor

is not the Investigator) and all Councillors, that the matter has been resolved. The Chief Executive Officer will also update the Councillor Conduct Register to reflect this.

12. Timeliness

The Investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of a Council meeting no more than eight weeks after the receipt of the complaint.

Note: If the Investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the Mayor (if the Mayor is not the Investigator) to seek an extension of time.

13. Assistance for Investigator

If the Mayor is the Investigator of a matter of suspected inappropriate conduct, the Mayor may use section 170A of the LGA to seek assistance during the investigation.

The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's Procurement Policy.

14. Possible misconduct or corrupt conduct

If during the course of an investigation the Investigator obtains information which indicates a Councillor/s may have engaged in misconduct, the Investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Assessor of the possible misconduct.

If during the course of an investigation, the Investigator obtains information which indicates a Councillor/s may have engaged in corrupt conduct, the Investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to Council if determined by the Assessor or Crime and Corruption Commission to be inappropriate conduct.

15. Completion of investigation

On the completion of an investigation, the Investigator will provide a report to Council outlining the investigation process, the investigation findings, any recommendations about dealing with the conduct and a record of the investigation costs.

Council will consider the findings and recommendations of the Investigator's report and decide whether the Councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA.

Provisions for internal and external review of decisions are set out in sections 150CO to 150CS of the LGA.

16. Notice about the outcome of investigation

After an investigation is finalised, the Council must give notice about the outcome of the investigation to the person who made the complaint about the Councillor/s conduct who was the subject of the investigation.

17. Councillor conduct register

Council's Chief Executive Officer must ensure decisions about suspected inappropriate conduct of a Councillor/s are entered into the Councillor Conduct Register.

Where a complaint has been resolved under section 10 of this Investigation Policy, the Chief Executive Officer will update the Councillor Conduct Register to reflect that the complaint was withdrawn.

18. Expenses

Council must pay any reasonable expenses of Council associated with the informal early resolution or investigation of suspected inappropriate conduct of a Councillor including any costs of:

- the president of the Tribunal in undertaking an investigation for Council
- a mediator engaged under this Investigation Policy
- a private Investigator engaged on behalf of or by the Investigator
- travel where the Investigator needed to travel to undertake the investigation or to interview witnesses
- seeking legal advice
- engaging an expert.

Note: Council may order the subject Councillor to reimburse it for all or some of the costs arising from the Councillor's inappropriate conduct.

Any costs incurred by complainants or the subject Councillors will not be met by Council.

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 28 November, 2018.

Signed:

Date: / /

ATTACHMENT 3



Policy Subject/Title: Meeting Procedures
Policy Number: EX/008

Responsible Officer: Director, Department of Community and Corporate Services

**Related Policies /
Procedures:**

Authorised by: Somerset Regional Council

Authorised on: 28 November 2018 / Doc ID of Decision]

Amendments: [Date and Doc ID of any subsequent amendments]

Table of Contents

1.	Purpose of Meeting Procedures	167
2.	Background	167
3.	Processes for dealing with unsuitable meeting conduct by a Councillor in a meeting	167
4.	Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Council	168
5.	Material Personal Interest	169
6.	Conflict of Interest	170
7.	Closed Meetings	172

1. Purpose of Meeting Procedures

The purpose of the Meeting Procedures is to set out certain procedures to ensure the principles of Somerset Regional Council (Council) are reflected in the conduct of Council's meetings and Committee meetings.

It is not intended that these procedures deal with all aspects of meeting conduct, but only those required to strengthen public confidence in Council to deal with the conduct of its Councillors in meetings.

2. Background

As required under section 150F of the *Council Act 2009* (LGA) this document sets out:

- the process for how Council's Chairperson may deal with instances of unsuitable meeting conduct by Councillors; and
- the process for how suspected inappropriate conduct of a Councillor referred to Council by the Independent Assessor (the Assessor) is to be dealt with at a Council meeting.

3. Processes for dealing with unsuitable meeting conduct by a Councillor in a meeting

When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 3.1. The Chairperson must decide whether or not unsuitable meeting conduct has been displayed by a Councillor.
- 3.2. If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson must consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature, refer to 3.7 for the steps to be taken.
- 3.3. If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - 3.3.1. Ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
 - 3.3.2. Apologising for their conduct
 - 3.3.3. Withdrawing their comments.
- 3.4. If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 3.5. If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 3.6. If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.

- 3.7. If the Councillor still continues to fail to comply with the Chairperson's request for remedial actions, the Chairperson may make one or more of the orders below:
- 3.7.1. an order reprimanding the Councillor for the conduct
 - 3.7.2. an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.²
- 3.8. If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting by an appropriate officer. The meeting must be adjourned whilst the Councillor is being removed.³
- 3.9. Following the completion of the meeting, the Chairperson must ensure:
- 3.9.1. details of any order issued is recorded in the minutes of the meeting⁴ ;
 - 3.9.2. if it is the third (3rd) or more order within a 12-month period made against a Councillor or the Councillor has refused to leave following an order issued to leave the meeting, ¹these matters are to be dealt with at the next meeting of the Council and treated as inappropriate conduct pursuant to the LGA⁵ ;
 - 3.9.3. the Council's Chief Executive Officer is advised to ensure details of any order made must be updated in the Council's Councillor Conduct Register pursuant to the LGA.
- 3.10. Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 3.1, 3.7 and 3.8 above.

4.0 Meeting process for dealing with suspected Inappropriate Conduct which has been referred to a Council

Pursuant to section 150AF of the LGA, after receiving a referral by the Assessor or under paragraph 3.9.2 of this document of an instance of suspected inappropriate conduct, the Council must complete an investigation into the alleged conduct.

After the completion of the investigation, the Council must decide whether the Councillor has engaged in inappropriate conduct in a Council meeting, unless it has delegated responsibility for this decision under section 257 of the LGA.

When dealing with an instance of suspected inappropriate conduct which has been referred to Council by the Assessor, the Council must:

- 4.1. Be consistent with Council's principle of transparent and accountable decision-making in the public interest, by dealing with suspected inappropriate conduct in an open meeting of Council. Where the complainant or other parties may be adversely affected due to the nature of the complaint, the Council may resolve to go into closed session under section 275 of the *Council Regulation 2012* (the LGR).
- 4.2. When deliberating on the issue, the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public. Should the complainant be a Councillor, that Councillor must inform the meeting of a personal

¹ Section 150I(2) of the LGA

³ Section 150I(2)(c) of the LGA

⁴ Section 150I(3) of the LGA

⁵ Section 150J of the LGA

interest and follow the conflict of interest procedures in Section 7.

- 4.3. The Council should then debate the issue and decide whether the accused Councillor engaged in inappropriate conduct.
- 4.4. If the Council decides that the subject Councillor has engaged in inappropriate conduct, the Council is then required to decide what penalty or penalties from the following orders, if any, to impose on the subject Councillor:
 - 4.4.1. an order that the Councillor make a public admission that the Councillor has engaged in inappropriate conduct;
 - 4.4.2. an order reprimanding the Councillor for the conduct;
 - 4.4.3. an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense;
 - 4.4.4. an order that the Councillor be excluded from a stated Council meeting;
 - 4.4.5. an order that the Councillor is removed, or must resign, from a position representing the Council, other than the office of Councillor, for example, the Councillor is ordered to resign from an appointment representing the Council on a State Board or Committee;
 - 4.4.6. an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct;
 - 4.4.7. an order that the Councillor reimburse the Council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 4.5. When making an order, the Council can take into consideration any previous inappropriate conduct of the Councillor, and any allegation made in the investigation that was admitted, or not challenged and that the Council is reasonably satisfied is true.
- 4.6. The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made.
- 4.7. The Council must ensure the meeting minutes reflect the resolution made.

5.0 Material Personal Interest

Councillors are ultimately responsible for informing of a material personal interest on matters to be discussed at a Council or Committee meeting. When dealing with a material personal interest, Councillors must abide by the following procedures:

- 5.1. A Councillor with a material personal interest must inform the meeting of the Council of their material personal interest and set out the nature of the interest, including:
 - 5.1.1. The name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting;
 - 5.1.2. How a person or other entity stands to gain the benefit or suffer the loss;
 - 5.1.3. If the person or other entity who stands to gain the benefit or suffer the loss is not the Councillor — the nature of the Councillor's relationship to the person or entity.
- 5.2. The Councillor must then leave the place of the meeting and stay away while the matter is being discussed and voted on, unless the subject Councillor has Ministerial approval to participate in the matter. The Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.

- 5.3. Once the Councillor has left the area where the meeting is being conducted, the Council can continue discussing and deciding on the matter at hand.
- 5.4. If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a material personal interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion;
- 5.5. The Chairperson then should ask the Councillor with the suspected material personal interest whether they do in fact have a material personal interest. If that is the case, the Councillor must follow the above procedures from item 5.1.
- 5.6. In the event the majority of Councillors inform a meeting of a material personal interest regarding a matter:
 - 5.6.1. the Council must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or
 - 5.6.2. if the matter cannot be delegated under section 257 of the LGA, the Council should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Council may impose.
- 5.7. Where a Councillor informs a meeting of a material personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:
 - 5.7.1. The name of the Councillor who has a material personal interest in the matter;
 - 5.7.2. The material personal interest, including the particulars mentioned by the Councillor regarding the material personal interest;
 - 5.7.3. Whether the Councillor participated in the meeting, or was present during the meeting, under an approval granted by the Minister for Council.

6.0 Conflict of Interest

Councillors are ultimately responsible for informing of any personal interest where they have a real or perceived conflict of interest on matters to be discussed at Council or Committee meetings (other than ordinary business matters). When dealing with a conflict of interest, Councillors must abide by the following procedures:

- 6.1. A Councillor with a real or perceived conflict of interest must inform the meeting of the Council of their personal interest and set out the nature of the interest, including:
 - 6.1.1. The nature of the interest;
 - 6.1.2. If the Councillor's personal interest arises because of the Councillor's relationship with, or receipt of a gift or benefit from, another person:
 - 6.1.2.1. The name of the other person
 - 6.1.2.2. The nature of the relationship or value and date of receipt of the gift or benefit received; and
 - 6.1.2.3. The nature of the other person's interests in the matter.
- 6.2. The subject Councillor may themselves elect to leave the meeting while the matter is being discussed and voted on due to a perceived conflict of interest or conflict of interest.

If the Councillor does not leave the meeting, they may advise the other Councillors why they believe they are able to act in the public interest while remaining in the meeting. This could include prior advice from the Integrity Commissioner on the personal interest.

- 6.3. The other Councillors entitled to vote at the meeting must then decide whether the subject Councillor has a conflict of interest (including a perceived conflict of interest) in the matter due to their personal interest. A Councillor who has declared a personal interest in relation to a matter, must not vote under section 175E(4) as to whether another Councillor may stay in the meeting.
- 6.4. If the other Councillors decide there is no conflict of interest or a perceived conflict of interest, the subject Councillor may remain in the meeting and the meeting may continue.
- 6.5. If the other Councillors decide there is a conflict of interest they must then decide whether the subject Councillor must leave the meeting while the matter is being discussed and voted on or can participate in the meeting in relation to the matter including voting on the matter. If the Councillor must leave the place of the meeting the Councillor must not influence or attempt to influence the remaining Councillors to vote on the matter in a particular way.
- 6.6. When deciding whether a Councillor may stay in a meeting and vote following the decision of a conflict of interest, the other Councillors must consider significant variables including, but not limited to:
 - 6.6.1. The size or significance of the benefit the subject Councillor stands to receive or benefit
 - 6.6.2. The benefit the subject Councillor stands to receive versus the benefit the community stands to receive from the potential decision
 - 6.6.3. The closeness of any relationship the subject Councillor may have with a given person or group.
- 6.7. In making the decision under 6.6, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 6.8. If a Councillor at a meeting reasonably believes, or reasonably suspects that another Councillor has a real or perceived conflict of interest in a matter to be discussed at the meeting and has not informed the meeting about the interest, the Councillor must advise the Chairperson of the meeting, as soon as practicable, about their belief or suspicion, and the facts and circumstances that form the basis of the belief or suspicion.
- 6.9. The Chairperson then should ask the Councillor with the suspected conflict of interest to inform the meeting of any personal interest they have in the matter and follow the above procedures from item 6.1.
- 6.10. In the event the majority of Councillors inform of a personal interest in a matter:
 - 6.10.1. the Council must resolve to delegate the consideration and decision on the matter, pursuant to section 257 of the LGA, or
 - 6.10.2. if the matter cannot be delegated under the section 257 of the LGA, the Council should seek Ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Council may impose.

6.11. Where a Councillor informs a meeting of a personal interest in a matter, the Chairperson must ensure the minutes of the meeting (to be posted on the Council's website) record:

- 6.11.1. The name of the Councillor who has declared the conflict of interest
- 6.11.2. The nature of the personal interest, as described by the Councillor
- 6.11.3. The decisions made under 6.3 and 6.5 above
- 6.11.4. Whether the Councillor participated in the meeting under an approval by the Minister
- 6.11.5. If the Councillor voted on the matter, how they voted
- 6.11.6. How the majority of Councillors voted on the matter.

7.0 Closed Meetings

Council and standing Committees may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:

- Appointment, dismissal or discipline of employees;
- Industrial matters affecting employees;
- Council's budget;
- Rating concessions or contracts proposed to be made by the Council or starting or defending legal proceedings involving the Council;
- Any action to be taken by the Council under the *Planning Act 2016* (PA), including applications made to it under the PA;
- Business for which a public discussion would be likely to prejudice the interests of the Council or someone else or enable a person to gain a financial advantage.

The Council or a Council Committee must not make a resolution (other than procedural) in a closed session meeting. If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation.

- 7.1. To take an issue into a closed session, the Council must first pass a resolution to do so;
- 7.2. In the interests of accountability and transparency, the Council must specify the nature of the matter to be discussed and the reasoning of the Councillors for going into closed session;
- 7.3. If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session and name the topic to be discussed and a brief explanation of why it is deemed necessary to take the issue into closed session;
- 7.4. The minutes of a Council must detail the matter discussed and reasoning for discussing the matter in closed session. The Council must also ensure that it complies with the statutory obligations associated with recording of passed resolutions.

This Policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 28 November, 2018.

Signed:

Date: