



**Minutes of Ordinary Meeting
Held Wednesday 12 December 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)
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)

Apologies

Cr B Whalley	(Councillor)
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Opening of Meeting

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

Leave of Absence

Cr Whalley requested leave of absence from today's meeting.

Decision

Moved – Cr Hall

Seconded – Cr Brieschke

“THAT Cr Whalley be granted leave of absence from today's meeting.”

Carried

Confirmation of Minutes**Decision**

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT the Minutes of the Ordinary Meeting held on 28 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 Gaedtke - Matters of public interest -**

12 December	Mt Kilcoy State School Awards Night
14 December	Lowood Lions Christmas in the Park
14 December	Picturing Innovation Exhibition Official Opening – The Condensery
15 December	Christmas Carols – Fernvale and Kilcoy
15 December	Toogoolawah Christmas Tree Carnival
15 December	Esk Christmas Races
18 December	Official Opening Kilcoy Police Station

Cr Choat - Matters of public interest -

I would like to pay tribute this morning to one of Somerset's young achievers - Patrick Schmidt of Fernvale. Patrick is of course from one of Fernvale's pioneering families. He is the son of Brett and Dorothea and Grandson of Noel and Hellen.

Patrick has been selected to represent Queensland in cricket in the Under 15s School Boys Team and is currently in Central Queensland doing us proud. Patrick is a hard-working student of St Edmunds College and has worked hard as a young cricketer. Patrick's dad Brett is himself a keen cricketer having done a lot for cricket locally and I know he and Dot along with the extended Schmidt family are very proud of Patrick and I look forward to watching his future career with great interest.

Subject:	Application for Keeping more than maximum number of animals – Mariska Herbert – 19 RP152431- 00594-00000-000 – 194 Highlands Street Esk Qld 4313
File Ref:	Licencing - local laws - Keeping of Animals
Action Officer:	SRSO (Supervising Regulatory Services Officer)

Background/Summary

Council has received an application including the attached cover letter (1070680) to keep more than the maximum number of dogs from Mariska Herbert (the applicant) of 194 Highland Street, Esk who trains and keeps search and rescue dogs that are utilised by the Queensland Police Service and Queensland Fire and Rescue Service.

The applicant's dogs are exempt from registration under the *Animal Management (Cats and Dogs) Act 2008* (the Act), because her dogs are defined as government entity dogs.

The applicant recently relocated to 194 Highland Street Esk from a property at Toogoolawah and attended the Council Office Esk on 18 September 2018 to update address details and advise of a third dog to be trained as replacement dog for one of her existing dogs.

On 19 September 2018, Council issued a local law compliance notice for keeping excess dogs. This matter is currently on hold pending the outcome of this application.

On 28 September 2018, Council received correspondence (1067332) from the applicant requesting permission to apply for an approval to accommodate up to four dogs on the property due to special circumstances.

Discussion

It should be noted that the applicant's dogs are not defined as working dogs under *Subordinate Local Law No 2 (Animal Management) 2011* (SLLNo.2) and no special provisions are made for government entity dogs. Under SLLNo.2, working dog has the same meaning as is given in the Act.

Under the *Animal Management (Cats and Dogs) Act 2008*, working dogs and government entity dogs are defined as:

government entity dog means—

- (a) a dog owned by a government entity or a person engaged or employed by the entity; and
- (b) used for a purpose under an Act of the Commonwealth or a State.

Examples—

- a corrective services dog under the Corrective Services Act 2006
- a drug detection dog, firearms and explosives detection dog or police dog under the Police Powers and Responsibilities Act 2000

working dog—

- (a) means a dog usually kept or proposed to be kept—
 - (i) on rural land; and

- (ii) *by an owner who is a primary producer, or a person engaged or employed by a primary producer; and*
- (iii) *primarily for the purpose of—*

- (A) *droving, protecting, tending, or working, stock; or*
- (B) *being trained in droving, protecting, tending, or working, stock; and*

- (b) *does not include a class of dog prescribed under a regulation.*

Under section 4(15) of Subordinate Local Law No.1.5 (Keeping of Animals) 2011 (SLLNo.1.5), Council may grant an approval for:

- *the keeping of up to four dogs over the age of 3 months on an allotment which is located **outside the designated area** and has an area of 10,00m² or more – where the applicant is a member of an approved entity.*

The applicant is requesting that Council grant an exemption from approval criteria listed under SLLNo.1.5 section 4(15) to allow an approval to keep up to four dogs on her allotment of 20060m² which is located **inside the designated area** because her dogs are government entity dogs (search and rescue dogs).

Should Council decide to grant the abovementioned exemption, it is unlikely that a precedent will be set for a large number of applications due to the likely low number of government entity dogs kept within the region.

The below table is an assessment of the application based on *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011, Schedule 1, number 4.*

Criteria:	Compliance (Y/N)
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Yes
Comments: An inspection was carried out on the property at 3.30pm on 23 November 2018 Suitable exercise yard for dogs to roam.	
(2) Whether a residence exists on the premises.	Yes
Comments: Large two-story house	
(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No 2 (Animal Management) 2011</i> .	Yes
Comments: Secure fencing constructed of timber posts, steel star pickets and wire dog mesh approximately 1200mm in height. and secure enclosures on property. There are secure enclosures for the dogs to be contained in as when required. The enclosures are constructed of steel frame, corrugated iron and steel mesh with a third larger one constructed as an extension to a shed using steel, corrugated iron, colour bond sheets and steel mesh.	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Yes
Comments: Applicant resides on the property and can supervise the animals.	

(5)	Whether the animal or animals will be properly supervised.	Yes
Comments: Applicant resides on the property and can supervise the animals		
(6)	If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local government.	Yes
Comments: Two of the dogs are registered as government entity dogs.		
(7)	<p>If section 14 of the <i>Animal Management Act</i> applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.</p> <p>14 <i>Owner must ensure cat or dog is implanted</i></p> <p>1) <i>A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i></p> <p><i>Maximum penalty—20 penalty units.</i></p> <p><i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p>2) <i>It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p> a) <i>there is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or dog; or</i></p> <p> b) <i>for a dog, the ownership is to use it as—</i></p> <p> (i) <i>a government entity dog; or</i></p> <p> (ii) <i>a working dog; or</i></p> <p> (iii) <i>another class of dog prescribed under a regulation.</i></p>	Yes
Comments: Applicant contacted and dogs associated with application are microchipped.		
(8)	Whether the applicant is a suitable person to hold the approval.	Yes
Comments: Current member of All Search K9 Inc. and Search and Rescue Dogs Australia Inc. having the only qualified land search and rescue dog in Queensland.		
(9)	<p>Whether the grant of the approval for the prescribed activity on the premises is likely to -</p> <p>a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or</p> <p>b) affect the amenity of the surrounding area; or</p> <p>c) have a deleterious effect on the local environment or cause pollution or other environmental damage.</p>	Yes

Comments: No objections received from neighbouring properties. Nil history of complaints.	
(10) If the application relates to the keeping of cats – a) whether the cats have been desexed; and b) whether the cats have been fitted with an approved microchip.	N/A
Comments: N/A	
(11) If the application relates to the keeping of an animal or animals on multi residential premises – a) whether the applicant - is entitled to make use of a common area; and b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.	N/A
Comments: N/A	
(12) Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments: N/A. Applicant owns property.	
(13) Whether the applicant has been refused a similar type of approval by the local government or another local government.	N/A
Comments: First application from applicant.	
(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	N/A
Comments: Regulated dog does not apply to the application.	
(15) If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m ² or more – whether the applicant for the approval is a current member of an approved entity.	No
Comments: Area size 20060 m ² , within designated area. Current member of All Search K9 Inc. and Search and Rescue Dogs Australia Inc.	
(16) If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m ² or more – whether the applicant for the approval is an accredited breeder.	N/A
Comments:	

Attachments

1. Letters of Support -
 - Sergeant John M Cumner, Officer in charge Toogoolawah Police.

- Acting Sergeant Jamie A McLeod, Ipswich District Search and Rescue Co-ordinator.
 - Corey Dennis Manager Technical Rescue Unit Queensland Fire and Emergency Services Cannon Hill.
 - Jillian McCarthy of All Search K9s Inc. (president)
 - Julie Cowan of Search and Rescue Dogs Australia Inc.– Founder/ Secretary/ Trainer
 - Michelle and Marco Steiner of 201 Highland Street Esk.
2. Application Cover Letter
 3. Photos of dog enclosure.

Recommendation

THAT Council grant the application to keep a maximum of four government entity dogs as defined by the Animal Management (Cats and Dogs) Act 2008, made by Mariska Herbert on land described as Lot 19 on RP152431 and situated at 194 Highland Street, Esk, subject to the following conditions:

Schedule 2

No	CONDITION
1.0	LOCAL LAW
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <div style="margin-left: 20px;"> (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition. </div>
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council.

Decision:

Moved – Cr Choat

Seconded - Cr Ogg

"THAT Council grant the application to keep a maximum of four government entity dogs as defined by the Animal Management (Cats and Dogs) Act 2008, made by Mariska Herbert on land described as Lot 19 on RP152431 and situated at 194 Highland Street, Esk, subject to the following conditions:

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1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council."

Carried

Subject: Application for Keeping more than maximum number of animals
 – Michelle Cobbin – Lot 2 RP125820 – 04070-00000-000 - 145
 Boyce's Road Atkinsons Dam QLD 4311
File Ref: Licencing - local laws - Keeping of Animals
Action Officer: SRSO (Supervising Regulatory Services Officer)

Background/Summary

On the 29 August 2018 Council received a complaint (CSR 1059254) in relation to alleged barking coming from the property 145 Boyce's Road Atkinsons Dam. Council Officers attended the property as there was one dog registered to the property and the complainant had stated there were up to 5 dogs on the property. On inspection of the property it was found that there

were 4 dogs on site.

The barking dog process was commenced with a barking log sent to the complainant, however this was neither filled in, nor completed within the timeframe specified, so no further action was taken as there no further evidence received to support the complaint.

On 19 October a Local Law 1 excess dog's compliance notice was issued to Michelle Cobbin.

Council on the 2 November 2018 received an application applying for a permit to keep four dogs. At an inspection on the 16 November 2018 RSO four dogs were sighted, being two Jack Russell types, a Staffordshire bull terrier cross and mixed breed dog.

The dogs were housed in separate enclosed enclosures. The two Jack Russell types were housed in one contained enclosure the other two Staffy x type dogs were housed in the other enclosed enclosure. The boundary fence outside of the dog's enclosures consisted of four-foot timber paling fencing.

The applicant indicated the dogs were housed in the enclosures during the day when no one was at home and were let out to exercise in the houses boundary fence when someone was at home and only two dogs at one time were let out.

To determine whether it is appropriate to allow the four dogs on the property the Local Law has specific criteria that needs to be assessed.

The following table is an assessment of the application based on *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011, Schedule 1, number 4.*

Criteria:	Compliance (Y/N)
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Y
Comments: the property can comfortably house the four dogs	
(2) Whether a residence exists on the premises.	Y
Comments: A two storey brick and timber house exists on the property	
(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No. 2 (Animal Management) 2011</i> .	Y
Comments: Yes, the dog's area housed in separate enclosures and the boundary fence consists of four-foot timber paling fencing	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Y
Comments: Three persons currently reside at the property both the property owners and the property owner's daughter	
(5) Whether the animal or animals will be properly supervised.	Y
Comments: Yes, the applicant's daughter is home most days supervising the dogs	
(6) If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local	Y

government.	
Comments: All dogs are currently registered	
<p>(7) If section 14 of the Animal Management Act applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.</p> <p><i>14 Owner must ensure cat or dog is implanted</i></p> <p><i>1) A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i></p> <p><i>Maximum penalty—20 penalty units.</i></p> <p><i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p><i>2) It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p><i>a) there is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or dog; or</i></p> <p><i>b) for a dog, the ownership is to use it as—</i></p> <p><i>(i) a government entity dog; or</i></p> <p><i>(ii) a working dog; or</i></p> <p><i>(iii) another class of dog prescribed under a regulation.</i></p>	Y
Comments: all four dogs are currently microchipped	
(8) Whether the applicant is a suitable person to hold the approval.	Y
Comments: Yes, the applicant is over the age of 18	
<p>(9) Whether the grant of the approval for the prescribed activity on the premises is likely to -</p> <p>a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or</p> <p>b) affect the amenity of the surrounding area; or</p> <p>c) have a deleterious effect on the local environment or cause pollution or other environmental damage.</p>	N
<p>Council has received one barking complaint however, has not received a nuisance log and no further evidence of a nuisance being caused from barking.</p> <p>No submissions disputing the application were received during the submission period.</p> <p>The closest resident to the applicant's property is 262.3m from where the dogs are housed.</p> <p>The applicant's daughter is home most days looking after the dogs.</p>	

(10)	If the application relates to the keeping of cats – a) whether the cats have been desexed; and b) whether the cats have been fitted with an approved microchip.	N/A
Comments: NA		
(11)	If the application relates to the keeping of an animal or animals on multi residential premises – a) whether the applicant - is entitled to make use of a common area; and b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.	N/A
Comments: NA		
(12)	Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments: NA		
(13)	Whether the applicant has been refused a similar type of approval by the local government or another local government.	N
Comments: No		
(14)	If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	Y
Comments: No regulated dog resides at the above property		
(15)	If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m ² or more – whether the applicant for the approval is a current member of an approved entity.	Y
Comments: The applicant is a member of the Lockyer Valley Kennel Club membership number AM1013. The allotment is located outside of the designated area. The allotment has an area of 11.54 hectares		
(16)	If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m ² or more – whether the applicant for the approval is an accredited breeder.	N/A
Comments: NA		

It is considered that there is sufficient compliance with the provisions of the Local Law to justify Council granting an increase in the maximum number of dogs at this property.

Attachments

Photographs of dog's enclosures and boundary fences at 145 Boyces Road Atkinsons Dam, 4311

Recommendation

THAT Council grant the Application to keep more than the maximum number of dogs made by Michelle Cobbin on land described as - Lot 2 RP125820 – 04070-00000-000 as the application satisfies the criteria for granting an approval as per Subordinate Local Law No. 1.5 (Keeping of Animals) 2011.

Schedule 2

No	CONDITION
1.0	LOCAL LAW
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No. 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.8	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.7	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council.

Decision:

Moved - Cr Choat

Seconded - Cr Brieschke

"THAT Council grant the Application to keep more than the maximum number of dogs made by Michelle Cobbin on land described as - Lot 2 RP125820 – 04070-00000-000 as the application satisfies the criteria for granting an approval as per Subordinate Local Law No 1.5 (Keeping of Animals) 2011.

Schedule 2

No	CONDITION
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1.0	LOCAL LAW
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No 2 (Animal Management 2011)</i> .
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1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.8	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.7	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council." <div style="text-align: right;"><u>Carried</u></div>

Subject:	Development Application No 18165 - Application for a Development Permit for Material Change of Use for a Caretaker's accommodation
File No:	DA18165
Action Officer:	PO - RC
Assessment No:	35311-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	1509 Pine Mountain Road, Wanora
Real Property Description	Lot 230 on RP868809
Area	63.036 hectares
Current land use	Dwelling house, Horticultural uses and Child care centre

Somerset Region Planning Scheme Version Three

Zone	Rural
------	-------

ShapingSEQ

Land Use Category Regional Landscape and Rural Production Area

Application

Proposed Development	Caretaker's accommodation
Category of Assessment	Code
Applicant/s	Lockyer Drafting Designs for S. Kneen
Applicants contact details	PO Box 492 Gatton QLD 4343 Attn: Julie Davis Email: julie@lockyerdraftingdesigns.com
Date application received	14 November 2018
Date properly made	14 November 2018

Referral Agencies

Concurrence Agencies Nil

Public Notification

Not required

RECOMMENDED DECISION

Approve the Development Application No 18165 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish a Caretaker's accommodation in the southern region of the site. The Caretaker's accommodation has a proposed setback in excess of 15m from all boundaries and will be single storey, slightly raised above ground reaching a maximum height of no more than 8.5m above the ground level. The Caretaker's accommodation will be self-contained.

The applicant has stated the proposed Caretaker's accommodation will be occupied by persons responsible for security and maintenance of the Child care centre on-site and general duties on the farm. The building is designed to be compatible with the proposed Child care centre by using the same timber finishes and similar colour scheme. Access to the Caretaker's accommodation will be from the existing access and driveway at Pine Mountain Road. The Caretaker's accommodation will be provided with a verandah and access to large open space. The proposed site, floor and elevation plans are provided at Attachments 1, 2 and 3.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is irregular in shape, with boundaries defined by the Pine Mountain Road to the south, Brisbane River to the north and by rural properties to the remaining directions. The site is generally cleared of vegetation and has an undulating topography. The proposed development footprint is not known to be prone to subsidence, erosion or inundation.

The site has development approvals for a Child care centre and a Dwelling house. The site is also used for farming purposes.

The surrounding land uses are predominately rural and consisting of mixed size allotments. The site is not located in proximity to any known extractive resource activities or intensive animal industries.

4.0 STATE LEGISLATION ASSESSMENT

4.1 Vegetation Management Act 1999

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

4.2 Environmental Protection Act 1994

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

5.0 LOCAL GOVERNMENT LEGISLATION ASSESSMENT

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

5.1 Strategic Framework

An assessment against the Strategic Framework was not required as the development application is a code assessable development application.

5.2 Code Compliance Assessment

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Rural zone code	Yes	Complies
Caretaker's accommodation code	Yes	Complies
Service, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Complies
Air transport overlay code	Yes	Complies

6.0 OTHER PLANNING CONSIDERATIONS

6.1 Trunk Infrastructure and Services

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

6.2 Water Supply and Sewerage

The subject land is not located within an area serviced by a reticulated water supply or sewerage network, and so conditions will be included requiring the installation of water tanks for drinkable and general domestic use and any on-site effluent disposal system is to be compliant with relevant Australian standard.

6.3 Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. As the development is not located within the Urban Footprint, therefore there is no Stormwater Network infrastructure charge for the development.

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

6.4 Transport network

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

6.5 Parks and Open space

The proposed development is not considered to have any adverse impacts upon the Parks and open space network. As the development is not located within the Public Parks and Community Land Service Catchment, therefore there is no Parks and Open space infrastructure charge for the development.

6.6 Infrastructure charges

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

6.7 Environment

The proposed development will not result in environmental degradation.

6.8 Heritage

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

7.0 STATE AGENCY REFERRALS

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

8.0 CONCLUSION

The proposed development is for a Caretaker's accommodation. The Caretaker's accommodation will be occupied by the caretaker responsible for the security and maintenance of the approved Child care centre and farm on site. The development has been assessed and is compliant against all applicable assessment benchmarks.

9.0 ATTACHMENTS

1. Site plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009D-01, No A, Dated 21 August 2018.
2. Floor plan, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-02, No A, Dated 13 September 2018.
3. Elevations, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-03, No A, Dated 13 September 2018.

RECOMMENDED DECISION

THAT Council approve the Development Application No 18165 for a Development Permit for a Material Change of Use for a Caretaker's accommodation on land described as Lot 230 on RP868809 and situated at 1509 Pine Mountain Road, Wanora subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's State of Reasons in accordance with s63(5) of 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, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009D-01, No A, Dated 21 August 2018.	

	Floor plan, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-02, No A, Dated 13 September 2018.	
	Elevations, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-03, No A, Dated 13 September 2018.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	<p>Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the development.</p> <p>Or</p> <p>Unless connected to a reticulated water supply network, provide the development with a drinkable water supply from an approved bore, and a tank with a minimum water supply storage capacity of 10,000 Litres connected to service all domestic water consumption needs of the development.</p> <p><i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i></p>	Before the change happens
1.6	Unless connected to a reticulated sewerage network, provide an on-site effluent disposal system that is compliant with the relevant Australian standards.	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.8	The caretaker's accommodation is only to be occupied by the caretaker of the non-residential use on the premises.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Public Utilities/Infrastructure	
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times

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

No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <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
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . <i>[A copy of section 71 will be enclosed with the Decision Notice].</i>		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		

Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Operations department if in Council's opinion a dust nuisance exists.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i>).
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.
This development approval is for the proposed development only. Any additional structures proposed may require their own planning approval and will be assessed on its own merits.

Attachments for the Decision Notice include:

- Site plan, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009D-01, No. A, Dated 21 August 2018.
- Floor plan, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-02, No. A, Dated 13 September 2018.
- Elevations, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-03, No. A, Dated 13 September 2018.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Ogg

"THAT Council approve the Development Application No 18165 for a Development Permit for a Material Change of Use for a Caretaker's accommodation on land described as Lot 230 on RP868809 and situated at 1509 Pine Mountain Road, Wanora subject to the requirements and conditions contained in the Schedules and Attachments.

THAT the Council report for this application be published to the website as Council's State of Reasons in accordance with s63(5) of 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, Drawn and Prepared by CCW at Lockyer Drafting Designs, Reference as: J20180009D-01, No A, Dated 21 August 2018.	
	Floor plan, Drawn and Prepared by JTbG at Lockyer Drafting Designs, Reference as: J20180009D-02, No A, Dated 13 September 2018.	
	Elevations, Drawn and Prepared by JTbG at Lockyer Drafting	

	Designs, Reference as: J20180009D-03, No A, Dated 13 September 2018.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	<p>Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 Litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the development.</p> <p>Or</p> <p>Unless connected to a reticulated water supply network, provide the development with a drinkable water supply from an approved bore, and a tank with a minimum water supply storage capacity of 10,000 Litres connected to service all domestic water consumption needs of the development.</p> <p><i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i></p>	Before the change happens
1.6	Unless connected to a reticulated sewerage network, provide an on-site effluent disposal system that is compliant with the relevant Australian standards.	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.8	The caretaker's accommodation is only to be occupied by the caretaker of the non-residential use on the premises.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
Public Utilities/Infrastructure		
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	At all times

2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
	Stormwater drainage	
2.4	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times
2.5	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	Vehicle access	
2.6	All vehicle access shall provide convenient and safe access and egress from the site in accordance with Somerset Regional Council Design Standards.	At all times
2.7	<p>The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards, and to an all-weather standard.</p> <p><i>NOTE: All-weather standard is an access which is capable of being traversed by a two-wheel drive vehicle during and after a storm event with no significant damage or deformation to the access. Maintenance will be performed to preserve the access as all weather. Drainage structures are to be placed in water courses that have flowing water greater than 200mm in depth during non-storm events.</i></p>	At all times
	Erosion and sediment control	
2.8	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> ▪ Be required to install additional measures ▪ Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specific time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or	At all times

	other Council approved waste collector unless otherwise approved by Council.	
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/ swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Operations department if in Council's opinion a dust nuisance		

exists.

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

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

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

Carried

Subject:	Development Application No 14430 - Request to extend Currency Period to Development Approval under section 86 of the <i>Planning Act 2016</i>
File No:	DA14430
Action Officer:	SP - JB
Assessment No:	80107-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location Mary Street (D'Aguilar Highway) Kilcoy
 Real Property Description Lot 8 on RP3329 and Lot 1 on RP105287
 Area 1227m²

Planning Scheme

Planning Scheme Former Kilcoy Shire Planning Scheme 2006 (as amended)
 Zone Residential (Lot 1) and Commercial (Lot 8)

ShapingSEQ

Land Use Category Urban Footprint

Application

Original Category of Assessment Code
 Original Date of Approval 25 September 2014
 Original Approval Development Permit for Reconfiguring a Lot for a boundary realignment between two properties and the creation of an access easement

Applicant Details

J McAulay
 c/- O'Reilly Nunn Favier Surveyors

Owner Details

Brooke E Long
 c/- Somerset Realty
 PO Box 37
 KILCOY QLD 4515
 Email: alex@somersetrealty.com.au

State Agency Referrals

Concurrence

State Assessment Referral Agency (SARA)

RECOMMENDED DECISION

Approve the request to extend the development approval for Development Application No. 14430 for a further two years, until 31 October 2020, subject to the conditions and requirements contained in the Schedules and Attachments.

2.0 BACKGROUND TO APPROVAL

On 25 September 2014, Council issued a Development Permit for Reconfiguring a Lot for a boundary realignment between two properties and the creation of an access easement.

On 23 December 2016, Council extended the approval period for a further two years until 31 October 2018.

Council has received a second Request to extend the Currency Period for a further two years until 31 October 2020.

3.0 PROPOSAL

The landowner is requesting a second extension to the currency period for a Development Permit for Reconfiguring a Lot for a boundary realignment between two properties and the creation of an access easement. It is the landowner's intention to complete the works associated with the approval under DA14430 at the same time as building a Dual Occupancy on proposed Lot 1, which is subject to Council approval of a future Material Change of Use development application.

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 former Kilcoy Shire Planning Scheme 2006 (as amended) and resulted in approval. The approval involves realigning the boundaries between Lot 8 RP3329 and Lot 1 RP105287 by creating lawful access for Lot 1, which is currently landlocked to Mary Street (D'Aguilar Highway). Due to the reduction in size and width of Lot 8 required to achieve this, an access easement benefitting Lot 8 also formed part of the approval to ensure practical and lawful access will remain available to the rear of the smaller lot. A copy of the approved Plan of Reconfiguration and Access Easement is provided at Attachment 1.

The approval involves a total area of 1,227m². Currently, Lot 8 contains 506m² and as indicated on the approved Plan of Development this will be reduced to approximately 325m²

within the Centre zone. At present Lot 1 contains 721m² and this will be increased to approximately 902m² within the General Residential zone.

Since the application was approved, the Somerset Region Planning Scheme has taken effect. The approved development satisfies the minimum lot size of 200m² within the Centre zone; and 600m² within the General Residential zone.

4.2 Age of Approval and Community Awareness of the Development

The original application was approved and took effect on 31 October 2014. The application was code assessable and did not require public notification. Under the Somerset Region Planning Scheme the proposed development will remain code assessable.

The Decision Notice remains publicly available on Council's eServices portal. The period 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.

Should the request be refused, an identical application under the Somerset Region Planning Scheme would be code assessable and so it would not be possible for a member of the community to make a properly made submission.

4.3 Infrastructure Charges

Infrastructure Charges do not apply to an application involving a realignment of boundaries and creation of an easement for access purposes.

5.0 OTHER PLANNING CONSIDERATIONS

5.1 Referral Agencies

The Department of State Development, Infrastructure 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 the Development Permit to end on 31 October 2020 is reasonable in the circumstances that it would not cause a conflict between the current laws and policies. 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.

After considering the Extension Application against the applicable legislation and planning instruments, it is recommended that the application be approved and the currency period be extended for a further 2-year period until 31 October 2020.

7.0 ATTACHMENT

1. Approved Plan of Boundary Realignment Drawing No. 5305 P1, dated 12.08.14 drawn by O'Reilly Nunn Favier /Surveyors.

RECOMMENDED DECISION

THAT Council approve the request for an Extension Application for DA14430 for a Development Permit for Reconfiguring a Lot for a boundary realignment between two properties and the creation of an access easement situated at Mary Street Kilcoy on land described as Lot 8 on RP3329 and Lot 1 on RP105287 by two years up to and including 31 October 2020, subject to the requirements and conditions contained in the Schedules and Attachments of Council's Decision Notice dated 25 September 2014.

Decision: Moved - Cr Hall Seconded - Cr Brieschke

"THAT Council approve the request for an Extension Application for DA14430 for a Development Permit for Reconfiguring a Lot for a boundary realignment between two properties and the creation of an access easement situated at Mary Street Kilcoy on land described as Lot 8 on RP3329 and Lot 1 on RP105287 by two years up to and including 31 October 2020, subject to the requirements and conditions contained in the Schedules and Attachments of Council's Decision Notice dated 25 September 2014."

Carried

Subject:	Development Application No 9733 - Change Application to Development Approval - Minor Change under section 81 of the Planning Act 2016
File No:	DA9733
Action Officer:	SP-MJ
Assessment No:	04121-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	218 Bischoffs Road, Coominya
Real Property Description	Lot 50 on SP241134
Area	130.1ha

Planning Scheme

Planning Scheme	Former Esk Shire
Zone	Rural
Precinct	Sub-catchment

ShapingSEQ

Land Use Category	Regional Landscape and Rural Production Area
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Application

Original Category of Assessment	Impact Assessment for a Development permit for a Material Change of Use for an Intensive Animal Industry (Poultry Farming) – expansion of a further eight poultry sheds (400,000 chickens); and
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Code Assessment a Development permit for Operational Works (earthworks)

Development Permit for a Material Change of Use for an Environmentally Relevant Activity 4 (1)- Poultry Farming, (c)(2) - rearing of birds for meat (threshold 2 - farming more than 200,000 birds)

Original Date of Approval	25 August 2010
Applicants contact details	Singh Properties Pty Ltd C/- ACS Engineers (Aust) Pty Ltd PO Box 554

Land Owner	BEAUDESERT QLD 4285 Singh Properties Pty Ltd
Date application received	30 October 2018
State Agency Referrals	
Concurrence	Department of State Development, Manufacturing, Infrastructure and Planning (formally Department of Transport and Main Roads and Department of Environment and Resource Management)
Advice	Nil
Third Party Advice	Seqwater

RECOMMENDED DECISION

Approve the request to change the development approval for Development Application No 9733 subject to the amended conditions and requirements contained in the Schedules.

2.0 BACKGROUND TO APPROVAL

Council approved a poultry farm for six sheds and 300,000 birds in December 2006 (DA4962). In August 2010 Council approved an expansion to the farm for an additional eight sheds and 400,000 birds (DA9733). Of the 14 sheds approved, currently only 13 are constructed. In 2015 a request for a permissible change to increase the number of sheds by a further two and increase the bird numbers by 150,000 was refused by Council.

3.0 REQUESTED CHANGE

The poultry farm has been operating as a conventional broiler farm (birds contained within the sheds) since its commencement. The farm has recently changed owners and the new operators are proposing to convert six (one unconstructed) sheds approved under DA9733 to be capable of operating under free range conditions.

The conversion will consist of the installation of ground level hatches along the length of the long sides of the sheds to allow free access of chicken to the adjoining fenced range area. Grassed range areas will be established alongside each shed. Shade sails and trees will be installed to provide shade and the range area will be fenced with 1.2 m high chicken mesh.

Officer's Comments

For the most part the proposed change application is minor, the number of birds being raised on the property is not proposed to increase. It is presumed that the six sheds will operate as either a conventional or free range depending on demand and contract requirements.

Odour

As the bird numbers are not proposed to increase it is expected that the odour generated from the farm will not alter.

Stormwater Management

The potential contamination of stormwater considered to increase with a free-range poultry farm as the contaminants are not being contained within a shed. Notwithstanding this, a Stormwater Management Plan has been prepared to accompany the application which demonstrates that the potential stormwater impacts associated with the poultry farm are within acceptable and manageable limits.

Seqwater in their role as a Third Party Advice agency have provided the following advice:

Should Council approve the Change Application, consideration should be given to including a condition of approval which requires the *Environmental Management Plan – Meat Chicken*

Farm October 2018 – Singh Enterprises Pty Ltd to be amended and submitted to Council for endorsement prior to commencement of use to include a procedure for water quality monitoring, recording and reviewing of the surface waters released from the detention basin of Pod 2. Surface water quality should be maintained as follows:

A minimum reduction in mean annual load from unmitigated development that achieves the following stormwater management design objectives:

Total Suspended Solids	85% reduction
Total Phosphorus	65% reduction
Total Nitrogen	45% reduction
Gross Pollutants	95% reduction

Contingency or mitigation measures should be outlined where the above stormwater quality objectives are not met and implemented where necessary. The monitoring should be undertaken at minimum, when or if the detention basin capacity is exceeded in high rainfall events.

Dust

The proposed change is not anticipated to adversely impact on dust. The range areas will operate in accordance with the Environmental Management Plan which will assist in ensuring dust doesn't become an issue.

Other considerations

The proposal will not generate additional traffic nor will it increase the amount of water supply required. No additional building work other than the alterations to the sheds and the construction of the range areas are required.

4.0 PLANNING CONSIDERATIONS

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

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

5.0 OTHER PLANNING CONSIDERATIONS

5.1 Referral Agencies

In accordance with section 80 of the Planning Act 2016, the State Assessment and Referral Agency is not considered an affected entity of the minor change, and as such no comments or conditions have been sought from the Department of State Development, Manufacturing, Infrastructure and Planning. The Department will, however, be provided with a copy of the Decision Notice.

At the time the approval was originally issued Council was the assessing authority for the Environmentally Relevant Activity (ERA). Since that time the assessment of the ERA (no known as an Environmental Authority (EA)) has returned the Department of Agriculture and Fisheries (DAF). DAF have advised the applicant that a change to the EA will be required but as they were not a concurrence agency the change will be dealt with through a separate process.

5.2 Public awareness of the proposed development

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

Council received zero submissions when the development was originally publicly notified. Since then, details including the Decision Notice of the original approval is available for public viewing on Council's website via eServices.

6.0 CONCLUSION

The proposed minor change will facilitate the operation of the poultry farm as both a conventional and free-range farm. There is no proposed increase to the number of birds being grown on the subject land and as such the odour impacts are not anticipated to be adversely impacted. A stormwater management plan has been provided which indicates that stormwater can be appropriately dealt with as to not cause impacts to the surrounding and downstream areas.

7.0 ATTACHMENTS

- Site Layout Plan – Drawing No. ACS-DWG-180029-MCU Sheet 1 of 2 – prepared by ACS Engineers – dated 29 October 2018
- POD 2 detailed plan – Drawing No. Drawing No. ACS-DWG-180029-MCU Sheet 2 of 2 – prepared by ACS Engineers – dated 29 October 2018
- Environmental Management Plan – Meat Chicken Farm October 2018 – Singh Enterprises Pty Ltd;
- Stormwater Management Plan – prepared by ACS Engineers - Reference 180026 – dated 17 October 2018
- Seqwater Third Party Advice – Reference F18/2251 – dated 30 November 2018
- Shed layout plan – Reference No. D 03 – prepared by Santrev Pty Ltd – dated 6 July 2018
- Shed set out - Reference No. D 02 – prepared by Santrev Pty Ltd – dated 6 July 2018

RECOMMENDED DECISION

THAT Council approves the Change Application under section 81 of the *Planning Act 2016* for DA9733 for a Development Permit for a Material Change of Use for an Intensive Animal Industry (Poultry Farming) – 14 sheds housing 700,000 chickens (8 x conventional shedding, 6 x free range shedding) on land described as Lot 50 on SP241134, situated at 218 Bischoffs Road, Coominya subject to the conditions contained in the Schedules and Attachments.

SCHEDULES

SCHEDULE 1 – PLANNING		
MCU for Intensive Animal Industry (Poultry Farming) – expansion of a further 8 poultry sheds comprising 400,000 chickens		
No	Condition	Timing
1.1	<p>Carry out the development generally in accordance with the material contained in the development application and supporting documentation, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Environmental Management Plan – Meat Chicken Farm December 2009 – Phipps Farms Pty Ltd – Including Stormwater Management Plans; • Planning Report for Bischoffs Road Poultry Farm Extension for Phipps Farms Pty Ltd; • Odour & Dust Impact Assessment Addendum Report, Job No. 1209 November 2009, prepared by Mirrabooka Consulting Environmental Assessment and Management Services for Phipps Farms Pty Ltd for Coominya Broiler Farm Extension; 	At all times

	<ul style="list-style-type: none"> • Farm Site Plan (figure from Appendix G of the town planning report) • Proposed Shed Location Plan (figure 2 from Mirrabooka Consulting, Environmental Assessment and Management Services report (Appendix A of the town planning report)) • Department of Main Roads – Referral Agency Response reference E74158 830/598 P78512 Tracker No. 4763 dated 25 February 2010 – No requirements • Department of Environment and Resource Management – Referral Agency Response reference number GAT/515/004(0653) dated 11 March 2010 – conditions apply • Report by Mirrabooka Consulting relating to dust and changes to the Queensland Government Guideline value Job No. 1209 July 2010 – prepared by Mirrabooka consulting Pty Ltd. • WSP Environment & Energy Assessment of Noise and Air Quality (dust and odour) report reference: 2287-DA Review dated 16 February 2010 prepared by WSP Environmental Pty Ltd. 	
1.1	<p>Carry out the development generally in accordance with the material contained in the development application and supporting documentation, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Environmental Management Plan – Meat Chicken Farm October 2018 – Singh Enterprises Pty Ltd; • Stormwater Management Plan – prepared by ACS Engineers - Reference 180026 – dated 17 October 2018 • Planning Report for Bischoffs Road Poultry Farm Extension for Phipps Farms Pty Ltd; • Odour and Dust Impact Assessment Addendum Report, Job No. 1209 November 2009, prepared by Mirrabooka Consulting Environmental Assessment and Management Services for Phipps Farms Pty Ltd for Coominya Broiler Farm Extension; • Site Layout Plan – Drawing No. ACS-DWG-180029-MCU Sheet 1 of 2 – prepared by ACS Engineers – dated 29 October 2018 • POD 2 detailed plan – Drawing No. Drawing No. ACS-DWG-180029-MCU Sheet 2 of 2 – prepared by ACS Engineers – dated 29 October 2018 • Proposed Shed Location Plan (figure 2 from Mirrabooka Consulting, Environmental Assessment and Management Services report (Appendix A of the town planning report)) • Shed layout plan – Reference No. D 03 – prepared by Santrev Pty Ltd – dated 6 July 2018 • Shed set out - Reference No. D 02 – prepared by 	At all times

	<p>Santrev Pty Ltd – dated 6 July 2018</p> <ul style="list-style-type: none"> • Department of Main Roads – Referral Agency Response reference E74158 830/598 P78512 Tracker No. 4763 dated 25 February 2010 – No requirements • Department of Environment and Resource Management – Referral Agency Response reference number GAT/515/004(0653) dated 11 March 2010 – conditions apply • Report by Mirrabooka Consulting relating to dust and changes to the Queensland Government Guideline value – Job No. 1209 July 2010 – prepared by Mirrabooka consulting Pty Ltd. • WSP Environment and Energy Assessment of Noise and Air Quality (dust and odour) report reference: 2287-DA Review dated 16 February 2010 prepared by WSP Environmental Pty Ltd. 	
1.2	Comply with relevant provisions of the former Esk Shire Planning Scheme 2005 (as amended 17.10.2008), 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
1.4	Pay to Council any outstanding charges or expenses levied by Council over the subject land.	Prior to the commencement of use
1.5	<p>Unless otherwise approved in writing by the Manager, Planning and Development, hours of construction shall be:</p> <ul style="list-style-type: none"> ▪ Monday to Saturday: 7:00 am to 6.00 pm <p>Construction work shall not occur on the premises outside the above hours. Noise levels from construction work must comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p>	At all times
1.6	All trade materials, products and plant shall be neatly stored within the confines of the building and/or approved storage areas.	At all times
1.7	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
1.8	<p>All buildings, structures, fittings, fixtures and grounds associated with this development must be maintained:</p> <ul style="list-style-type: none"> ▪ in a serviceable condition, and 	At all times

	<ul style="list-style-type: none"> ▪ 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. 	
1.9	Advertising, security and flood lighting shall be designed, constructed, installed and maintained in accordance with <i>Australian Standard AS4282-1997</i> (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic.	At all times
1.10	Undertake tree plantings to the northern end of the sheds on Lot 38. This buffer is to be dense enough to minimise any adverse environmental impacts from dust, light and noise emitted from the site.	Effective within six (6) months of the operation of the additional sheds
1.11	Ensure all exhaust fans on all sheds are cleaned to ensure minimal pollutants are being dispersed externally to the sheds. The resultant waste product is to be disposed of appropriately.	At all times
1.12	Portable toilet facilities are to be provided for the 12 additional staff that will be on site during the construction phase.	During the construction phase
1.13	The Poultry Farm owners must ensure the current onsite wastewater treatment system (OWTS) is not compromised with an additional four staff working on the farm resulting from the approved expansion.	Prior to the commencement of the approved expansion
1.14	Lot 50 on CA31283 and Lot 38 on RP12464 are to be amalgamated.	Prior to the issue of any Building Permits for the new sheds
1.15	POD 2 (as per ACS-DWG-180029-MCU) can operate as either conventional or free range meat chicken farm	At all times
SCHEDULE 2 – ENGINEERING		
Operational Works		
<i>Road works</i>		
2.1	<p>Bischoffs Road is to be sealed from the existing seal East of the Running Creek bridge to the existing entrance to Coominya Sand and Gravel, a distance of 110 metres.</p> <p>This seal is to be 7 meters wide over an 8 metre gravel pavement.</p>	Prior to the commencement of the use
2.2	Council's standard form "Works within a road reserve" is to be completed prior to any work on Bischoffs road commences.	Prior to the commencement of the use
<i>Public Utilities</i>		

2.3	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Prior to the commencement of the use
2.4	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	During construction period
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	During construction period
2.6	Vegetation cover must be maintained at all stormwater discharge points and along all drainage lines on the site to assist in minimising erosion and sediment movement.	At all times
Restoration Work at Operator's Expense		
2.7	<p>The Operator is responsible for the restoration work, should Council determine that erosion damage has occurred on the site or a downstream system has become silted.</p> <p>All restoration work must be completed within fourteen days from the time of notification.</p> <p>Should the Operator fail to complete the restoration works determined by Council within the specified time, Council will complete the work and recover all costs from the Operator associated with the works.</p>	During construction period
Internal Works		
2.8	A gravel hardstand area 35 metres wide is to be provided at both ends of the eight sheds, for internal chicken pick up areas for semi-trailers and equipment.	During construction period
Dust Pollution		
2.9	Dust pollution arising from the construction and maintenance of the works required by this approval are the landowner's responsibility. The landowner must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.	At all times
SCHEDULE 3 – ENVIRONMENTAL		
MCU for Environmentally Relevant Activity 4 (1)– Poultry Farming, (c) (2) – rearing birds for meat, (threshold 2 – farming more than 200,000 birds)		
3.1	<p>Carry out the development generally in accordance with the material contained in the development application and supporting documentation, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> Environmental Management Plan – Meat Chicken Farm December 2009 – Phipps Farms Pty Ltd – Including Stormwater Management Plans; 	At all times

	<ul style="list-style-type: none"> Planning Report for Bischoffs Road Poultry Farm Extension for Phipps Farms Pty Ltd; Odour and Dust Impact Assessment Addendum Report, Job No. 1209 November 2009, prepared by Mirrabooka Consulting Environmental Assessment and Management Services for Phipps Farms Pty Ltd for Coominya Broiler Farm Extension; Farm Site Plan (figure from Appendix G of the town planning report) Proposed Shed Location Plan (figure 2 from Mirrabooka Consulting, Environmental Assessment and Management Services report (Appendix A of the town planning report) Department of Environment and Resource Management – Referral Agency Response reference number GAT/515/004(0653) dated 11 March 2010 – conditions apply. 	
3.2	The maximum number of birds to be housed at any one time is 700000 birds (400000 birds on L50 CA31283 and 300000 birds on L38 RP12464).	At all times
3.3	Bundling of all chemicals must comply with <i>AS1940 – Storage and Handling of Flammable and Combustible Liquids</i> .	At all times
3.4	Bundling of all diesel tanks associated with the generators must comply with <i>AS1940 – Storage and Handling of Flammable and Combustible Liquids</i> .	At all times
Amend Environmental Management Plan (EMP)		
3.5	<p>Amend the Site-based Environmental Management Plan (EMP) to include:</p> <ul style="list-style-type: none"> Dust management measures onsite during dry periods when trucks are on site; and In the event of a 'mass bird death', the EMP must outline a Contingency Plan for the collection and disposal of the carcasses off site. <p>Remove all reference to composting of dead birds and include measures for cold storage and the removal of dead birds from the poultry farm.</p>	Prior to the commencement of the extensions
3.6	The amended Site Based Environmental Management Plan is to be approved by Somerset Regional Council.	Prior to the commencement of the extended operations
ENVIRONMENTALLY RELEVANT ACTIVITY		
ERA 4 (1) - Poultry Farming (c) rearing of birds for meat, (Threshold 2 – farming more than 200,000 birds).		

PART A - GENERAL CONDITIONS		
Timelines for Commencement of Development Conditions		
(A1)	<p>To expel any doubt on the commencement of any of the conditions of this schedule 3 of this development approval, unless specifically described by a condition of this development approval, all conditions will apply from the commencement of this approved development.</p> <p><i>Release of Contaminants</i> Contaminants must not be released to the environment other than in accordance with the relevant schedules of this development permit.</p>	At all times
(A2)	<p>Installation of Plant and Equipment to prevent a pollution incident The permittee must:</p> <ul style="list-style-type: none"> (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this development permit; and (b) maintain such measures, plant and equipment in a proper and efficient condition; and (c) operate such measures, plant and equipment in a proper and efficient manner; and (d) perform all acts and do all things, necessary to ensure compliance with the conditions of this development permit. <p>In this condition, “plant and equipment” includes:</p> <ul style="list-style-type: none"> (i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused; (ii) devices and structures to contain foreseeable escapes of contaminants and waste; (iii) devices and structures used to store, handle, treat and dispose of waste; (iv) monitoring equipment and associated alarms; and (v) backup systems that act in the event of failure of a primary system. 	At all times
(A3)	<p>Display of Development Permit Conditions in association with a Certificate of Registration A copy of the schedules of this development permit as described in the Certificate of Registration issued conjointly with this development permit must be kept in a location readily accessible to personnel carrying out the activity.</p>	At all times
(A4)	<p>Records Any record, required by any conditions of this development permit to be kept, must be kept at the development site and be available for examination by an authorised person of the administering authority on request.</p>	At all times

(A5)	Alterations No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times
(A6)	Calibration All instruments and measurement devices used for the measurement or monitoring of any parameter, described under any conditions of this development permit, must be calibrated, where necessary, to an appropriate Standard, and appropriately operated and maintained.	At all times
(A7)	Release of Visible Light Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times
(A8)	Nuisance 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, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
(A9)	Site Based Environmental Management Plans including plans for Stormwater, Waste, etc are not to contravene conditions of development permit The permittee must not implement any Management Plan prepared as a condition of this development permit, or amend any Management Plan, where such implementation or amendment would result in a contravention of any condition of this development approval.	At all times
(A10)	Review of Site Based Environmental Management Plan The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least: <ul style="list-style-type: none"> a) immediately a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise b) after 12 months, and before 18 months, of the development commencing; and thereafter c) within every two years from the date of completion of the review required by condition A11(b). Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately. The Site Based Environmental Management Plan must not contravene conditions of this development approval. End of Conditions for PART A	At all times

ENVIRONMENTAL PART B- AIR Release of Contaminants to the Atmosphere		
(B1)	Non-Specific Releases [i] Except as otherwise provided by the conditions of this development permit, the approved development must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to the atmosphere. [ii] Except as otherwise provided by the conditions of this development permit, the approved development must be carried out by such practicable means necessary to minimise the release or likelihood of such release of contaminants to the atmosphere in any case where it is not practicable to prevent any such release of contaminants as required by condition [B1(i)].	At all times
(B2)	Notwithstanding any other condition of this development permit, no release of contaminants from the development site is to cause a noxious or offensive odour to any "odour sensitive place" located beyond the boundaries of the development site.	At all times
(B3)	Dust Control Dust, feathers and particulate emissions may not be released the cause environmental harm or environmental nuisance at any sensitive place beyond the boundaries of the premises to which this development approval applies.	At all times
(B4)	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place, viz – a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard 3580.10.1 – 2003 or more recent edition; or b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM ₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time for 5 days each year, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with Australian Standard 3580.9.6 – 2003 (or more recent edition) "Ambient air – Particulate matter – Determination of suspended particulate PM ₁₀ high-volume sampler with size selective inlet – Gravimetric method" or Australian Standard 3580.9.7 – 2009 (or more recent edition) "Ambient air – Particulate matter - Determination of suspended particulate matter – Dichotomous sampler	At all times

	<p>(PM₁₀ and PM_{2.5}) – Gravimetric method;</p> <p>or</p> <p>c) A concentration of particulate matter with an aerodynamic diameter of less than 2.5 micrometres (PM_{2.5}) suspended in the atmosphere of 25 micrograms per cubic metre over a 24 hour averaging time each year, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with Australian Standard 3580.9.10 – 2006 (or more recent edition) “Ambient air – Particulate matter – Determination of suspended particulate PM_{2.5} low-volume sampler with size selective inlet – Gravimetric method” or Australian Standard 3580.9.7 – 2009 (or more recent edition);</p> <p>or</p> <p>“Ambient air – Particulate matter - Determination of suspended particulate matter – Dichotomous sampler (PM₁₀ and PM_{2.5}) – Gravimetric method;</p> <p>or</p> <p>any alternative method of monitoring PM₁₀ which may be permitted by the “Air Quality Sampling Manual” as published from time to time by the Environmental Protection Agency.</p>	
(B5)	<p>The permittee must develop and implement a roof water testing regime to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development.</p> <p>End of Conditions for PART B</p>	Before the commencement of the use
PART C - WATER Release of Contaminants to Waters		
(C1)	<p>Contaminants must not be directly or indirectly released from the development site to surface waters or the bed and banks of any surface waters except as permitted under this Schedule C or the Stormwater Management Part (Part D) of this development permit.</p> <p>End of Conditions for PART C</p>	At all times
PART D -STORMWATER MANAGEMENT <i>General</i>		
(D1)	<p>Except as otherwise provided by the conditions of this Part D of this development permit, the approved development must be carried out in such a manner as to prevent the release, or likelihood of release, of contaminants to stormwater exiting the development site.</p>	
(D2)	<p>Except as otherwise provided by the conditions of this Part D of this development permit, the approved development must be carried out in such a manner as to minimise the release, or likelihood of release, of contaminants to stormwater exiting the development site in any case where it is not practicable to prevent any such release of contaminants as required by condition D1.</p>	

(D3)	For each rainfall event, all reasonable and practicable measures must be taken to ensure that, within 72 hours of the cessation of a rainfall event, at least 90% of the design capacity of any contaminated stormwater treatment / retention system is available for capture and storage of contaminated stormwater runoff from the next rainfall event.	At all times
<i>Preparation of Stormwater Management Plan</i>		
(D4)	A Stormwater Management Plan (SMP) must be prepared and implemented and conformed with at the development site prior to commencement of this approved development and thereafter the approved development must be operated in conformity with this Stormwater Management Plan until written notice is received by the administering authority from the permittee under the relevant provisions of the <i>Environmental Protection Act 1994</i> advising the activity of operating a poultry farm has ceased; and	Prior to the commencement of the use
	<p>The Stormwater Management Plan must identify –</p> <ol style="list-style-type: none"> all sources of potential contamination (including but not limited to the actual and potential release of all contaminants); the potential impact of these sources; and what actions will be taken to prevent the likelihood of stormwater contamination being caused; and 	Prior to the commencement of the use
	<p>The stormwater management plan must address the following matters:</p> <ul style="list-style-type: none"> – Environmental commitments – a commitment by senior management to achieve environmental goals. – Identification of environmental issues and their potential impacts. – Control measure for routine operations to prevent the likelihood of contamination of stormwater exiting the development site. – Contingency plans and emergency procedures for non-routine situations including but not limited to potential pollution incidents, for example, chemical spills. – Organisational structure and responsibilities of staff in implementing and applying this plan. – Effective communication of the plan to all persons responsible for implementing and overseeing the plan. – Monitoring of the contaminant releases. – Conducting environmental impact assessments. – Staff training needs to all persons responsible for implementing and overseeing the plan. – Record keeping. – Periodic review of environmental performance and 	Prior to the commencement of the use

	continual improvement.	
	NOTE: A drawing highlighting the type and location of pollution control measures/devices to prevent contaminants entering land on the development site and exiting stormwater from the development site must be included in the Stormwater Management Plan.	
(D5)	A copy of the Stormwater Management Plan must be kept at the development site and be available for examination by all employees, and any authorised person of the administering authority, upon request.	At all times
(D6)	<p><i>Review of Stormwater Management Plan</i></p> <p>The Stormwater Management Plan must provide for the provision of a review at least</p> <ul style="list-style-type: none"> (a) immediately a potential or actual source of contamination, that is not already identified, is realised; or otherwise (b) within one year and before 16 months of the development commencing; and thereafter; (c) within every two years from the date of the completion of the initial review pursuant to (b) immediately preceding. 	As indicated
(D7)	<p>Changes to Plan to be implemented immediately</p> <p>Changes to the operation of the development resulting from any review of the Stormwater Management Plan must be implemented immediately.</p> <p>End of Conditions for PART D</p>	Immediately
PART E- LAND APPLICATION		
Preventing contaminant release to land		
(E1)	<p>Contaminants must not be released to land.</p> <p>Contaminant includes, but is not limited to, nutrients, pathogens, viruses, sediments, other water-borne pollutants, chemicals, poisons and petroleum-based substances.</p>	At all times
(E2)	<p>From commencement of this approved development, all poultry shed wash-water, and other liquid waste generated within such sheds, must be collected, conveyed and contained in a closed drainage system pending disposal either –</p> <ul style="list-style-type: none"> - off-site by an approved waste collector; or - to an approved on-site disposal area. 	At all times
	<p>NOTE:</p> <p>1. Collection of poultry shed wash-waters must be by way of the shed floors being drained to a suitable</p>	

	number of gully pits/traps, all interconnected; and 2. Conveyance must be by way of suitable underground pipes, for example, sewer pipes leading from each gully pit/trap to a containment device; and 3. Containment must be by way of a suitable number of leak-proof containers/devices sufficient in volume to contain all liquid waste generated in each poultry shed until this waste is collected for off-site disposal .																	
(E3)	Compliance with Condition (E2) will not be necessary where it can be demonstrated by the permittee that all waste liquid generated in each poultry shed can be contained within each shed and dissipated by evaporation so as to leave no residue(s) of concern likely to adversely impact on the receiving environment, or persons or animals likely to End of Conditions for PART E	At all times																
PART F – NOISE Emission of Noise																		
(F1)	The approved development must be carried out by such practicable means necessary to prevent the emission, or likelihood of emission, of noise that constitutes environmental nuisance.	At all times																
(F2)	In the event of a complaint about noise being made to the administering authority, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the development site must not result in levels greater than those specified in the Noise Schedule (refer also to condition H6 of Part H of this development permit).	At all times																
	NOISE SCHEDULE Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure <table><tr><td>Level L (A_{max adj, T})</td><td>Period</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>7 am – 6 pm</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>6 pm – 10 pm</td></tr><tr><td>Background noise level plus 3 dB(A)</td><td>10 pm – 7 am</td></tr></table> Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure <table><tr><td>Level L (A_{max adj, T})</td><td>Period</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>7 am – 6 pm</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>6 pm – 10 pm</td></tr><tr><td>Background noise level plus 8 dB(A)</td><td>10pm – 7 am</td></tr></table>	Level L (A _{max adj, T})	Period	Background noise level plus 5 dB(A)	7 am – 6 pm	Background noise level plus 5 dB(A)	6 pm – 10 pm	Background noise level plus 3 dB(A)	10 pm – 7 am	Level L (A _{max adj, T})	Period	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)	10pm – 7 am	At all times
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Background noise level plus 8 dB(A)	10pm – 7 am																	
(F3)	This development permit does not authorise any emission of noise that results in environmental nuisance or environmental harm to any “noise sensitive place” located beyond the boundaries of the development site.	At all times																

	End of Conditions for PART F	
PART G – WASTE MANAGEMENT		
General		
(G1)	Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this development permit.	At all times
(G2)	<p>The permittee must not:</p> <ul style="list-style-type: none"> • burn or bury waste at or on the development site; nor • allow waste to burn or be burnt or buried at or on the development site; nor • remove waste from the development site and burn such waste elsewhere • stockpile any waste on the approved place; nor • process waste on the approved place <p>unless otherwise authorised through the implementation of procedures and operations contained in an approved site based management plan.</p>	At all times
(G3)	<p>Off-Site Movement</p> <p>Where regulated waste is removed from the development site, the permittee must monitor and record the following:</p> <ul style="list-style-type: none"> (a) the date, quantity and type of waste removed; and (b) name of the waste transporter and/or disposal operator that removed the waste; and (c) the intended treatment/disposal destination of the waste. <p><i>(NOTE: Records of documents maintained in compliance with a waste tracking system established under the Environmental Protection Act 1994 or any other law for regulated waste will be deemed to satisfy this condition).</i></p>	At all times
(G4)	Regulated waste must not be sent for disposal at any facility without the written approval of the person operating that facility.	At all times
(G5)	<p>Poultry Shed Litter</p> <ul style="list-style-type: none"> • All poultry shed litter is to be removed from sheds at the end of each batch. • Poultry shed litter removed at the end of each batch must be removed from site as quickly as possible and shall not be stockpiled on site. • Trucks collecting poultry shed litter at the end of each batch must be covered before leaving the site. 	At the end of each batch
(G6)	<p>Dead Birds</p> <p>All deceased birds shall be:</p>	At all times

	<ul style="list-style-type: none"> • where required to be stored on site, held under refrigeration at a temperature of no greater than 5 Degrees Celsius. • Not be stored on site for greater than 7 days; • Transported from site by an approved waste transporter; • Disposed of at an approved disposal or treatment facility. 	
(G7)	Records Records must be maintained for a period of 3 years for all wastes mentioned in this Part G	At all times.
(G8)	Waste Removal by Contractor No waste is to be removed from the approved place by a person or contractor performing a waste management works, for fee or reward, unless and until that person or contractor has – (a) a written contract with the Somerset Regional Council; or (b) the Somerset Regional Council's written approval to remove that waste End of Conditions for PART G	At all times.
PART H - SELF MONITORING AND REPORTING Complaint Recording		
(H1)	All complaints received by the permittee relating to operations at the development site must be recorded in a register with the following details: (i) nature, time and date of complaint; (ii) type of communication (telephone, letter, personal etc.); (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); (iv) response and investigation undertaken as a result of the complaint; (v) name of person responsible for investigating complaint; and (vi) action taken as a result of the complaint investigation and signature of responsible person. (vii) at the relevant time of each complaint record, the bird age, number of birds, number of fans operating and any other relevant data.	At all times.
(H2)	The complaint's record required by condition H1 must be maintained for a period of not less than 3 years.	At all times
(H3)	Notification of Emergencies and Incidents As soon as practicable after becoming aware of any emergency or incident which results in the release of	At all times

	contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this development permit, the permittee must notify the administering authority of the release by telephone or facsimile.	
(H4)	<p>The notification of emergencies or incidents must include but not be limited to the following:</p> <ul style="list-style-type: none"> (i) the name of the permittee; (ii) the location of the emergency or incident; (iii) the number of the Certificate of Registration issued conjointly to this development permit; (iv) the name and telephone number of the designated contact person; (iv) the time of the release; (v) the time the permittee became aware of the release; (vi) the suspected cause of the release; (vii) actions taken to prevent any further release and mitigate any contamination caused by the release. 	At all times
(H5)	<p>Not more than 14 days following the initial notification of an emergency or incident, the permittee must provide written advice of the information supplied in addition to:</p> <ul style="list-style-type: none"> (i) proposed actions to prevent a recurrence of the emergency or incident; (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and / or environmental nuisance, and (iii) the results of any environmental monitoring performed. 	At all times
(H6)	<p>Noise Monitoring</p> <p>Monitoring of noise must be undertaken by the permittee to investigate any complaint of environmental nuisance upon receipt of a request, in writing, from the administering authority to carry out such monitoring, and the results notified within 14 days to the administering authority following completion of monitoring.</p>	At all times
(H7)	<p>For the purposes of checking compliance with conditions of the noise schedule, monitoring and recording the noise levels from the approved development must be undertaken for at least the following descriptors, characteristics and conditions:</p> <ul style="list-style-type: none"> (i) $L_{Amax, Adj T}$ (ii) $L_{A_{bg, T}}$ (or $L_{A90, T}$); (iii) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99); (iv) $Max L_{pA T}$; (v) $L_{Aeq, T}$; (vi) The level and frequency of occurrence of impulsive 	At all times

	<p>or tonal noise;</p> <p>(vii) Atmospheric conditions including temperature, relative humidity and wind speed and direction; and</p> <p>(viii) Effects due to extraneous factors such as traffic noise.</p>	
(H8)	Procedures for assessing, measuring and reporting on noise levels must have regard to, and comply with, in so far as they are relevant, PART 3 of the Environmental Protection Regulation 2008 and the method of measurement and reporting of noise levels as detailed in the Department of Environment and Resource Management's Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as they become available.	At all times
(H9)	The method of measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.	At all times
(H10)	Records must be kept of the results of all monitoring of noise levels and other information required in conjunction with such monitoring for a period of at least three years.	At all times
(H11)	<p>Dust Monitoring</p> <p>(1) When requested by the administering authority, dust and particulate monitoring must be undertaken by the permittee to investigate any complaint of environmental nuisance caused by dust and / or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring.</p>	
	<p>(2) Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive or commercial place and at upwind control sites and must include –</p> <p>a) for a complaint alleging dust nuisance, dust deposition; and</p> <p>b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 and 2.5 micrometre (PM₁₀) suspended in the atmosphere over a 24-hour averaging time period.</p> <p>End of Conditions for PART H</p>	
PART I - DEFINITIONS		
(I1)	For the purposes of this development permit any term not otherwise defined by relevant legislation (including any subordinate legislation) or in this "Definitions" Schedule has	

	the meaning conferred to that term in its common usage.	
(12)	In the event of any inconsistency arising between the meaning of any term provided in the “Definitions” Schedule of this development permit and any common usage of that term, the meaning conferred in the “Definitions” Schedule of this development permit prevails.	
(13)	For the purposes of this development permit the following definitions apply:	
	“Act” means the Environmental Protection Act 1994.	
	“Administering authority” means the Council of the Shire of Esk or its successor.	
	“Development site” means the site approved for development under this development permit	
	“Land” in the Land Application Schedule of this document means land to which this development permit is granted excluding waters and the atmosphere	
	“Noxious” means harmful or injurious to health or physical well-being	
	“permittee” means the entity responsible at any point in time for the development authorised by this development permit	
	“waste” includes anything that is - (a) left over, or an unwanted by-product, from an industry, commercial, domestic or other activity; or (b) surplus to the industry, commercial, domestic or other activity generating the waste. and includes a gas, liquid, solid or energy, or any combination thereof. A waste can be waste whether or not it is of value.	
	“regulated waste” means non-domestic waste mentioned in Schedule 7 of the <i>Environmental Protection Regulation 1998</i> and includes - (a) for an element - any chemical compound containing the element; and (b) anything that has contained a regulated waste; and (c) regulated waste that has been treated or immobilised	
	“odour sensitive place” means - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or (b) a motel, hotel or hostel; or	

	(c) a kindergarten, school, university or other educational institution; or (d) a medical centre or hospital; or (e) a protected area; or (f) a park or gardens.	
	“offensive” means causing offence or displeasure; is disagreeable to the senses; disgusting; nauseous or repulsive	
	“waters” includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal and tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater runoff, and groundwater and any part thereof.	
	Noise Definitions “L(Amax adj,T)” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.	
	“Background noise level” means either : L (A90,T) being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response, or	
	L (Abg,T) being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.	
	“MaxL (pA,T)” means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.	
	“noise sensitive place” means - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or (b) a motel, hotel or hostel; or (c) a kindergarten, school, university or other educational institution; or (d) a medical centre or hospital; or (e) a protected area; or (f) a park or gardens.	
	“commercial place” means a place used as an office or for business or commercial purposes but excludes premises specifically defined as a “noise sensitive place”. End of Conditions for PART I	

SCHEDULE 4 – REFERRAL AGENCY	
Department of Transport and Main Roads	
<i>Concurrence Agency Status</i>	
<i>Agency Response: No Requirements</i>	
4.1	Reference: E74158 830/598 P8512 Tracker No. 4763 dated 25 February 2010
4.2	Agency response will be attached to Decision Notice
SCHEDULE 5 – REFERRAL AGENCY	
Department of Environment and Resource Management	
<i>Concurrence Agency Status</i>	
<i>Agency Response: conditions apply</i>	
5.1	Reference: GAT/515/004(0653) dated 11 March 2010
5.2	Agency response will be attached to Decision Notice.
	The following conditions apply
	The Chief Executive of the Department of Environment and Resource Management requests that the following conditions be imposed on any approval given by the Assessment Manager:
	No new bores are permitted unless for stock or domestic purposes or to replace an existing bore.
	Construction of any dams or other interference with overland flow of water is to be in accordance with the requirements of the codes developed under Schedule 8, Part 1, Table 4 of the <i>Integrated Planning Act 1997</i> .
	Any underground water taken should be in accordance with the requirements of licence 409511 which authorises that take.
	Following approval of this development application, the applicant must apply to amend Licence to Take Water reference 409511.
	A Statement of Reasons is attached and will be included in the Decision Notice.
SCHEDULE 6 – REFERRAL AGENCY	
South East Queensland Water	
<i>3rd Party Advice Agency Status</i>	
6.1	Conditions Apply
	Reference: 128/607/3446(1066)
	Dated 30 April 2010
6.2	Seqwater Third Party Advice – reference F18/2251 – dated 30 November 2018
SCHEDULE 7 – ADVISORY NOTES	
NO	ADVICE
7.1	<p>The Proponent has the right of Appeal to the Planning and Environment Court regarding this Decision Notice. A copy of Section 4.1.27 of the <i>Integrated Planning Act 1997</i> detailing the procedure for making an appeal is enclosed for your information.</p> <p>If the Proponent notifies Council in writing that this Decision Notice is accepted without dispute and that the right of appeal to the Court will not be exercised, this Decision Notice may be taken to be the development approval.</p>
7.2	The relevant period for the development approval is 4 years starting the day the

	<p>approval takes effect. The development approval lapses at the end of the relevant period unless the approval is substantially completed.</p> <p>An extended period may be agreed upon, pursuant to Section 3.5.22 of the <i>Integrated Planning Act 1997</i>, provided a written notice to Council is made before the end of the relevant period.</p>
7.3	The <i>Integrated Planning Act 1997</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.
7.4	All building work (including any Change of Classification of existing buildings) is to comply with the provisions contained in the <i>Building Act</i> ; the <i>Building Regulation</i> , the <i>Building Code of Australia</i> , the <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> .
7.5	All plumbing and drainage work is to comply with provisions contained in the <i>Queensland Sewerage and Water Supply Act</i> , <i>Standard Sewerage Law</i> and the <i>Standard Water Supply Law</i> , the relevant Australian Standards including AS/NZS 3500 - 1998 - <i>National Plumbing and Drainage Code</i> , and Council Policies and requirements.
7.6	All works shall be carried out in accordance with the Workplace Health and Safety Act 1995 (<i>as amended</i>) and the <i>Workplace Health and Safety Regulation 1997 (as amended)</i> .
7.7	All operational work is to comply with relevant codes for design and construction
7.8	Separate development approval is required for any building work, plumbing/drainage works and operational works necessitated by the conditions contained in this Decision Notice.
7.9	Copies of approved drawings and the development approval conditions package to be available on site during operational works.
7.10	The erection of signage or advertising devices on the site is subject to approval from Council in accordance with Council's Signage Code under the former Esk Shire Planning Scheme 2005 (as amended 17.10.2008).
7.11	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act is administered by the Department of Environment and Resource Management [DERM]. The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Under section 23 of the <i>Aboriginal Cultural Heritage Act 2003</i> a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.</p> <p>Applicants will comply with the duty of care in relation to Aboriginal cultural heritage</p>

	<p>if they are operating in accordance with cultural heritage duty of care guidelines gazetted under the <i>Aboriginal Cultural Heritage Act 2003</i>, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> <p>Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3238 3838 or on the DERM website www.derm.qld.gov.au/culturalheritage</p>
7.12	No filling or removal of material is permitted on land below the adopted flood line.
7.13	No vegetation other than weeds or noxious plants is to be cleared within a 40m buffer zone from any watercourse. Vegetation includes trees, shrubs or grasses.
7.14	Any vegetation clearance carried out on site is to be in accordance with the <i>Vegetation Management Act and Regulations</i> .
7.15	The proponent has the responsibility of ensuring that the use or works performed on the site comply with relevant Queensland legislation.
7.16	Arrange tests and inspections with Council's Building Section upon payment of the scheduled fee.
7.17	This approval has effect in accordance with the provisions of Section 3.5.19 of the <i>Integrated Planning Act 1997</i> .
7.18	Comply with applicable requirements of the <i>Workplace Health and Safety Act 1995</i> (as amended) and the <i>Workplace Health and Safety Regulation 1997</i> (as amended).
7.19	<p>Fire Ants Restricted Areas</p> <p>In accordance with the <i>Plant Protection Act 1989</i> and the <i>Plant Protection Regulation 1990</i>, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) and to eradicate it from the State. It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 132523 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:</p> <p style="text-align: center;">Director General Department of Primary Industries GPO Box 46, Brisbane QLD 4001</p> <p>It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website www.dpi.qld.gov.au.</p> <p>The land over which you have made a development application is within a suburb known to have Fire Ants and as such is within a "Restricted Area". The presence of</p>

	<p>Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact the Department of Primary Industries to investigate the site and for you to implement any necessary matters required by that Department prior to the commencement of any works.</p> <p>Fire Ants Non-Restricted Areas</p> <p>In accordance with the <i>Plant Protection Act 1989</i> and the <i>Plant Protection Regulation 1990</i>, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) and to eradicate it from the State.</p> <p>It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 132523 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:</p> <p>Director General Department of Primary Industries GPO Box 46, Brisbane QLD 4001</p> <p>It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of a Department of Primary Industries Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website www.dpi.qld.gov.au.</p> <p>The Development approved herein, by its very nature, includes activities considered to be "high risk" in respect of controlling the spread of Fire Ants. The following lists show High Risk Activities and some precautions should be considered for implementation.</p> <p>(a) High Risk Activities can include:</p> <ul style="list-style-type: none"> (i) Earthworks of a minor or major scale; (ii) Revegetation or rehabilitation; (iii) Import of fill onto a site; (iv) Export of fill or other materials such as soils, gravel, mulch and plants; and (v) Export off or import on to a site of construction and demolition waste and materials or green waste. <p>(b) Precautions for implementation</p> <ul style="list-style-type: none"> (i) Checking for ants regularly; (ii) Checking all soil, fill and waste materials (construction and green waste) for ants; (iii) Asking questions about the quality and source of soil, fill and waste materials (construction and green waste); (iv) Keeping records of all movements of soil, fill and waste materials (construction and green waste); (v) Cleaning of all earthmoving or other soiled vehicles prior to exit from the site; and (vi) Informing staff and contractors about these precautions.
7.20	Environmental Protection Act 1994

	It is a requirement of Section 371 of the <i>Environmental Protection Act 1994</i> that if the owner or occupier of this site becomes aware that a Notifiable Activity (as defined under Schedule 3 of the <i>Environmental Protection Act 1994</i>) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 22 business days after becoming aware the activity is being carried out, or the land has been affected, give notice to the DERM. A list of Notifiable Activities is provided in Schedule 3 of the <i>Environmental Protection Act 1994</i> . Failure to give the required notice, except where notice has already been given, may give rise to an offence.
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Decision:

Moved - Cr Hall

Seconded - Cr Ogg

“THAT Council approves the Change Application under section 81 of the *Planning Act 2016* for DA9733 for a Development Permit for a Material Change of Use for an Intensive Animal Industry (Poultry Farming) – 14 sheds housing 700,000 chickens (8 x conventional shedding, 6 x free range shedding) on land described as Lot 50 on SP241134, situated at 218 Bischoffs Road, Coominya subject to the conditions contained in the Schedules and Attachments.

SCHEDULES**SCHEDULE 1 – PLANNING**

MCU for Intensive Animal Industry (Poultry Farming) – expansion of a further 8 poultry sheds comprising 400,000 chickens

No	Condition	Timing
1.1	<p>Carry out the development generally in accordance with the material contained in the development application and supporting documentation, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Environmental Management Plan – Meat Chicken Farm October 2018 – Singh Enterprises Pty Ltd; • Stormwater Management Plan – prepared by ACS Engineers - Reference 180026 – dated 17 October 2018 • Planning Report for Bischoffs Road Poultry Farm Extension for Phipps Farms Pty Ltd; • Odour and Dust Impact Assessment Addendum Report, Job No 1209 November 2009, prepared by Mirrabooka Consulting Environmental Assessment and Management Services for Phipps Farms Pty Ltd for Coominya Broiler Farm Extension; • Site Layout Plan – Drawing No ACS-DWG-180029-MCU Sheet 1 of 2 – prepared by ACS Engineers – dated 29 October 2018 • POD 2 detailed plan – Drawing No Drawing No. ACS-DWG-180029-MCU Sheet 2 of 2 – prepared by ACS Engineers – dated 29 October 2018 • Proposed Shed Location Plan (figure 2 from Mirrabooka Consulting, Environmental Assessment and Management Services report (Appendix A of the town planning report) • Shed layout plan – Reference No D 03 – prepared by Santrev Pty Ltd – dated 6 July 2018 	At all times

	<ul style="list-style-type: none"> Shed set out - Reference No D 02 – prepared by Santrev Pty Ltd – dated 6 July 2018 Department of Main Roads – Referral Agency Response reference E74158 830/598 P78512 Tracker No 4763 dated 25 February 2010 – No requirements Department of Environment and Resource Management – Referral Agency Response reference number GAT/515/004(0653) dated 11 March 2010 – conditions apply Report by Mirrabooka Consulting relating to dust and changes to the Queensland Government Guideline value – Job No 1209 July 2010 – prepared by Mirrabooka consulting Pty Ltd. WSP Environment and Energy Assessment of Noise and Air Quality (dust and odour) report reference: 2287-DA Review dated 16 February 2010 prepared by WSP Environmental Pty Ltd. 	
1.2	Comply with relevant provisions of the former Esk Shire Planning Scheme 2005 (as amended 17.10.2008), 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
1.4	Pay to Council any outstanding charges or expenses levied by Council over the subject land.	Prior to the commencement of use
1.5	<p>Unless otherwise approved in writing by the Manager, Planning and Development, hours of construction shall be:</p> <ul style="list-style-type: none"> Monday to Saturday: 7:00 am to 6.00 pm <p>Construction work shall not occur on the premises outside the above hours. Noise levels from construction work must comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p>	At all times
1.6	All trade materials, products and plant shall be neatly stored within the confines of the building and/or approved storage areas.	At all times
1.7	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
1.8	All buildings, structures, fittings, fixtures and grounds associated with this development must be maintained:	At all times

	<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. 	
1.9	Advertising, security and flood lighting shall be designed, constructed, installed and maintained in accordance with <i>Australian Standard AS4282-1997</i> (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic.	At all times
1.10	Undertake tree plantings to the northern end of the sheds on Lot 38. This buffer is to be dense enough to minimise any adverse environmental impacts from dust, light and noise emitted from the site.	Effective within six (6) months of the operation of the additional sheds
1.11	Ensure all exhaust fans on all sheds are cleaned to ensure minimal pollutants are being dispersed externally to the sheds. The resultant waste product is to be disposed of appropriately.	At all times
1.12	Portable toilet facilities are to be provided for the 12 additional staff that will be on site during the construction phase.	During the construction phase
1.13	The Poultry Farm owners must ensure the current onsite wastewater treatment system (OWTS) is not compromised with an additional four staff working on the farm resulting from the approved expansion.	Prior to the commencement of the approved expansion
1.14	Lot 50 on CA31283 and Lot 38 on RP12464 are to be amalgamated.	Prior to the issue of any Building Permits for the new sheds
1.15	POD 2 (as per ACS-DWG-180029-MCU) can operate as either conventional or free range meat chicken farm	At all times
SCHEDULE 2 – ENGINEERING		
Operational Works		
<i>Road works</i>		
2.1	<p>Bischoffs Road is to be sealed from the existing seal East of the Running Creek bridge to the existing entrance to Coominya Sand and Gravel, a distance of 110 metres.</p> <p>This seal is to be 7 meters wide over an 8 metre gravel pavement.</p>	Prior to the commencement of the use
2.2	Council's standard form "Works within a road reserve" is to be completed prior to any work on Bischoffs road commences.	Prior to the commencement of the use

<i>Public Utilities</i>		
2.3	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Prior to the commencement of the use
2.4	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	During construction period
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	During construction period
2.6	Vegetation cover must be maintained at all stormwater discharge points and along all drainage lines on the site to assist in minimising erosion and sediment movement.	At all times
<i>Restoration Work at Operator's Expense</i>		
2.7	<p>The Operator is responsible for the restoration work, should Council determine that erosion damage has occurred on the site or a downstream system has become silted.</p> <p>All restoration work must be completed within fourteen days from the time of notification.</p> <p>Should the Operator fail to complete the restoration works determined by Council within the specified time, Council will complete the work and recover all costs from the Operator associated with the works.</p>	During construction period
<i>Internal Works</i>		
2.8	A gravel hardstand area 35 metres wide is to be provided at both ends of the eight sheds, for internal chicken pick up areas for semi-trailers and equipment.	During construction period
<i>Dust Pollution</i>		
2.9	Dust pollution arising from the construction and maintenance of the works required by this approval are the landowner's responsibility. The landowner must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.	At all times
SCHEDULE 3 – ENVIRONMENTAL		
MCU for Environmentally Relevant Activity 4 (1)– Poultry Farming, (c) (2) – rearing birds for meat, (threshold 2 – farming more than 200,000 birds)		
3.1	<p>Carry out the development generally in accordance with the material contained in the development application and supporting documentation, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> Environmental Management Plan – Meat Chicken Farm December 2009 – Phipps Farms Pty Ltd – 	At all times

	<ul style="list-style-type: none"> Including Stormwater Management Plans; Planning Report for Bischoffs Road Poultry Farm Extension for Phipps Farms Pty Ltd; Odour and Dust Impact Assessment Addendum Report, Job No 1209 November 2009, prepared by Mirrabooka Consulting Environmental Assessment and Management Services for Phipps Farms Pty Ltd for Coominya Broiler Farm Extension; Farm Site Plan (figure from Appendix G of the town planning report) Proposed Shed Location Plan (figure 2 from Mirrabooka Consulting, Environmental Assessment and Management Services report (Appendix A of the town planning report) Department of Environment and Resource Management – Referral Agency Response reference number GAT/515/004(0653) dated 11 March 2010 – conditions apply. 	
3.2	The maximum number of birds to be housed at any one time is 700000 birds (400000 birds on L50 CA31283 and 300000 birds on L38 RP12464).	At all times
3.3	Bunding of all chemicals must comply with <i>AS1940 – Storage and Handling of Flammable and Combustible Liquids</i> .	At all times
3.4	Bunding of all diesel tanks associated with the generators must comply with <i>AS1940 – Storage and Handling of Flammable and Combustible Liquids</i> .	At all times
Amend Environmental Management Plan (EMP)		
3.5	<p>Amend the Site-based Environmental Management Plan (EMP) to include:</p> <ul style="list-style-type: none"> Dust management measures onsite during dry periods when trucks are on site; and In the event of a ‘mass bird death’, the EMP must outline a Contingency Plan for the collection and disposal of the carcasses off site. <p>Remove all reference to composting of dead birds and include measures for cold storage and the removal of dead birds from the poultry farm.</p>	Prior to the commencement of the extensions
3.6	The amended Site Based Environmental Management Plan is to be approved by Somerset Regional Council.	Prior to the commencement of the extended operations
ENVIRONMENTALLY RELEVANT ACTIVITY		
ERA 4 (1) - Poultry Farming (c) rearing of birds for meat, (Threshold 2 – farming more than 200,000 birds).		

PART A - GENERAL CONDITIONS		
Timelines for Commencement of Development Conditions		
(A1)	<p>To expel any doubt on the commencement of any of the conditions of this schedule 3 of this development approval, unless specifically described by a condition of this development approval, all conditions will apply from the commencement of this approved development.</p> <p><i>Release of Contaminants</i> Contaminants must not be released to the environment other than in accordance with the relevant schedules of this development permit.</p>	At all times
(A2)	<p>Installation of Plant and Equipment to prevent a pollution incident The permittee must:</p> <ul style="list-style-type: none"> (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this development permit; and (b) maintain such measures, plant and equipment in a proper and efficient condition; and (c) operate such measures, plant and equipment in a proper and efficient manner; and (d) perform all acts and do all things, necessary to ensure compliance with the conditions of this development permit. <p>In this condition, “plant and equipment” includes:</p> <ul style="list-style-type: none"> (i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused; (ii) devices and structures to contain foreseeable escapes of contaminants and waste; (iii) devices and structures used to store, handle, treat and dispose of waste; (iv) monitoring equipment and associated alarms; and (v) backup systems that act in the event of failure of a primary system. 	At all times
(A3)	<p>Display of Development Permit Conditions in association with a Certificate of Registration A copy of the schedules of this development permit as described in the Certificate of Registration issued conjointly with this development permit must be kept in a location readily accessible to personnel carrying out the activity.</p>	At all times
(A4)	<p>Records Any record, required by any conditions of this development permit to be kept, must be kept at the development site and be available for examination by an authorised person of the administering authority on request.</p>	At all times

(A5)	Alterations No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times
(A6)	Calibration All instruments and measurement devices used for the measurement or monitoring of any parameter, described under any conditions of this development permit, must be calibrated, where necessary, to an appropriate Standard, and appropriately operated and maintained.	At all times
(A7)	Release of Visible Light Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times
(A8)	Nuisance 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, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
(A9)	Site Based Environmental Management Plans including plans for Stormwater, Waste, etc are not to contravene conditions of development permit The permittee must not implement any Management Plan prepared as a condition of this development permit, or amend any Management Plan, where such implementation or amendment would result in a contravention of any condition of this development approval.	At all times
(A10)	Review of Site Based Environmental Management Plan The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least: <ul style="list-style-type: none"> a) immediately a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise b) after 12 months, and before 18 months, of the development commencing; and thereafter c) within every two years from the date of completion of the review required by condition A11(b). Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately. The Site Based Environmental Management Plan must not contravene conditions of this development approval.	At all times

	End of Conditions for PART A	
ENVIRONMENTAL PART B- AIR Release of Contaminants to the Atmosphere		
(B1)	Non-Specific Releases [i] Except as otherwise provided by the conditions of this development permit, the approved development must be carried out by such practicable means necessary to prevent the release or likelihood of release of contaminants to the atmosphere. [ii] Except as otherwise provided by the conditions of this development permit, the approved development must be carried out by such practicable means necessary to minimise the release or likelihood of such release of contaminants to the atmosphere in any case where it is not practicable to prevent any such release of contaminants as required by condition [B1(i)].	At all times
(B2)	Notwithstanding any other condition of this development permit, no release of contaminants from the development site is to cause a noxious or offensive odour to any "odour sensitive place" located beyond the boundaries of the development site.	At all times
(B3)	Dust Control Dust, feathers and particulate emissions may not be released the cause environmental harm or environmental nuisance at any sensitive place beyond the boundaries of the premises to which this development approval applies.	At all times
(B4)	Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place, viz – a) Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard 3580.10.1 – 2003 or more recent edition; or b) A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM ₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time for 5 days each year, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with Australian Standard 3580.9.6 – 2003 (or more recent edition) "Ambient air – Particulate matter – Determination of suspended particulate PM ₁₀ high-volume sampler with size selective inlet – Gravimetric method" or Australian Standard 3580.9.7 – 2009 (or more recent edition) "Ambient air – Particulate matter - Determination of	At all times

	<p>suspended particulate matter – Dichotomous sampler (PM₁₀ and PM_{2.5}) – Gravimetric method;</p> <p>or</p> <p>c) A concentration of particulate matter with an aerodynamic diameter of less than 2.5 micrometres (PM_{2.5}) suspended in the atmosphere of 25 micrograms per cubic metre over a 24 hour averaging time each year, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with Australian Standard 3580.9.10 – 2006 (or more recent edition) “Ambient air – Particulate matter – Determination of suspended particulate PM_{2.5} low-volume sampler with size selective inlet – Gravimetric method” or Australian Standard 3580.9.7 – 2009 (or more recent edition);</p> <p>or</p> <p>“Ambient air – Particulate matter - Determination of suspended particulate matter – Dichotomous sampler (PM₁₀ and PM_{2.5}) – Gravimetric method;</p> <p>or</p> <p>any alternative method of monitoring PM₁₀ which may be permitted by the “Air Quality Sampling Manual” as published from time to time by the Environmental Protection Agency.</p>	
(B5)	<p>The permittee must develop and implement a roof water testing regime to determine the potential impacts the approved development may have on potable water sourced from rainwater tanks within 1500 metres of the poultry sheds associated with this approved development.</p> <p>End of Conditions for PART B</p>	Before the commencement of the use
PART C - WATER Release of Contaminants to Waters		
(C1)	<p>Contaminants must not be directly or indirectly released from the development site to surface waters or the bed and banks of any surface waters except as permitted under this Schedule C or the Stormwater Management Part (Part D) of this development permit.</p> <p>End of Conditions for PART C</p>	At all times
PART D -STORMWATER MANAGEMENT General		
(D1)	<p>Except as otherwise provided by the conditions of this Part D of this development permit, the approved development must be carried out in such a manner as to prevent the release, or likelihood of release, of contaminants to stormwater exiting the development site.</p>	
(D2)	<p>Except as otherwise provided by the conditions of this Part D of this development permit, the approved development must be carried out in such a manner as to minimise the release, or likelihood of release, of contaminants to stormwater exiting the development site in any case where it is not practicable to prevent any such release of contaminants as required by</p>	

	condition D1.	
(D3)	For each rainfall event, all reasonable and practicable measures must be taken to ensure that, within 72 hours of the cessation of a rainfall event, at least 90% of the design capacity of any contaminated stormwater treatment / retention system is available for capture and storage of contaminated stormwater runoff from the next rainfall event.	At all times
<i>Preparation of Stormwater Management Plan</i>		
(D4)	A Stormwater Management Plan (SMP) must be prepared and implemented and conformed with at the development site prior to commencement of this approved development and thereafter the approved development must be operated in conformity with this Stormwater Management Plan until written notice is received by the administering authority from the permittee under the relevant provisions of the <i>Environmental Protection Act 1994</i> advising the activity of operating a poultry farm has ceased; and	Prior to the commencement of the use
	The Stormwater Management Plan must identify – <ul style="list-style-type: none"> i. all sources of potential contamination (including but not limited to the actual and potential release of all contaminants); ii. the potential impact of these sources; and iii. what actions will be taken to prevent the likelihood of stormwater contamination being caused; and 	Prior to the commencement of the use
	The stormwater management plan must address the following matters: <ul style="list-style-type: none"> – Environmental commitments – a commitment by senior management to achieve environmental goals. – Identification of environmental issues and their potential impacts. – Control measure for routine operations to prevent the likelihood of contamination of stormwater exiting the development site. – Contingency plans and emergency procedures for non-routine situations including but not limited to potential pollution incidents, for example, chemical spills. – Organisational structure and responsibilities of staff in implementing and applying this plan. – Effective communication of the plan to all persons responsible for implementing and overseeing the plan. – Monitoring of the contaminant releases. – Conducting environmental impact assessments. – Staff training needs to all persons responsible for implementing and overseeing the plan. – Record keeping. 	Prior to the commencement of the use

	– Periodic review of environmental performance and continual improvement.	
	NOTE: A drawing highlighting the type and location of pollution control measures/devices to prevent contaminants entering land on the development site and exiting stormwater from the development site must be included in the Stormwater Management Plan.	
(D5)	A copy of the Stormwater Management Plan must be kept at the development site and be available for examination by all employees, and any authorised person of the administering authority, upon request.	At all times
(D6)	<p><i>Review of Stormwater Management Plan</i></p> <p>The Stormwater Management Plan must provide for the provision of a review at least</p> <ul style="list-style-type: none"> (a) immediately a potential or actual source of contamination, that is not already identified, is realised; or otherwise (b) within one year and before 16 months of the development commencing; and thereafter (c) within every two years from the date of the completion of the initial review pursuant to (b) immediately preceding 	As indicated
(D7)	<p>Changes to Plan to be implemented immediately</p> <p>Changes to the operation of the development resulting from any review of the Stormwater Management Plan must be implemented immediately.</p> <p>End of Conditions for PART D</p>	Immediately
PART E- LAND APPLICATION Preventing contaminant release to land		
(E1)	<p>Contaminants must not be released to land.</p> <p>Contaminant includes, but is not limited to, nutrients, pathogens, viruses, sediments, other water-borne pollutants, chemicals, poisons and petroleum-based substances.</p>	At all times
(E2)	<p>From commencement of this approved development, all poultry shed wash-water, and other liquid waste generated within such sheds, must be collected, conveyed and contained in a closed drainage system pending disposal either –</p> <ul style="list-style-type: none"> - off-site by an approved waste collector; or - to an approved on-site disposal area. 	At all times
	<p>NOTE:</p> <p>1. Collection of poultry shed wash-waters must be by</p>	

	<div>way of the shed floors being drained to a suitable number of gully pits/traps, all interconnected; and</div> <div>2. Conveyance must be by way of suitable underground pipes, for example, sewer pipes leading from each gully pit/trap to a containment device; and</div> <div>3. Containment must be by way of a suitable number of leak-proof containers/devices sufficient in volume to contain all liquid waste generated in each poultry shed until this waste is collected for off-site disposal</div>																	
(E3)	<div>Compliance with Condition (E2) will not be necessary where it can be demonstrated by the permittee that all waste liquid generated in each poultry shed can be contained within each shed and dissipated by evaporation so as to leave no residue(s) of concern likely to adversely impact on the receiving environment, or persons or animals likely to.</div> <div>End of Conditions for PART E</div>	At all times																
PART F – NOISE																		
Emission of Noise																		
(F1)	<div>The approved development must be carried out by such practicable means necessary to prevent the emission, or likelihood of emission, of noise that constitutes environmental nuisance.</div>	At all times																
(F2)	<div>In the event of a complaint about noise being made to the administering authority, and that the administering authority considers is not frivolous or vexatious, then the emission of noise from the development site must not result in levels greater than those specified in the Noise Schedule (refer also to condition H6 of Part H of this development permit).</div>	At all times																
	<div>NOISE SCHEDULE</div> <div>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure</div> <table><thead><tr><th>Level L (A_{max adj, T})</th><th>Period</th></tr></thead><tbody><tr><td>Background noise level plus 5 dB(A)</td><td>7 am – 6 pm</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>6 pm – 10 pm</td></tr><tr><td>Background noise level plus 3 dB(A)</td><td>10 pm – 7 am</td></tr></tbody></table> <div>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure</div> <table><thead><tr><th>Level L (A_{max adj, T})</th><th>Period</th></tr></thead><tbody><tr><td>Background noise level plus 10 dB(A)</td><td>7 am – 6 pm</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>6 pm – 10 pm</td></tr><tr><td>Background noise level plus 8 dB(A)</td><td>10pm – 7 am</td></tr></tbody></table>	Level L (A _{max adj, T})	Period	Background noise level plus 5 dB(A)	7 am – 6 pm	Background noise level plus 5 dB(A)	6 pm – 10 pm	Background noise level plus 3 dB(A)	10 pm – 7 am	Level L (A _{max adj, T})	Period	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)	10pm – 7 am	At all times
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Background noise level plus 8 dB(A)	10pm – 7 am																	
(F3)	<div>This development permit does not authorise any emission of noise that results in environmental nuisance or environmental harm to any “noise sensitive place” located beyond the</div>	At all times																

	boundaries of the development site. End of Conditions for PART F	
PART G – WASTE MANAGEMENT		
General		
(G1)	Waste must not be released to the environment, stored, transferred or disposed contrary to any condition of this development permit.	At all times
(G2)	<p>The permittee must not:</p> <ul style="list-style-type: none"> • burn or bury waste at or on the development site; nor • allow waste to burn or be burnt or buried at or on the development site; nor • remove waste from the development site and burn such waste elsewhere • stockpile any waste on the approved place; nor • process waste on the approved place <p>unless otherwise authorised through the implementation of procedures and operations contained in an approved site based management plan.</p>	At all times
(G3)	<p>Off-Site Movement</p> <p>Where regulated waste is removed from the development site, the permittee must monitor and record the following:</p> <ul style="list-style-type: none"> (a) the date, quantity and type of waste removed; and (b) name of the waste transporter and/or disposal operator that removed the waste; and (c) the intended treatment/disposal destination of the waste. <p><i>(NOTE: Records of documents maintained in compliance with a waste tracking system established under the Environmental Protection Act 1994 or any other law for regulated waste will be deemed to satisfy this condition).</i></p>	At all times
(G4)	Regulated waste must not be sent for disposal at any facility without the written approval of the person operating that facility.	At all times
(G5)	<p>Poultry Shed Litter</p> <ul style="list-style-type: none"> • All poultry shed litter is to be removed from sheds at the end of each batch. • Poultry shed litter removed at the end of each batch must be removed from site as quickly as possible and shall not be stockpiled on site. • Trucks collecting poultry shed litter at the end of each batch must be covered before leaving the site. 	At the end of each batch
(G6)	<p>Dead Birds</p> <p>All deceased birds shall be:</p>	At all times

	<ul style="list-style-type: none"> • where required to be stored on site, held under refrigeration at a temperature of no greater than 5 Degrees Celsius. • Not be stored on site for greater than 7 days; • Transported from site by an approved waste transporter; • Disposed of at an approved disposal or treatment facility. 	
(G7)	Records Records must be maintained for a period of 3 years for all wastes mentioned in this Part G	At all times.
(G8)	Waste Removal by Contractor No waste is to be removed from the approved place by a person or contractor performing a waste management works, for fee or reward, unless and until that person or contractor has – <ul style="list-style-type: none"> (a) a written contract with the Somerset Regional Council; or (b) the Somerset Regional Council's written approval to remove that waste End of Conditions for PART G	At all times.
PART H - SELF MONITORING AND REPORTING Complaint Recording		
(H1)	All complaints received by the permittee relating to operations at the development site must be recorded in a register with the following details: <ul style="list-style-type: none"> (i) nature, time and date of complaint; (ii) type of communication (telephone, letter, personal etc.); (iii) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); (iv) response and investigation undertaken as a result of the complaint; (v) name of person responsible for investigating complaint; and (vi) action taken as a result of the complaint investigation and signature of responsible person. (vii) at the relevant time of each complaint record, the bird age, number of birds, number of fans operating and any other relevant data. 	At all times.
(H2)	The complaint's record required by condition H1 must be maintained for a period of not less than 3 years.	At all times
(H3)	Notification of Emergencies and Incidents As soon as practicable after becoming aware of any	At all times

	emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with, the conditions of this development permit, the permittee must notify the administering authority of the release by telephone or facsimile.	
(H4)	<p>The notification of emergencies or incidents must include but not be limited to the following:</p> <ul style="list-style-type: none"> (i) the name of the permittee; (ii) the location of the emergency or incident; (iii) the number of the Certificate of Registration issued conjointly to this development permit; (iv) the name and telephone number of the designated contact person; (iv) the time of the release; (v) the time the permittee became aware of the release; (vi) the suspected cause of the release; (vii) actions taken to prevent any further release and mitigate any contamination caused by the release. 	At all times
(H5)	<p>Not more than 14 days following the initial notification of an emergency or incident, the permittee must provide written advice of the information supplied in addition to:</p> <ul style="list-style-type: none"> (i) proposed actions to prevent a recurrence of the emergency or incident; (ii) outcomes of actions taken at the time to prevent or minimise environmental harm and / or environmental nuisance, and (iii) the results of any environmental monitoring performed. 	At all times
(H6)	<p>Noise Monitoring</p> <p>Monitoring of noise must be undertaken by the permittee to investigate any complaint of environmental nuisance upon receipt of a request, in writing, from the administering authority to carry out such monitoring, and the results notified within 14 days to the administering authority following completion of monitoring.</p>	At all times
(H7)	<p>For the purposes of checking compliance with conditions of the noise schedule, monitoring and recording the noise levels from the approved development must be undertaken for at least the following descriptors, characteristics and conditions:</p> <ul style="list-style-type: none"> (i) $L_{Amax, Adj T}$; (ii) $L_{Abg, T}$ (or $L_{A90, T}$); (iii) $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99); (iv) $Max L_{pA T}$; (v) $L_{Aeq, T}$. 	At all times

	<ul style="list-style-type: none"> (vi) The level and frequency of occurrence of impulsive or tonal noise; (vii) Atmospheric conditions including temperature, relative humidity and wind speed and direction; and (viii) Effects due to extraneous factors such as traffic noise. 	
(H8)	Procedures for assessing, measuring and reporting on noise levels must have regard to, and comply with, in so far as they are relevant, PART 3 of the Environmental Protection Regulation 2008 and the method of measurement and reporting of noise levels as detailed in the Department of Environment and Resource Management's Noise Measurement Manual, second edition, March 1995, or more recent additions or supplements to that document as they become available.	At all times
(H9)	The method of measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.	At all times
(H10)	Records must be kept of the results of all monitoring of noise levels and other information required in conjunction with such monitoring for a period of at least three years.	At all times
(H11)	<p>Dust Monitoring</p> <p>(1) When requested by the administering authority, dust and particulate monitoring must be undertaken by the permittee to investigate any complaint of environmental nuisance caused by dust and / or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring.</p>	
	<p>(2) Monitoring must be carried out at a place(s) relevant to the potentially affected nuisance sensitive or commercial place and at upwind control sites and must include –</p> <ul style="list-style-type: none"> a) for a complaint alleging dust nuisance, dust deposition; and b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 and 2.5 micrometre (PM₁₀) suspended in the atmosphere over a 24-hour averaging time period. <p>End of Conditions for PART H</p>	
PART I - DEFINITIONS		
(I1)	For the purposes of this development permit any term not otherwise defined by relevant legislation (including any	

	subordinate legislation) or in this “Definitions” Schedule has the meaning conferred to that term in its common usage.	
(12)	In the event of any inconsistency arising between the meaning of any term provided in the “Definitions” Schedule of this development permit and any common usage of that term, the meaning conferred in the “Definitions” Schedule of this development permit prevails.	
(13)	For the purposes of this development permit the following definitions apply:	
	“Act” means the <i>Environmental Protection Act 1994</i> .	
	“Administering authority” means the Council of the Shire of Esk or its successor.	
	“Development site” means the site approved for development under this development permit	
	“Land” in the Land Application Schedule of this document means land to which this development permit is granted excluding waters and the atmosphere	
	“Noxious” means harmful or injurious to health or physical well-being	
	“permittee” means the entity responsible at any point in time for the development authorised by this development permit	
	“waste” includes anything that is - (a) left over, or an unwanted by-product, from an industry, commercial, domestic or other activity; or (b) surplus to the industry, commercial, domestic or other activity generating the waste. and includes a gas, liquid, solid or energy, or any combination thereof. A waste can be waste whether or not it is of value.	
	“regulated waste” means non-domestic waste mentioned in Schedule 7 of the <i>Environmental Protection Regulation 1998</i> and includes - (a) for an element - any chemical compound containing the element; and (b) anything that has contained a regulated waste; and (c) regulated waste that has been treated or immobilised	
	“odour sensitive place” means - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or	

	(b) a motel, hotel or hostel; or (c) a kindergarten, school, university or other educational institution; or (d) a medical centre or hospital; or (e) a protected area; or (f) a park or gardens.	
	“offensive” means causing offence or displeasure; is disagreeable to the senses; disgusting; nauseous or repulsive	
	“waters” includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined natural or artificial watercourse, bed and bank of any waters, dams, non-tidal and tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater runoff, and groundwater and any part thereof	
	Noise Definitions “L(Amax adj,T)” means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.	
	“Background noise level” means either : L (A90,T) being the A-weighted sound pressure level exceeded for 90 percent of the time period not less than 15 minutes, using Fast response, or	
	L (Abg,T) being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.	
	“MaxL (pA,T)” means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.	
	“noise sensitive place” means - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or (b) a motel, hotel or hostel; or (c) a kindergarten, school, university or other educational institution; or (d) a medical centre or hospital; or (e) a protected area; or (f) a park or gardens.	
	“commercial place” means a place used as an office or for business or commercial purposes but excludes premises specifically defined as a “noise sensitive place”. End of Conditions for PART I	

SCHEDULE 4 – REFERRAL AGENCY		
Department of Transport and Main Roads		
<i>Concurrence Agency Status</i>		
<i>Agency Response: No Requirements</i>		
4.1	Reference: E74158 830/598 P8512 Tracker No. 4763 dated 25 February 2010	
4.2	Agency response will be attached to Decision Notice	
SCHEDULE 5 – REFERRAL AGENCY		
Department of Environment and Resource Management		
<i>Concurrence Agency Status</i>		
<i>Agency Response: conditions apply</i>		
5.1	Reference: GAT/515/004(0653) dated 11 March 2010	
5.2	Agency response will be attached to Decision Notice.	
	The following conditions apply	
	The Chief Executive of the Department of Environment and Resource Management requests that the following conditions be imposed on any approval given by the Assessment Manager:	
	No new bores are permitted unless for stock or domestic purposes or to replace an existing bore.	
	Construction of any dams or other interference with overland flow of water is to be in accordance with the requirements of the codes developed under Schedule 8, Part 1, Table 4 of the <i>Integrated Planning Act 1997</i> .	
	Any underground water taken should be in accordance with the requirements of licence 409511 which authorises that take.	
	Following approval of this development application, the applicant must apply to amend Licence to Take Water reference 409511.	
	A Statement of Reasons is attached and will be included in the Decision Notice.	
SCHEDULE 6 – REFERRAL AGENCY		
South East Queensland Water		
<i>3rd Party Advice Agency Status</i>		
6.1	Conditions Apply	
	Reference: 128/607/3446(1066)	
	Dated 30 April 2010	
6.2	Seqwater Third Party Advice – reference F18/2251 – dated 30 November 2018	
SCHEDULE 7 – ADVISORY NOTES		
NO	ADVICE	
7.1	The Proponent has the right of Appeal to the Planning and Environment Court regarding this Decision Notice. A copy of Section 4.1.27 of the <i>Integrated Planning Act 1997</i> detailing the procedure for making an appeal is enclosed for your information.	
	If the Proponent notifies Council in writing that this Decision Notice is accepted without dispute and that the right of appeal to the Court will not be exercised, this Decision Notice may be taken to be the development approval.	

7.2	<p>The relevant period for the development approval is 4 years starting the day the approval takes effect. The development approval lapses at the end of the relevant period unless the approval is substantially completed.</p> <p>An extended period may be agreed upon, pursuant to Section 3.5.22 of the <i>Integrated Planning Act 1997</i>, provided a written notice to Council is made before the end of the relevant period.</p>
7.3	<p>The <i>Integrated Planning Act 1997</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.</p>
7.4	<p>All building work (including any Change of Classification of existing buildings) is to comply with the provisions contained in the <i>Building Act</i>, the Building Regulation, the Building Code of Australia, the Queensland Development Code and relevant Australian Standards.</p>
7.5	<p>All plumbing and drainage work is to comply with provisions contained in the <i>Queensland Sewerage and Water Supply Act</i>, Standard Sewerage Law and the Standard Water Supply Law, the relevant Australian Standards including AS/NZS 3500 - 1998 - National Plumbing and Drainage Code, and Council Policies and requirements.</p>
7.6	<p>All works shall be carried out in accordance with the <i>Workplace Health and Safety Act 1995 (as amended)</i> and the Workplace Health and Safety Regulation 1997 (<i>as amended</i>).</p>
7.7	<p>All operational work is to comply with relevant codes for design and construction</p>
7.8	<p>Separate development approval is required for any building work, plumbing/drainage works and operational works necessitated by the conditions contained in this Decision Notice.</p>
7.9	<p>Copies of approved drawings and the development approval conditions package to be available on site during operational works.</p>
7.10	<p>The erection of signage or advertising devices on the site is subject to approval from Council in accordance with Council's Signage Code under the former Esk Shire Planning Scheme 2005 (as amended 17.10.2008).</p>
7.11	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> commenced in Queensland on April 16, 2004. The Act is administered by the Department of Environment and Resource Management [DERM]. The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Under section 23 of the <i>Aboriginal Cultural Heritage Act 2003</i> a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750,000 for a corporation and \$75,000 for an individual.</p>

	<p>Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are operating in accordance with cultural heritage duty of care guidelines gazetted under the <i>Aboriginal Cultural Heritage Act 2003</i>, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the <i>Aboriginal Cultural Heritage Act 2003</i>.</p> <p>Applicants are also encouraged to undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural heritage Coordination Unit, DERM. Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3238 3838 or on the DERM website www.derm.qld.gov.au/culturalheritage</p>
7.12	No filling or removal of material is permitted on land below the adopted flood line.
7.13	No vegetation other than weeds or noxious plants is to be cleared within a 40m buffer zone from any watercourse. Vegetation includes trees, shrubs or grasses.
7.14	Any vegetation clearance carried out on site is to be in accordance with the <i>Vegetation Management Act and Regulations</i> .
7.15	The proponent has the responsibility of ensuring that the use or works performed on the site comply with relevant Queensland legislation.
7.16	Arrange tests and inspections with Council's Building Section upon payment of the scheduled fee.
7.17	This approval has effect in accordance with the provisions of Section 3.5.19 of the <i>Integrated Planning Act 1997</i> .
7.18	Comply with applicable requirements of the <i>Workplace Health and Safety Act 1995</i> (as amended) and the <i>Workplace Health and Safety Regulation 1997</i> (as amended).
7.19	<p>Fire Ants Restricted Areas</p> <p>In accordance with the <i>Plant Protection Act 1989</i> and the <i>Plant Protection Regulation 1990</i>, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) and to eradicate it from the State. It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 132523 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:</p> <p style="padding-left: 40px;">Director General Department of Primary Industries GPO Box 46, Brisbane QLD 4001</p> <p>It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website www.dpi.qld.gov.au.</p> <p>The land over which you have made a development application is within a suburb</p>

	<p>known to have Fire Ants and as such is within a "Restricted Area". The presence of Fire Ants on the site may affect the nature, form and extent of works permitted on the site. In view of this it will be necessary for you to contact the Department of Primary Industries to investigate the site and for you to implement any necessary matters required by that Department prior to the commencement of any works.</p> <p>Fire Ants Non-Restricted Areas</p> <p>In accordance with the <i>Plant Protection Act 1989</i> and the <i>Plant Protection Regulation 1990</i>, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species <i>Solenopsis invicta</i>) and to eradicate it from the State.</p> <p>It is the legal obligation of the land owner or any consultant or contractor employed by the land owner to report the presence or suspicion of Fire Ants to the Queensland Department of Primary Industries on 132523 within 24 hours of becoming aware of the presence or suspicion, and to advise in writing within seven days to:</p> <p>Director General Department of Primary Industries GPO Box 46, Brisbane QLD 4001</p> <p>It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of a Department of Primary Industries Inspectors Approval. More information can be obtained from the Queensland Department of Primary Industries website www.dpi.qld.gov.au.</p> <p>The Development approved herein, by its very nature, includes activities considered to be "high risk" in respect of controlling the spread of Fire Ants. The following lists show High Risk Activities and some precautions should be considered for implementation.</p> <p>(a) High Risk Activities can include:</p> <ul style="list-style-type: none"> (i) Earthworks of a minor or major scale; (ii) Revegetation or rehabilitation; (iii) Import of fill onto a site; (iv) Export of fill or other materials such as soils, gravel, mulch and plants; and (v) Export off or import on to a site of construction and demolition waste and materials or green waste. <p>(b) Precautions for implementation</p> <ul style="list-style-type: none"> (i) Checking for ants regularly; (ii) Checking all soil, fill and waste materials (construction and green waste) for ants; (iii) Asking questions about the quality and source of soil, fill and waste materials (construction and green waste); (iv) Keeping records of all movements of soil, fill and waste materials (construction and green waste); (v) Cleaning of all earthmoving or other soiled vehicles prior to exit from the site; and (vi) Informing staff and contractors about these precautions.
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7.20	<p><i>Environmental Protection Act 1994</i></p> <p>It is a requirement of Section 371 of the <i>Environmental Protection Act 1994</i> that if the owner or occupier of this site becomes aware that a Notifiable Activity (as defined under Schedule 3 of the <i>Environmental Protection Act 1994</i>) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 22 business days after becoming aware the activity is being carried out, or the land has been affected, give notice to the DERM. A list of Notifiable Activities is provided in Schedule 3 of the <i>Environmental Protection Act 1994</i>. Failure to give the required notice, except where notice has already been given, may give rise to an offence."</p> <p style="text-align: right;"><u>Carried</u></p>
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Subject:	Development Application No 17684 - Application for a Development Permit for a Material Change of Use for Animal Keeping (Breeding Kennel)
File No:	DA17684
Assessment No:	34038-00000-000
Action Officer:	SP-JB

1.0 APPLICATION SUMMARY

Subject Land

Location	77 Kerles Road, Minden
Real Property Description	Lot 637 on CH31809
Area	48.562 hectares
Current land use	Dwelling, associated outbuildings and grazing

Somerset Region Planning Scheme Version Three

Zone	Rural
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SEQ Regional Plan

Land Use Category	Regional Landscape and Rural Production Area
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Application

Proposal:	Development Permit for a Material Change of Use for Animal Keeping (Breeding Kennel)
Category of Assessment	IMPACT
Applicant/s details:	OD Sellwood c/- Diane Kerr and Associates 19 Frobisher Street SPRINGWOOD QLD 4127 Email: dianekerr@optusnet.com.au

Landowners:	Oriel D Sellwood
Date application properly made:	22 May 2018

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil

Public Notification

Submissions properly made	20
Submitters	28

RECOMMENDED DECISION

Approve the Development Application No. 17684 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish Animal Keeping (Breeding Kennel) housing 40 adult dogs, excluding pups up to the age of 3 months. The dog breeds include, Cavalier, King Charles, Spaniel and poodle, plus cavoodle pups, which are small to medium sized dogs. The kennel facility will be operated by the owner of the property, with assistance from family members. The kennel activity is not open to the public. No sale of puppies will be conducted from the property and no potential purchasers will be permitted to visit the site for health reasons. All puppies sold will be delivered off site by the operator.

The owner/operator is a Member of Dogs Queensland and has been breeding dogs for twenty (20) years. The applicant currently operates a breeding kennel at 79 West Road, Coominya. Subject to approval of this development application, the applicant intends to cease operations at the Coominya property and relocate to the subject property. A copy of the Revised Site Layout Plan and Detailed Site/Kennel Layout Plan are provided at Attachments 1-2.

Kennel Facilities

The proposed kennel facility will be setback approximately 81m from the western boundary and setback 15m from the dwelling house within the northern region of the property. The revised kennel facility design comprises the following details:

- **Kennel building:** The kennel building will be designed in a rectangular configuration to ensure the kennels contain noise. The facility will be constructed with new building materials and in accordance with the submitted revised Drawings and Revised Noise Impact Assessment dated 3 October 2018, prepared by Noise Measurement Services Pty Ltd.
- Kennel building dimensions: 15m x 7m (105m²) maximum height 3.4m.
- The building design will be sheet metal construction with a sheet metal skillion pitched roof that will be lined with continuous wool battens. The walls will be lined with polystyrene and the bottom half sealed to avoid damage from the dogs.
- **Acoustic treatments:** All internal walls of the structure will be sound proofed. Building treatments involving acoustic design will be installed as recommended in the Revised Noise Impact Assessment, Report No. 4316 Revision 4, dated 3 October 2018, prepared by Noise Measurement Services.
- The kennels will be constructed with impervious reinforced concrete floors, gravity drained for effluent collection.
- **Cooling/heating:** A reverse cycle air-conditioning unit will be installed to provide both cooling and heating. In addition, two large industrial fans will be provided for cooling.
- **Solar power:** Solar power will be provided to the kennel building with generator backup.
- **External yards:** Six external grassed exercise yards will be attached to the kennel building. Each yard will be a minimum 30m long by 5m wide (150m²). Shelters will be placed in each yard.
- The individual canine enclosures and exercise areas and run enclosure(s) will have both internal and external access.
- Dogs will only be permitted within the outdoor kennels/runs during day time periods under supervision.
- **Acoustic screening:** An Acoustic Screen fence 2.7m in height above finished ground level will be provided along the edge of all sides of the exercise runs and fully enclosing entry / exit door to the kennel building. The northern and southern returns on the fence

- are to enclose the entry doors to the kennel building.
- **Buffering:** Landscaping (native vegetation) will be provided around the northern, western and eastern sides of the acoustic screen fence for visual amenity purposes.
- **Water supply:** Two water tanks with a combined volume of 45,000 litres will be connected to the kennel building, to ensure a seven (7) day supply for the kennel is available always. It is noted that there are also four (4) existing potable water tanks onsite (with a combined capacity of approximately 76,000 litres) which service the existing dwelling, as well as three (3) rural dams, providing available water supply to the kennel building.
- **Internal layout:** Internal kennel layout will include 12 separate sleeping enclosures, in an air-conditioned, insulated building. Varying sizes of enclosures are to allow for whelping area and puppy area. Trampoline style dog beds of appropriate sizes for all dogs will be available in each kennel enclosure.
- The utilities area will include a washing machine for all animal related washing, work bench/sink, hydro bath, and dry food storage area.
- A Noise Management Plan will be implemented.
- A Kennel Operation and Management Plan will be implemented.

Hours of operation

Given the nature of the proposed development, the business will operate 24 hours per day, by the operators. However, all dogs will be kennelled between the hours of 6pm and 7am and will only be disturbed by the operators in the case of an emergency.

Breeding Kennel Operation and Management Plan

A 'Breeding Kennel Operation and Management Plan' accompanied the application. The document defines the strategies and daily routine and hygiene management that will be implemented in operating and managing the facility. The dogs will be fed twice daily at 7am and 4pm. Water will be available via automatic feeders. After feeding, the dogs will be exercised in their runs, while the kennels are cleaned and disinfected.

Waste collection:

Liquid waste from the kennel complex will be directed to an on-site sewer system specifically designed for the proposed development.

Solid waste will be collected from kennel and exercise yards and disposed of weekly using a wheelie bin. At night, puppy pads will be put down in each kennel for each dog for urine collection. These pads are collected every morning and disposed of using a triple bag method. The bags are stored in a wheelie bin, which will be collected weekly. 40 puppy pads x 7 days a week will result in approximately half a wheelie bin of waste. The same method applies to faeces collected from both the kennel and exercise yards. This method of waste collection has worked for the operator for the past 25 years as a dog breeder. Application will be made to Council for two wheelie bins to cater for the dog waste and general household waste.

Deceased dogs or pups will be cremated by either the Ipswich or Greenbank Crematoriums on the day they are found deceased, or the following day if the death occurs at night.

The kennel and yards will be located 15 metres from the dwelling house. This proximity enables the operators to discipline any barking dogs, if required. If a dog persists in barking, a 'barking control collar' will be placed on the offending dog. Also, a radio and music will be played 24 hours a day in the kennel. Music not only relaxes the dogs but also detracts from any outside noises.

Traffic Generation / Parking

The only vehicles associated with the kennel operations will be the owners/operators,

excluding any visits by a vet, when required. There will be no delivery vehicles, as the operators will collect all food supplies for the kennel. No potential purchasers will be permitted to visit the site. The owners only have one vehicle, which will be parked on the western side of the dwelling under a carport.

Litter Control and Animal Welfare

The maximum number of litters that can be produced from 40 adult dogs, within one (1) year, is 20 litters. This will be controlled by separating stud males from all females and keeping the 'in season' females in a separate area. The operator will comply with the RSPCA standard of two (2) litters per dog within an 18-month period, followed by a rest period of 12 months. This may be repeated (i.e. a maximum of 4 litters per dog), then the dog will be de-sexed. A suitable home will then be found for the dog. The average number of pups per litter, for the type of dogs being bred, is approximately 4 to 6.

All adult dogs will be chipped, and pups will be chipped at the age of 6 weeks. This ensures that the number of pups and litters per adult dog can be monitored. *(Note: Dogs Queensland Rules require that all surviving puppies of a litter must be registered and that microchipping is required before registration will be accepted).*

Appropriate records will be kept of all breeding adult dogs (including identification / microchip number, vaccination status, preventative and veterinary treatments, routine husbandry procedures such as worming, identity of both parents, dates of mating, dates of whelping, deaths, pups born and sold etc). These documents provide accurate historical data on individual dogs. A full copy of a dog's records will be provided with the transfer of ownership of either an adult dog (no longer required for breeding purposes) or a pup.

The dogs will be treated regularly for heartworm and all intestinal worms. They will be treated annually for their vaccination of C5 which covers Parvovirus, Distemper and Kennel Cough. All pups will be treated at 6 and 12 weeks. Subsequent owners will be responsible for the third treatment at 16 weeks.

No potential purchasers or other visitors (excluding the vet) will be permitted within the kennel area to protect against canine parvovirus (CPV) infection which is a highly contagious viral disease that can produce a life-threatening illness in puppies and dogs.

3.0 SITE DETAILS AND SURROUNDING LAND USES

The site is undulating with the existing dwelling located on the highest point (191m AHD). The low points are two gully's that run predominantly east west (located to the north and south of the dwelling) and depicted by the heavier vegetation on site. Existing structures include a dwelling and associated carport, sheds and water tanks. There are three onsite dams.

The site includes a very small patch of State mapped vegetation of significance and wildlife habitat located along the northern boundary. The site also contains mapped regulated vegetation intersecting a watercourse within the southern region of the property. No vegetation clearing will occur because of the proposed Kennel Facility.

Predominately, the surrounding land uses are rural in nature, consisting of similar size lots and typically contain detached dwellings and associated outbuildings. The Minden Retreat is located to the north east and a wholesale Plant outlet is located off Boughens Road to the north.

4.0 ASSESSMENT – STATE LEGISLATION

4.1 STATE PLANNING POLICY

As the Minister has identified that the State Planning Policy (SPP) has been reflected in the

Somerset Region Planning Scheme (per section 2.1 of the Planning Scheme), the proposed development does not require assessment against the SPP assessment benchmarks.

4.2 VEGETATION MANAGEMENT ACT 1999

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

The site does contain a small area mapped as Matters of State Environmental Significance (MSES) and *Wildlife Habitat* located along the northern boundary. The proposed kennel area is located well outside of this area with a substantial separation distance. Similarly, the proposed kennel is located outside of the area mapped as '*regulated vegetation intersecting a watercourse*'. As such, there will be no adverse impacts on these mapped areas of State interest.

The proposed development does not trigger assessment against any of the State Development Assessment Provisions (SDAP) and does not trigger 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.

5.1 Strategic Framework

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

The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme. There are seven (7) themes that collectively represent the policy intent of the scheme. They include settlement pattern; natural environment; natural resources; community identity and regional landscape character; economic development; infrastructure and services; and transport.

The following themes apply to the subject site and the proposed development:

- a) **Settlement Pattern (3.3):** Section 3.3.10 of the Strategic Framework specifically requires that *"towns, small townships, rural residential areas and other substantial settlements of established small rural lifestyle lots, together with major drinking water storages, strategic tourism and recreation focus areas and long-term urban growth opportunities in Somerset Region are protected from the impacts of high impact activities"*.

Section 3.3.10.1 Specific outcomes

- (a) The location of high impact activities in Somerset Region:
- a. Provides a reasonable level of amenity protection for towns, small townships, rural residential areas and other substantial settlements of established small rural lifestyle lots;
 - b. Protects the amenity of the Principal Future Strategic Tourism Focus Area and the Lake Somerset Water-based Recreation Focus Area in order to promote

- c. tourism and recreation development opportunities in these two focus areas; Protects the long-term urban growth opportunities provided by the Glamorgan Vale Urban Investigation Area;
 - d. Has no adverse impact on water quality in the catchments of the major drinking water storages of Lake Somerset, Lake Wivenhoe and the Mid-Brisbane River below Wivenhoe Dam;
 - e. Does not worsen the opportunity for rural activities to be undertaken on adjoining premises by way of impacts arising from the operation of the high impact activity.
- (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: High Impact Activities include kennels. As illustrated in the Settlement Pattern for the southern part of the Region (Map SFM-001c) the subject site and surrounds are in the rural area.

Urban growth and future development is not anticipated within this area. This ensures that future urban development will not encroach on the proposed breeding kennel. This settlement pattern protects agricultural and rural land and the operation of rural activities from land use conflict. Kennels can be seen as potentially controversial land uses, mostly based on a concern of adverse noise impacts on adjoining and nearby sensitive land uses (i.e. residential dwellings). This large rural property with similarly surrounding parcels of rural land affords a high level of separation to ensure potential adverse noise impacts are adequately management.

Consistent with the specific outcomes, the proposed breeding kennel:

- Will provide a high level of amenity protection from the nearest small township or rural residential areas. The nearest being approximately 700m to the north on the opposite side of the Warrego Highway;
- Is not located near Lake Somerset, the Glamorgan Vale Urban Investigation Area, or a major drinking water storage; and
- Will not worsen the opportunity for rural activities to be undertaken on adjoining rural premises. The proposed kennel has a total footprint of approximately 1410m or 0.3% of the 48.5-hectare site.

b) Natural Environment (3.4)

3.4.2 – Element – Biodiversity network

The areas of ecological significance identified on Strategic Framework map 2 – Natural Environment are protected (including significant vegetation – remnant, regrowth and other vegetation of local significance, water ways and wetlands).

Officer comments: As illustrated in the Natural Environment Strategic Framework Map (Map 2c) the south-western corner of the site is mapped as a 'biodiversity corridor' and a small section along the northern boundary is mapped as 'significant vegetation'.

The proposed kennel (i.e. building and exercise yards) will be located outside of these mapped areas and will therefore have no adverse effect on either matter of natural environmental significance.

3.4.4 Element – Air and noise environment

High impact activities that are likely to generate noise or air emissions avoid unacceptable environmental and amenity impacts through appropriate separation from towns or urban areas, small townships, rural residential areas and other settlements of established small rural lifestyle lots, Regional Water Storages, the Principal Future Strategic Tourism Focus Areas, the Lake Somerset Water-based Recreation Focus Areas and the Glamorgan Vale Urban Investigation Areas.

Officer comments: High impact activities include animal keeping (kennel). The matters listed in element 3.4.4 have been addressed in detail throughout the development application. The proposed breeding kennel:

- Will provide a high level of amenity protection from the nearest small township or rural residential areas. The nearest being approximately 700m to the north on the opposite side of the Warrego Highway;
- Is not located near Lake Somerset, the Glamorgan Vale Urban Investigation Area, or a major drinking water storage; and
- Due to the property size, the location and design of the kennel building and exercise yards, the separation distances to adjoining dwellings (sensitive land uses), and on-site management practices, the proposed breeding kennel will not result in undue adverse impacts on the local rural amenity, and potential adverse environmental impacts can be suitably ameliorated and managed.
- Is supported by an On-site Sewer Facility Design; revised Noise Assessment Report; Traffic Assessment; and Kennel Operation and Management Plan.

c) Economic and Natural Resources (3.5)

3.5.2 Element – Agricultural land

3.5.2.1 Specific outcome

- (a) Agricultural land identified on Strategic Framework Map 4 – Economic Development and Natural Resources is protected for sustainable agricultural uses, through avoidance from fragmentation, alienation and/or use for non-agricultural development unless there is an overriding need for the proposal and it cannot be located on an alternative site.

Officer comments: As illustrated in the Economic Development and Natural Resources Strategic Framework Map (Map 4c) part of the site is mapped as an *‘important agricultural area’*.

However, the proposed kennel (i.e. building and exercise yards) will be located outside of the mapped *‘important agricultural land’* and will therefore have no adverse effect on the agricultural land.

d) Community Identity and Regional Landscape Character (3.6)

As illustrated in the Community Identity and Regional Landscape Character Strategic Framework Map (Map 3Ac) the site is mapped as *‘forested upland’*.

Officer comments: There are no specific requirements under the Strategic Framework and associated elements, regarding forested upland.

e) Economic Development (3.7)

Under the economic strategic outcomes, section 3.7.4 (Element - Rural Production) it states *“Rural industry is located in rural areas where ... off-site impacts on amenity, including the impacts of air, noise and odour emissions, and hazardous materials on nearby sensitive land uses and infrastructure networks are appropriately managed”* and *“intensive animal industry is appropriately located having regard to the achievement of the specific outcomes and land*

use strategies described in section 3.3.10 Element – High Impact Activities”.

Officer comments: As detailed above, under point a), the proposed breeding kennel (a high impact activity) is consistent with the specific outcomes of section 3.3.10.

5.2 Code Compliance Summary

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

Assessment Benchmarks	Compliance with Overall Outcomes	Performance Outcomes assessment is required
Rural Zone code	Yes	Complies
Animal Keeping code	Yes	Complies
Services, Works and Infrastructure code	Yes	Complies PO11 PO14
Transport, Access and Parking code	Yes	Complies PO10 PO11
Biodiversity overlay code	Yes	Complies
Bushfire Hazard overlay code	Yes	Complies
Catchment Management overlay code	Yes	Complies
High Impact Activities Management Area overlay code	Yes	Complies
Landslide Hazard 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

Performance Outcomes	Acceptable Outcomes
Services, Works and Infrastructure Code	
PO11 Development implements stormwater quality treatment measures that do not adversely impact on water quality.	AO11.1 A site-based stormwater quality management plan (SQMP) is prepared, and provides for achievable stormwater quality treatment measures that meet design objectives listed in Table 8.3.5.3.B (SQMP Construction Phase) and Table 8.3.5.3.C (SQMP Post Construction Phase), or current best practice environmental management.
Performance Outcome Assessment	
During pre-lodgement meetings between Council Officers and the applicant, it was agreed that the proposed development did not warrant a Site Based Stormwater Quality Management Plan. This agreement was based on the scale and nature of the proposed development and that stormwater impacts from the proposed development are expected to be minimal.	
The additional impervious footprint will be 105m ² (i.e. 15m x 7m kennel building). This represents a 0.02% increase in impervious area within a 48.5-hectare site. The runoff from	

this impervious area (roof) will be directed to two new water tanks with a combined total of 45,000 litres. The exercise yards will be grassed.

The application will be conditioned to ensure that stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.

Services, Works and Infrastructure Code	
<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>
Erosion and Sediment Control	
PO14 Construction and operation does not adversely impact on water quality.	AO14.1 An erosion and sediment control plan (ESCP) is prepared by a suitably qualified person.
Performance Outcome Assessment	
<p>During pre-lodgement meetings between Council Officers and the applicant, it was agreed that the proposed development did not warrant an Erosion and Sediment Control Plan. This agreement was based on the scale and nature of the proposed development having a total development footprint of approximately 1,410m² (kennel building and exercise yards) or 0.3% of the 48.5-hectare site.</p> <p>Suitable design measures will be undertaken in accordance with the Queensland Design Standards during construction of the kennel facility. Such standards will ensure any potential erosion and sediment controls are in place.</p> <p>Waste water associated with the kennel complex will be directed to an on-site sewer system specifically designed for the proposed development.</p>	

Transport, Access and Parking Code	
<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>
Vehicle standing and manoeuvring areas	
PO10 Vehicle standing and manoeuvring areas are of suitable standard for the intended use and the areas are constructed to a standard that avoids environmental nuisance.	AO10.1 Internal manoeuvring and standing areas of the site are sealed.
Performance Outcome Assessment	
<p>Access to the proposed kennel complex will be provided via the existing access driveway off Kerles Road, which is approximately 500m in length from Kerles Road frontage.</p> <p>The applicant does not propose to seal any internal manoeuvring and standing areas, as the proposed breeding kennel will only be accessed by the joint landowners/operators of the kennel.</p> <p>The applicant contends that the proposed breeding kennel will generate a negligible change in traffic movements along the internal driveway compared to its current residential use; and that no members of the public will be permitted onsite, excluding a vet, when required (and only where a dog cannot be taken to a vet clinic).</p> <p>However, during a recent site inspection it was evident that the internal driveway is washed out and not defined and requires upgrading to a formed gravel standard. It is considered, the current standard of the existing internal driveway and manoeuvring area does not support the standard required for the proposed development.</p>	

Therefore, this matter is conditioned to support the proposed use.	
Transport, Access and Parking Code	
<i>Performance Outcomes</i>	<i>Acceptable Outcomes</i>
Vehicle standing and manoeuvring areas	
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.
No changes to the length of the internal driveway are proposed. However, the driveway and manoeuvring areas will be upgraded. This matter is conditioned.	

6.0 SUPPORTING CONSULTANTS REPORTS

6.1 TRAFFIC GENERATION / PARKING ASSESSMENT

The applicant commissioned Bitzios Consulting to undertake a Traffic Generation Assessment to quantify the estimated net increase in traffic volumes on Kerles Road post-development and to confirm Council's defined threshold of 50 vehicles per day (vpd) for sealing this road is not exceeded.

The key traffic data for the proposed development, is detailed below:

- The first movement of the litters occurs at six weeks of age for vaccination and microchip purposes. This occurs as either the local vet undertaking a house visit, or the proponent transporting the litter to the local vet. This equates to one (1) additional vehicle trip on Kerles Road per direction;
- The second movement of the litters occurs around eight weeks of age when they are transported to Redbank Plains. Viewing and the sale of the litters occurs exclusively from Redbank Plains, which is managed by the proponent's son. This equates to one (1) additional vehicle trip on Kerles Road per direction; and
- No viewing occurs from the subject site to ensure the health of a young litter. No boarding of dogs will occur at the site.

Based on the data submitted, the proposed development is estimated to generate four (4) trips per litter on Kerles Road. Adding this value to the existing 25vpd recorded by Council in the traffic surveys undertaken in July 2017, does not result in the 50vpd threshold for road sealing being exceeded. The Traffic Assessment demonstrates that Kerles Road traffic volumes will remain well-below the 50vpd threshold for road sealing with the introduction of traffic from the proposed development.

In support of the Traffic Assessment, the applicant has requested that Council include as a condition of an approval that the kennel is only to be accessed by the joint owners/operators, excluding vet visits. No members of the public are permitted to visit the breeding kennel to view or purchase pups.

The above is considered a reasonable and relevant condition in accordance with Section 65 of the *Planning Act 2016*. It also provides certainty regarding the traffic generation numbers associated with the breeding kennel.

6.2 REVISED NOISE ASSESSMENT REPORT

The applicant submitted a noise assessment report prepared by Noise Measurement Services Pty Ltd, report No. 4316 revision 3, 18 May 2018 with the application.

Council commissioned a peer review of the noise assessment report conducted by Rondebush Pty Ltd. The review highlighted a number of deficiencies with the noise assessment report such as the use of inappropriate noise criteria and inappropriate measurement of background and ambient noise levels at the site. The review recommended further noise assessment be carried out.

The applicant submitted a revised noise assessment report prepared by Noise Measurement Services Pty Ltd, report No. 4316 revision 4, 3 October 2018.

The revised report incorporated:

- Revised design of the dogs runs with no dog runs off the western side closest to the nearest sensitive receptor and dog runs to the east enclosed by a proposed 2.7m high acoustic fence.
- Revised internal kennel design with no access openings to the west and proposed internal acoustic linings.

The revised report did not adequately address all of the issues raised by Council's peer review, however it is recommended that the application be approved subject to prescriptive conditions, which are to be met prior to commencement of the use.

6.3 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

6.3.1 Water Supply/Sewerage

The site is not located in a reticulated water supply or sewerage service catchment area. Water for the kennel facility will be provided via a 45,000-litre water tank. There are also four existing rainwater tanks onsite (with a combined capacity of 76,000 litres) which service the existing dwelling, including three rural dams, thus ensuring adequate water supply.

An Onsite Sewer Facility Design has been prepared in support of the proposed development. Refer to section 2 of this report for further details on liquid and solid waste management for the kennel facility.

6.3.2 Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. Refer to Section 5.2 Code Compliance for further details.

6.3.3 Roads/Access

Refer to Section 6.1 (Traffic Assessment) for further details.

6.3.4 Parking

Onsite parking is available for two vehicles.

6.3.5 Infrastructure Charges

Infrastructure Charges are applicable towards the Transport Network. A draft Infrastructure Charges Notice is provided as **Attachment 3**.

6.3.6 Environment

The proposed development will not result in environmental degradation.

7.0 PUBLIC CONSULTATION

A total of 20 submissions were received in relation to the proposed development. The

submissions raised matters which have been considered and divided into 7 different categories. These categories are:

1. Noise
2. Amenity / Separation Distances
3. Animal Welfare
4. Water / Soil and Water Source Contamination
5. Visual / Amenity
6. Miscellaneous
7. Unsubstantiated / Non-Development Application related statements

Category 1 – Noise:

- Unacceptable barking noise.
- Acoustic fence recommended in the Noise Assessment Report falls ‘ridiculously’ short of what would be a minimum. Walls need to be fully engineered and backed with guarantees.
- The closest residents would require a noise barrier of at least 6m to deflect the sound. Require a noise barrier along the southern side of the house and existing kennel (house) to cover the 60+ metres of the proposed kennels.
- Potential for noise is increased where animals are kept in close proximity to other animals (e.g. one dog barking may lead to another dog barking in the same or nearby kennels).
- What proof is there that the type of insulation proposed to be used in the kennel construction will be effective in managing noise?
- It is not in the public interest to apply the results of modelling to the development application (e.g. BOM modelling is not accurate or predictable).
- Located too close to neighbouring residential homes, Minden Village, school and Minden retreat.
- Noise Assessment Report states “at times the current Kennel at Coominya is reaching noise levels above 80-85 dB(A) at distances further than 5m. The noise is also described as regular 7 days a week for an average of more than 3.5 hours per day”.
- Problems caused by perpetual barking of dogs have been known to exist at distances as far as 500m from the actual source.
- Additional noise from music and back-up generator/air conditioning unit/industrial fans.
- Nothing will be done until complaints lodged with Council.
- Will fencing be erected before kennels being operating? How many years until vegetation grows to a size that makes it effective for noise reduction.

Officer comments:

A ‘Noise Assessment Report’, prepared by Noise Measurement Services Pty Ltd, was submitted in support of the proposal. Additionally, a ‘Revised Noise Assessment Report’ was submitted addressing concerns raised by Council Officers. A Peer Review of the reports was undertaken. **Refer to Section 6.2 above.**

Submitters have selected an extract from the Noise Assessment Report, which does not consider the balance of the report as well as the conclusions and recommendations of the report. Broad statements have been made that are not substantiated. The Revised Noise Assessment Report is specific to the subject site and surrounds.

Any potential air conditioning unit or generator noise would be like that generated from a rural home/property using similar mechanical equipment and can be suitably attenuated, if required. The applicant has demonstrated that anticipated noise levels from air conditioning unit and music playing (for calming measures) will be less than noise from barking dogs.

The Kennel Complex (building, acoustic barriers and vegetation) must be finalised prior to commencement of the use. The proposed vegetation is not intended for noise reduction, only visual screening.

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

Category 2 - Amenity / Separation Distances:

- Recommend relocation of site to provide greater distances to neighbours.
- Ipswich City Council requires a separation distance of 2,000m. The proposal is easily within 2km of Minden township which is the gauge by which intensive industries such as puppy farms should be excluded from concentrated townships. This is the case for many Council's in Australia.
- Ipswich has rural residential areas within 1km of the proposed kennel.

Officer comments:

The development application is to be assessed and determined under the Somerset Region Planning Scheme requirements. Notwithstanding, under the current Ipswich planning scheme the 2km separation distance does not apply to a kennel. The figure of 2km applies to a poultry farm or feedlot. Under the Ipswich planning scheme, the same land use (kennel) is defined as "Intensive Animal Husbandry". A comparison of the Ipswich minimum requirements for a kennel, compared to the Somerset Region planning scheme, demonstrates that the Somerset requirements are more stringent for site area, and less stringent for side and rear setbacks. Both planning schemes however require a 200m setback to an existing rural dwelling on an adjoining site. The proposal complies.

	Somerset Region Planning Scheme	Ipswich Planning Scheme	Subject Site
Minimum site area	10 ha	4 ha	48.5 ha
Road frontage setback	50m	50m	Well in excess of 50m
Side and rear boundary setback	15m	100m	Minimum of 81m to western boundary
Existing rural dwelling setback, not associated with the use	200m	200m	237m to nearest (western) dwelling

The local government boundary is approximately 880m to the south of the proposed kennel building/exercise yards. The existing on-site dwelling and associated sheds are predominantly located between the proposed kennel/exercise yards and the Ipswich boundary to the south. Furthermore, there is a topographical ridgeline which ensures that the kennel/exercise yards will not be seen from any property within the Ipswich local government area. This ridgeline provides a natural visual and acoustic barrier.

Category 3 – Animal Welfare:

- Objection to intensive dog breeding (i.e. puppy mill or puppy factory) – animal welfare. No supporting information that takes into consideration dogs behavioural, social and psychological needs. Breeders more often than not treat animals as a commodity (producing as many litters as possible). In-breeding is common. A radio is not environmental enrichment for a dog.
- Facility to be provided with electricity via solar with generator backup for air conditioning unit (heating and cooling). Unlikely the system will have sufficient electricity to provide power 24/7 or is it only providing during sunlight hours? Dogs will suffer.
- The fact the applicant has a plan to cremate dead dogs is evidence that the conditions

in this facility will be shocking.

Officer comments:

The applicant submitted a “*Breeding Kennel Operational and Management Plan*” that provides details on the animal’s welfare including litter control, maximum breeding years, chipping (to ensure the number of pups and litters can be monitored), appropriate record keeping, preventative and veterinary treatments etc. There are more levels of control, and the ability to monitor animal welfare, when applied to a Commercial Breeding Kennel than dog breeding undertaken privately.

Unsubstantiated claims have been made by submitters. As the Breeding Kennel is a commercial business the owners/applicants will want to ensure the welfare of their dogs. It is noted that dogs as household pets and/or working dogs are not always afforded the benefit of air conditioning and heating. Details on how to address a deceased dog/puppy is a necessary requirement within a “*Breeding Kennel Operational and Management Plan*” and is also a requirement by Dogs Queensland.

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

Category 4 – Water / Soil and Water Source Contamination:

- With increasing drought conditions water cartage will be required. Increased water trucks and associated dust from vehicles. The traffic assessment did not include water truck deliveries (could be up to 5 times a week / 240 deliveries per year).
- At times of continuous rain, the culvert can reach a height of 1m or more and stay up for some time. There may be times when the property cannot be accessed.
- Dependence for the projects water is the large dam, less than 300m above the Minden Retreat dam and in the same water course. Concerns regarding dam wall and water overspilling. Suggest Council commission a hydrologist to report on the safety and durability of the dam.
- Water usage will greatly exceed given estimates (On-site Sewer Design estimates a weekly total water usage of 250 litres). Examples of pressure cleaner water usage given.
- Leachate of chemicals into water aquifers (main supply of stock and backup house water).
- Long term impact of intensive animal dog keeping can be detrimental to the soil and may lead to groundwater pollution.
- Potential for pollutants from kennel to affect downstream dams. Management practices for cleaning (i.e. chemicals, chlorine) will compromise the effectiveness of the septic system.
- Major flood events, and dog faeces, urine and potential toxic disinfections will easily reach all susceptible watercourses in the area.
- Potential for hazards from concentrated dog faeces, skin and hair particles being carried in the wind and deposited in drinking water tanks.

Officer comments:

During drought periods, the same will apply to all rural properties. A new 45,000 litre water tank is proposed as part of the breeding kennel. This is more than sufficient water to ensure that a seven (7) day supply for kennel requirements is available. There are also four (4) existing rainwater tanks onsite (with a combined capacity of 76,000 litres) which service the existing dwelling, thus ensuring adequate water supply.

As demonstrated in the development application there will be water and food supplies for a minimum of seven (7) days. As the proposal is for a breeding kennel it is not open to the public. Other than emergency veterinary matters, restricted access will not have any greater

adverse consequences than those experienced by other rural properties in similar situations.

Topographically, the proposed kennel facility is not located within proximity to the site dams. The large dam, as referred to by the submitter, is not relied upon for water supply. There is no evidence to support or refute the submitter claims regarding the dams and it is not a matter applicable to the development application.

The submitted Onsite Sewer Design was prepared by a suitably qualified person with knowledge of the proposed development.

Long term impacts on soil and groundwater pollution have not been substantiated by the submitter/s. As stated under section 2 of this report, all solid waste will be collected for disposal. Furthermore, the kennel facility will not be in the proximity of onsite or adjoining dams. The effectiveness of a septic system is reliant upon the suitable operation/management of the system by the land owners, as applies to all rural properties with a septic system.

During heavy rains, rural properties with stock will result in similar waste runoff (faeces and urine). Due to the daily collection of faeces from the kennel and exercise yards, the associated volumes in a flood situation are likely to be less than that generated from stock on similar rural properties. In heavy rains the dogs will shelter in the kennel, thus minimising waste runoff. Disinfection will occur within the kennel building and will therefore not be affected by any flood events or stormwater runoff.

Dog faeces will be collected daily and is unlikely to have time to dry out to the extent it will become airborne. There is no evidence to support the submitter/s claim and, whether the potential for airborne skin and hair particles from the dogs, is worse than from rural animals such as cattle, sheep or chickens. Furthermore, the submitters claim does not consider rural animals and their potential effects on the local properties on which they are kept.

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

Category 5 – Visual / Amenity:

- Detrimental to amenity.
- Recommendation to implement a natural vegetation barrier between the yards and closest property / neighbour. (Note: This conflicts with a submission that states that a screen of trees will block the landowner's view of the valley).
- Looking up from the Highway the kennels will stick out like a 'sore thumb'.
- Considerable visual impact on closest neighbours. Clear views of the property / direct line of sight.

Officer comments:

Acoustic screening: An Acoustic Screen fence 2.7m in height above finished ground level will be provided along the edge of all sides of the exercise runs and fully enclosing entry / exit door to the kennel building. The northern and southern returns on the fence are to enclose the entry doors to the kennel building.

Buffering: Landscaping (native vegetation) will be provided around the northern, western and eastern sides of the acoustic screen fence for visual amenity purposes.

The subject site is of sufficient size to accommodate the use; and is of a scale and intensity that will not result in environmental harm or environmental nuisance; and will be sited to maintain the character of the rural locality.

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

Category 6 - Miscellaneous

Issue: The proposed development is not Animal Keeping.

Officer comment: Animal Keeping is the applicable planning scheme land use definition. To provide clarity, the term “breeding kennel” was included in the application so as not to be misleading.

Issue: Within the submissions there are various references to boarding kennels and different numbers of maximum dogs.

Issue: The applicant has under estimated the litter size and frequency of the breeding cycle to lessen the impact on the decision to be made by Council. Various figures are given as to how many puppies may be born each year (e.g. up to 80 puppies (below 3 months of age) at any given time, 350 puppies per year etc).

Issue: Recommendation to lower the allowable number of breeding dogs to 6-10 dogs.

Officer comments: The application is for a breeding kennel only (no boarding permitted) and a maximum of 40 adult dogs. Due to the variation / uncertainty regarding the number of pups that may be born in each litter, the development application will be limited to the maximum number of adult dogs.

Issue: No details of the construction, materials used and set up of internal and external layout of kennels, including placement of internal pens/cages, solar panels, generator, fans and air conditioning unit.

Officer comments: As part of the Information Response material, a detailed Kennel Building Layout Plan was provided. The Kennel Building and exercise yards will be acoustically designed, prior to commencement of the use.

Issue: Immediate neighbours should have received written advice regarding the development.

Officer comments: Public notification / consultation was undertaken in accordance with the requirements of the *Planning Act 2016*. This included issuing letters to immediate adjoining properties.

Issue: The development proposal, located at the end of a no through road, contributes nothing to the area. No economic benefits / positive effects for Minden community or its people. No employment.

Officer comments: As illustrated in the Settlement Pattern for the southern part of the Region (Map SFM-001c) the subject site and surrounds are in the rural area. Urban growth and future development is not anticipated within this area.

Issue: Inconsistent with Rural C (rural living) areas – peace and serenity. The property and surrounds are more ‘rural residential’ than ‘rural’.

Officer comments: The reference to Rural C (rural living) is applicable to the nearest Ipswich zoned land to the south. Under the Somerset Region Planning Scheme, the site and surrounds are zoned Rural. To the north of the Warrego Highway, approximately 2780m, land is developed as a Rural Residential Estate.

Issue: Concerns further expansion (more kennels / dogs) in the future.

If approved, it will set the standard (proximity to neighbours) for future similar applications. Owners could later apply for a licence for a Boarding Kennel (substantially noisier).

Is the licence (approval) transferable? Can it be amended from breeding to boarding kennel? Can it be increased in size?

Officer comments: The development application, if approved, is limited to a breeding kennel only and for the maximum level of development proposed (i.e. maximum of 40 adult dogs). The approval runs with the land. Any future expansion or change in land use (e.g. breeding to boarding kennel) would be subject to a new development application. Each development application, for a land use of this nature (i.e. impact assessable), is assessed on its merits and its ability to meet the planning scheme assessment benchmarks.

Issue: Encouragement of feral animals into the area (dogs on heat, food scraps etc). There is already a well-documented dog problem in the area. Real possibility of young children being attacked as wild dogs seem to hunt in packs. Danger to livestock.

Professional opinion from feral dog controller who believes the development will increase the number of male feral dogs travelling through the neighbouring properties; increase the risk of dog attacks on stock and domestic / working dogs, significantly increase the number of animals injured / killed. More feral dogs will contribute to more deaths and injury to koalas.

Officer comments: As stated in the submission/s the feral dogs are an existing problem. There is no data provided to support or substantiate these statements. Feral dogs will not be able to access the kennelled dogs, especially during evening/night hours when the dogs are secured within the kennel building. There is no evidence provided to demonstrate that the secured kennel facility will create a worse situation than that created by more accessible domestic / working dogs (unsecured) in the locality.

Issue: Traffic variations are inevitable and with a change in ownership all assurances in regard to vehicle movements is tenuous.

Officer comments: Due to the strict nature of the breeding kennel the applicant has requested that a condition of approval be imposed by Council that the kennel is only to be accessed by the joint owners/operators, excluding vet visits. No members of the public are permitted to visit the breeding kennel to view or purchase pups. Should the property be sold, this condition would apply to any subsequent owner operating a breeding kennel in compliance with the conditions of approval.

Issue: Construction activities can detrimentally affect the environment and community health.

Officer comments: Construction activities associated with the small-scale nature of the proposed kennel building and yards would not create adverse environmental or community health issues. The scale of works, and associated short term potential impacts, are like a house or large shed being constructed on a rural property.

Issue: The application relies heavily on the historical kennel management of the applicants to determine conditions and animal management (e.g. dog feeding times, barking reduction, dog waste and dead animal disposal).

Officer comments: The owner/operator has prepared the proposed "Breeding Kennel Operation and Management Plan" based on their current operations/practices. This document will be conditioned as part of any approval of the application. The owner/operator is a Member of Dogs Queensland and has been breeding dogs for twenty (20) years, without complaint.

Issue: Faecal production levels are inaccurate. According to US Department of Agriculture the average (18kg dog – most of proposed breeds) produce 0.34kg of faeces per day. For 40 dogs this equals 13.6kg per dog.

Officer comments: The owner/applicant has advised that the adult female dogs would generally weigh about 12kg not 18kg. The owner/applicant has provided waste collection amounts on 20 years of breeding dogs and running an existing breeding kennel.

Issue: Odour issues (e.g. faeces, urine, blood etc).

Officer comments: The submitter/s make unsubstantiated statements. The Development Assessment Report demonstrates that due to the property size, the location and design of the kennel building and exercise yards, the separation distances to adjoining dwellings (sensitive land uses), and on-site management practices, the proposed breeding kennel will not result in undue adverse odour impacts. Odour reports are not generally requested in support of kennel development applications. This was confirmed as part of a pre-lodgement meeting held between the applicant and Council Officers.

Issue: Biosecurity issues with 'rabies' disease virus'. No exclusion area around the kennels so wild dogs will be in direct nose to nose contact with the breeding dogs which is a biosecurity risk.

Officer comments: The submitter/s make unsubstantiated statements. There would be a potentially greater risk of biosecurity risk to the puppies from external persons than the dogs being a biosecurity risk. The 'rabies virus' does not currently occur in land dwelling animals in Australia.

Issue: There is insufficient need for additional large-scale puppy farms.

Officer comments: The proposed development is not based on need. It is a commercial operation.

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

Category 7 – Unsubstantiated / Non-Development Application related statements:

Issue: Several submitters have advised they were co-respondent in the Supreme Court case against Intensive Poultry development on same property (Simmons v Esk Shire /Council / File No BD116 of 2005. The appeal was dismissed and the application refused.

The submitters believe that *“Due to the elevation of the property, when the wind direction is from the east or north, which is quite frequently, noise from barking and dust from faeces, skin and hair particles from the potential 100s of dogs will be guaranteed”*.

The submitters believe that reliance should be placed on this case as a precedent for this area. One submission relies solely on the issues raised in this court case (references intensive animal industry code planning scheme requirements).

Officer comments: The Development Application mentioned above (DA3189) involved a poultry farm with three sheds and 40,000 birds. Each development application is required to be assessed and decided on its own merits and under the current planning scheme criteria. A new Planning Act, State policy and Somerset Region Planning Scheme have been adopted since the 2006 court case (over 12 years ago). Furthermore, the court case was determined

on the specific details, and technical reports, in support of the poultry farm.

Issue: Several submissions raise the concern of property devaluation.

Officer comments: Property devaluation is not a planning matter in the assessment of this application, this position has been routinely upheld in the Planning and Environment Court Appeals over the years.

Issue: Glare reflection from proposed solar panels.

Officer comments: The provision of solar panels on the kennel building roof (105m²) would result in no different effects to the provision of solar panels on any rural dwelling.

Issue: Submission states *"It is only a matter of time before the surrounds in the area will be developed – most of the area is within 1000m of the proposed development and has access to reticulated water, good roads, power, garbage services, shops, street lighting, transport, commercial businesses, churches, residential development, main highway access and borders the City of Ipswich. Furthermore, most of the residents around this development have long term plans to stay on their properties and they fully appreciate the quiet, scenic atmosphere"*.

Officer comments: The quote above is an extract from the 2006 Court Case material. Such development, as detailed above, is not anticipated within the Somerset Region Planning Scheme in this locality.

Issue: No evidence the applicant must close her other facility in Coominya.

Officer comments: The development application is assessed on its merits and does not rely upon the other kennel facility (Coominya) ceasing operations.

Issue: Council should apply the Precautionary Principle in circumstances of uncertainty about the health impacts of a proposed development to neighbours within close proximity.

Officer comments: There is no evidence to support potential health impacts associated with the proposed breeding kennel.

Issue: Victoria has passed laws to outlaw large scale puppy breeding to pet shop sales. Victoria's new laws aim to eliminate pet shops as a point of sale of puppies from large scale breeders. Reference is made to an extract on Dog Kennel noise from the EPA in South Australia (An elevation distance of 500m is recommended for dog kennels).

Officer comments: These comments apply to documents from Victoria and South Australia. The submitted development application is required to be assessed against the Queensland Statutory requirements and the Somerset Region Planning Scheme.

Issue: Some anomalies regarding the development application photographs.

Officer comments: Some of the photographs were taken as panoramas to provide perspective (i.e. a more accurate view as seen by a person when standing on-site and facing the nominated direction – it considers the peripheral view that a person would see when looking in a certain direction rather than the narrower field of vision from a camera.

During a site inspection, Officers confirmed that two photographs were incorrectly labelled. The photographs should have read 'View from the proposed Kennel site looking north-east

(including existing dwelling)' and 'View from the fence (access to dwelling house) looking north'. The issues raised are not sufficient grounds to recommend refusal of the application.

8.0 STATE AGENCY REFERRALS

There were no referral agencies for this application, in accordance with the *Planning Act 2016* and *Planning Regulation 2017*.

9.0 CONCLUSION

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

The establishment of high impact activities (Kennels) is clearly anticipated within the rural areas of the Somerset Region and is expressed explicitly within various sections of the planning scheme. However, these facilities are supported only where they are responsive to onsite conditions. This application has demonstrated that the development can be designed to respond to on-site conditions, subject to the imposition of reasonable and relevant conditions.

9.0 ATTACHMENTS

1. Site Layout Plan Drawing number D101 dated 12.10.18, for Breeding Kennel – 77 Kerles Road, Minden, and prepared by MLDG Design Consultancy.
2. Detailed Site Layout Plan – Acoustic Amendments, Drawing number D102 dated 12.10.2018, for Breeding Kennel – 77 Kerles Road, Minden, and prepared by MLDG Design Consultancy.
3. Draft SRC Infrastructure Charges Notice – Transport Network

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for Making a Material Change of Use for Animal Keeping (Breeding Kennel) on land described as Lot 637 on CH31809 and situated at 77 Kerles Road, Minden 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
	Detailed Site Layout Plan Revision D – Acoustic Amendments dated 12.10.2018, prepared for O.D Sellwood 77 Kerles Road, Minden, and prepared by MLDG Design Consultancy.	
	On-Site Sewerage Facility Design for Breeding Kennel at 77 Kerles Road Minden, prepared by Matt Brown Ebenezer, and Drawing Number 1923-H01 Revision A dated 22/04/2018.	
	Revised Noise Assessment Report prepared by Noise Measurement Services Pty Ltd, report No. 4316 revision 4, 3 October 2018.	

	Peer Review of Revised Noise Assessment Report, date 30.11.2018, prepared by Ian Hillock, Rondebush Pty Ltd.	At all times.
	Traffic Assessment for proposed Breeding Kennel development at 77 Kerles Road, Minden, prepared by Bitzios Consulting dated 22 December 2017.	
	APPROVED USE	
1.2	This approval is limited to that of a Breeding Kennel Facility only. It does not authorise the use of the land or the kennel facility for the boarding overnight or longer of dogs at anytime.	At all times.
	ACCESS TO KENNEL FACILITY RESTRICTIONS	
1.3	The Breeding Kennel Facility is only to be accessed by the joint owners/operators, excluding vet visits. No members of the public are permitted to visit the breeding kennel to view or purchase pups. A 4sqm sign is to be placed on the front gate on Kerles Rd, to read "Public Access to Breeding Kennel is Prohibited".	At all times.
	LANDSCAPING	
1.4	The Kennel Facility is to be screened by a 2-metre-wide landscaped buffer (native vegetation) around the northern, western and eastern sides of the acoustic screen fence for visual amenity purposes. The landscaped buffer is to be maintained, always.	Established within six months from commencement of the use; and Maintained at all times.
	HOURS OF OPERATION	
1.5	All dogs are to be kennelled between the hours of 6pm and 7am.	At all times.
	WATER SUPPLY	
1.6	Two water tanks with a combined volume of 45,000 litres must be connected to the kennel building, to ensure a seven (7) day supply for the kennel is available always.	Prior to commencement of use; and At all times.
	NUMBER OF DOGS	
1.7	This approval limits the number of dogs to be housed as part of the Breeding Kennel facility to 40 adult dogs, excluding pups up to the age of 3 months.	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 Somerset Regional Council Design Standards.	At all times.
2.2	Bear the costs of works carried out to Council and utility services	Prior to

	infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Commencement of Use.
	VEHICLE ACCESS	
2.3	All vehicular access for the development shall provide convenient and safe access and egress from the site in accordance with Somerset Regional Council Design Standards.	Prior to Commencement of Use.
2.4	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
	CAR PARKING	
2.5	Provide on-site car parking 2 vehicles in accordance with Council Planning Scheme Design Standards.	At all times.
	DRIVEWAY	
2.6	Construct and maintain the driveway in a compacted gravel material in accordance with Australian Standards.	At all times.
	MANOEUVRING AND PARKING AREAS	
2.7	Construct and maintain the vehicle manoeuvring and parking areas in a compacted gravel material in accordance with Australian Standards.	At all times.
	INDOOR AND OUTDOOR LIGHTING	
2.8	<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	
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
	EROSION AND SEDIMENT CONTROL	
2.10	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:	At all times.

	<ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	
2.11	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 site.	At all times.
2.12	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place. <p>Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
	ENVIRONMENTAL NUISANCE	
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.
	SERVICEABILITY	
3.2	<p>All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained:</p> <ul style="list-style-type: none"> (a) in a serviceable condition; (b) in a state of good repair and efficient action; (c) in a clean, sanitary condition; (d) free of an accumulation of materials that may form a harbour to vermin or pests; and (e) free of vermin and pest infestations. 	At all times.
	CONSTRUCTION NOISE	
3.3	<p>All construction activity must be restricted to the hours of 6:30am to 6:30pm Monday to Saturday. No construction work is to be conducted on Sundays or public holidays.</p> <p>For the purpose of this condition, construction activity includes:</p> <ul style="list-style-type: none"> (a) all construction related activity which produces noise, audible beyond the site (including all building works); (b) all deliveries and removal of materials and 	During the construction of the kennel complex.

	equipment associated with the works.	
	FACILITIES	
3.4	<p>General</p> <p>a) the kennel facilities (kennel building and exercise yards) shall be sited in accordance with the site layout plan given in Noise Assessment Report No. 4316, Revision 4 (Noise Management Services Pty Ltd, 3 October 2018, (refer Plate 2)</p> <p>b) The kennel building shall comprise of a prefabricated steel shed of dimensions in accordance with the plans shown in Appendix A, Plates A2 and A3 of the above report.</p>	At all times.
3.5	<p>Kennel Building</p> <p>a) Wall construction:</p> <p>i. Lower walls: walls to a height of 1.2m above the floor slab shall comprise of 140mm thick concrete masonry brickwork.</p> <p>ii. Upper walls: colorbond sheet steel wall cladding externally, 6mm fibre-cement one side of 100mm studs internally, provide 50mm acoustic insulation in the cavity.</p> <p>b) Ceiling construction:</p> <p>i. The ceiling shall be spaced at least 300mm below the sheet metal roof and shall comprise 6mm fibre-cement sheeting, taped and sealed.</p> <p>ii. Acoustic insulation, 75mm thick, shall be provided in the ceiling cavity</p> <p>c) Cavity insulation: acoustic insulation in wall or ceiling cavities shall be glass fibre or rockwool building blanket; nominal densities, respectively 10 kg/m³ and 34 kg/m³.</p> <p>d) Sound absorptive ceiling lining:</p> <p>i. A 50mm sound absorptive lining should be provided to the underside of the ceiling. The insulation shall comprise of rockwool or glass wool, nominal densities respectively 60kg/m³, and 20 kg/m³. The insulation shall be retained behind perforated sheet metal (at least 20% open area).</p> <p>ii. Prior to placement of the lining, the ceiling shall be inspected to ensure that all gaps have been sealed. This includes electrical penetrations for lighting and the like.</p>	Prior to the commencement of the use and at all times.

	<p>e) Service Penetrations: Penetrations in walls and ceilings for electrical fittings, plumbing and (if provided) air-conditioning coolant, electrical and condensate lines, shall be sealed with a fire-rated resilient mastic to an appropriate acoustic detail.</p> <p>f) Lighting: Light fittings should be surface mounted; recessed lighting should be avoided.</p> <p>g) Doors:</p> <ul style="list-style-type: none"> i. Doors giving personnel access to the kennel building shall comprise of 35mm thick solid core wooden doors or their acoustic equivalent. Doors fabricated from 18mm or 19 mm thick compressed fibre-cement are an alternative. ii. Kennel doors ("dog doors") should be 18 mm or 19 mm compressed fibre-cement. iii. Door frames shall have a rebate to the head and jambs of at least 12 mm. iv. Doors shall be hung so as to be close fitting within their frames; gaps should be less than 3 mm at door head and hinge stile, 5mm at the lock stile and 10 mm between the door foot and sill. <p>h) Windows: window assemblies shall achieve a minimum sound reduction of R_w 26. Window suppliers shall be required to provide evidence of the quality of their product and certification that the required acoustic rating will be met.</p> <p>i) Ventilation:</p> <ul style="list-style-type: none"> i) The kennels shall be provided with mechanical or natural ventilation sufficient to ensure an air change rate of 8–12 changes per hour with all doors and windows shut. ii) Ventilation intake and outlet vents shall be provided with acoustic attenuation sufficient to ensure that noise breakout through these openings does not compromise the acoustic integrity of the kennel building. <p>Note: the arrangements <u>must ensure</u> that night-time noise limits can be complied with.</p> <p>j) Visual screening to a height of 1.2 m shall be provided between each adjoining kennel enclosure.</p> <ul style="list-style-type: none"> i) Visual screening should comprise corrugated zincalume or colorbond sheet metal, alternatively 18 mm or 19 mm 	
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	<p>compressed fibre cement may be used.</p> <p>ii) If the panels are fabricated from sheet metal, sheet metal edges shall be protected by a perimeter frame so that people or dogs do not come in contact with them. Similarly, bolts/screws or other panel fixings shall not project into the space of the kennel enclosure.</p> <p>k) Background Sound System and Intercom:</p> <p>i) A background sound system shall be installed in the kennel building to provide masking sound at night.</p> <p>ii) An intercom system shall be provided between the homestead and the interior of the kennel building. This should be configured so that it can be used to monitor and communicate with the dogs at any time of the day or night.</p> <p>Exercise Yards</p> <p>a) The yards should be laid out such that the finished level of the surface of each yard corresponds closely to the natural slope of the hill.</p> <p>b) As per Plate 2 of the Noise Measurement Services Pty Ltd, report No. 4316 revision 4, 3 October 2018, the exercise yards shall be provided with a 2.7 m high, acoustic barrier about their full circumference.</p> <p>(i) For the barrier on the western side of the yards the barrier height shall be taken relative to the floor height of the kennel building (i.e. to the top of the concrete slab), or to the made ground level at the western end of the exercise yards, whichever is higher. For other sides, the barrier height shall be taken relative to the made ground level of the nearest adjacent yard.</p> <p>ii) The barrier shall be constructed of 9 mm compressed fibre-cement or its acoustic equivalent. To facilitate wash-down and cleaning, the supporting frame of the barriers should be on the outer side of the wall relative to the kennels and exercise yards.</p> <p>iii) Gaps between adjoining fibre-cement panels and between the panels and their supporting elements shall be sealed with an appropriate polyurethane mastic sealant. Similarly gaps at the base of the barriers and between the barriers and adjoining buildings shall be sealed.</p>	
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	<p>iv) If a gate through the barrier is to be provided (for example to allow access by mechanical plant), it will need to be constructed to an approved acoustical detail, with gaps minimised. (Note: the southern side of the exercise yards would be the preferred in locating such a gate: in any event gates in the western side must be avoided).</p> <p>v) In implementing the barrier, attention must be paid to drainage to avoid undermining of the barrier footings.</p> <p>c) Visual screens shall be provided between each exercise yard. The screens should be at least 1.2m high (height relative to local ground level).</p>													
	CERTIFICATION													
3.6	Provide certification from a suitably qualified person that the kennel facilities (building and exercise yards) have been constructed in compliance with the arrangements described in Conditions 3.4 and 3.5.	Prior to the commencement of the use.												
	OPERATIONAL NOISE LIMITS													
3.7	<p>Noise from the use 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> <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>(c) the background noise level + 0 dBA for night time hours (10 pm to 7 am);</p> <p>or, the noise limits specified in Table A, whichever is greater.</p> <p>Table A – Noise limits $L_{Aeq, adj, 15 min}$ dBA</p> <table> <tr> <th colspan="2">Period</th><th>Noise limits $L_{Aeq, adj, 15 min}$ dBA</th></tr> <tr> <td>Day</td><td>7am to 6pm</td><td>37</td></tr> <tr> <td>Evening</td><td>6pm to 10pm</td><td>32</td></tr> <tr> <td>Night</td><td>10pm to 7am</td><td>27</td></tr> </table>	Period		Noise limits $L_{Aeq, adj, 15 min}$ dBA	Day	7am to 6pm	37	Evening	6pm to 10pm	32	Night	10pm to 7am	27	At all times.
Period		Noise limits $L_{Aeq, adj, 15 min}$ dBA												
Day	7am to 6pm	37												
Evening	6pm to 10pm	32												
Night	10pm to 7am	27												
3.8	Noise from dogs at the kennel facility must be limited such that the A-weighted average maximum noise level, $L_{Amax, avg}$ when measured at any affected noise sensitive place must not exceed:	At all times.												

	<p>(a) the background noise level + 10 dBA for daytime hours (7 am to 6 pm);</p> <p>(b) the background noise level + 5dBA for evening hours (6pm to 10pm);</p> <p>(c) the background noise level + 5 dBA for night time hours (10 pm to 7 am);</p> <p>or, the noise limits specified in Table B, whichever is greater.</p> <p>Table B – Noise Limits $L_{Amax,avg}$ dBA</p> <table> <tr> <th colspan="2">Period</th><th>Noise Limits $L_{Amax,avg}$ dBA</th></tr> <tr> <td>Day</td><td>7am to 6pm</td><td>40</td></tr> <tr> <td>Evening/night</td><td>6pm to 7am</td><td>25</td></tr> </table>	Period		Noise Limits $L_{Amax,avg}$ dBA	Day	7am to 6pm	40	Evening/night	6pm to 7am	25	
Period		Noise Limits $L_{Amax,avg}$ dBA									
Day	7am to 6pm	40									
Evening/night	6pm to 7am	25									
3.9	<p>For the purposes of the above noise limits the following procedures shall be used.</p> <ol style="list-style-type: none"> Sound measurement instrumentation, measurement and reporting shall be in accordance with the provisions of AS1055: 2018, Acoustics-Description and Measurement of Environmental Noise. Measurements shall be conducted with the sound measurement instrumentation set to “Fast” time response and “A” frequency weighting. The Background Noise Level <ol style="list-style-type: none"> The background noise level ($L_{A_{bg},T}$) during the relevant time period, T, refers to the average minimum A-weighted sound level in the absence of the noise under consideration. When statistical analysis is used, the background noise level shall be taken as that noise level which is exceeded for 90 percent of the relevant time period, T (that is the $L_{A90,T}$). Assessed noise levels <ol style="list-style-type: none"> For Condition 3.7: <ol style="list-style-type: none"> The Measured Noise Level The measured noise level shall be determined as the equivalent continuous sound pressure level in dB(A) due to noise from the subject site during the relevant assessment period, T. 	At all times.									

	<p>A measurement interval of 15 minutes shall be used, except where this period is insufficient to provide a true representation of the characteristics of the noise under consideration. For noise due to dog barking, a minimum measurement period of 30 minutes is preferred.</p> <p>(b) Adjustments to the Measured Noise Level Where the noise from the subject site exhibits tonal or impulsive characteristics, the measured noise level shall be adjusted in accordance with Schedule A.</p> <p>Schedule A: Adjustments to the Measured Noise Level</p> <table> <tr> <th colspan="2">Characteristics of the noise</th><th>Adjustment dBA</th></tr> <tr> <td rowspan="2">Tonal components:</td><td>If the tonal components are just perceptible</td><td>2</td></tr> <tr> <td>If the tonal components are readily perceptible</td><td>5</td></tr> <tr> <td rowspan="2">Impulse components:</td><td>If the impulse components are just perceptible</td><td>2</td></tr> <tr> <td>If the impulse components are readily perceptible</td><td>5</td></tr> </table> <p>(c) The Adjusted Measured Noise Level or in situations where no adjustments are applied, the Measured Noise Level, shall be compared with the noise limits given in Table A.</p> <p>(ii) For condition 3.8:</p> <p>(a) Sound levels from the dogs at the kennel facility shall be monitored for a period of not less than thirty (30) minutes on not fewer than three (3) separate occasions randomly selected.</p> <p>(b) On each such occasion:</p> <ul style="list-style-type: none"> • at least ten (10) maximum sound levels from the dogs (barks or other vocalisations) shall be measured and recorded; • the arithmetic average of the individual maximum sound levels due to the dogs (the average maximum 	Characteristics of the noise		Adjustment dBA	Tonal components:	If the tonal components are just perceptible	2	If the tonal components are readily perceptible	5	Impulse components:	If the impulse components are just perceptible	2	If the impulse components are readily perceptible	5	
Characteristics of the noise		Adjustment dBA													
Tonal components:	If the tonal components are just perceptible	2													
	If the tonal components are readily perceptible	5													
Impulse components:	If the impulse components are just perceptible	2													
	If the impulse components are readily perceptible	5													

	<p>level) shall be compared with the noise limits given in Table B.</p> <p>(c) The noise emission from the dogs at the kennel facility shall be deemed to be unacceptable if so rated on two (2) out of three (3) occasions.</p> <p>5. <i>Time and Place of Measurement</i></p> <p>(i) Noise from the subject site and the background noise level shall be measured in the vicinity of the relevant noise sensitive place. The measurement position shall be at least 3.5 m from the affected building and any other building or sound reflecting structure.</p> <p>(ii) The microphone height shall be 1.5 m above local ground level except where this height would be insufficient to provide representative measurement of noise levels at all habitable levels of the relevant building. In such cases the microphone height shall be equivalent to 1.5 m above the floor height of the highest habitable floor or at a height equivalent to the centre of the window of the most effected habitable room in the building, whichever is higher.</p> <p>(iii) The noise from the subject site and the background noise level shall be measured at a time which is as close as practicable to the time of day that the noise is alleged to be excessive.</p> <p>(iv) Where it is not practically possible to measure the background level in the absence of the noise from the subject site, then the background level may be measured at another similar location where noise from the subject site is absent.</p>	
3.10	<p>Design Noise Limit – Mechanical Plant</p> <p>(a) Mechanical plant shall be selected and installed so that the limits given in Conditions 3.7 and 3.8, Table A and B, are not exceeded at adjacent dwellings.</p> <p>(b) The limits apply to the component noise level generated by all items of mechanical plant operating simultaneously or in combination at any one time.</p> <p>(c) Individual items of plant shall be selected so that their contribution to the emission, does not result in an exceedance of the limits.</p>	At all times.
3.11	<p>Acoustical Assessment – Compliance Monitoring and Reporting</p> <p>(a) The approval holder must commission an acoustic assessment of the kennel operations, conducted by</p>	When requested by Council.

	<p>a suitably qualified acoustical consultant in order to assess compliance with the conditions of this approval.</p> <p>(b) Without limiting the scope of the assessment, the acoustical assessment report shall:</p> <p>i. Detail the extent and effectiveness of all noise attenuation measures implemented at the site in relation to this approval. This shall include kennel building construction, internal fit out and ventilation arrangements, acoustic barrier construction and visual screening.</p> <p>ii) Assess and report on compliance with the noise limits given in Conditions 3.7 and 3.8.</p> <p>(c) Council may also request that Council's appointed acoustical consultant participate in and/or observe the work undertaken in relation to compliance assessment.</p> <p>(d) A copy of the above mentioned acoustical assessment report shall be submitted to Council within 7 days of its completion.</p>	
	WASTE	
3.12	<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> <p>(a) Uncontaminated overland stormwater flow;</p> <p>(b) Uncontaminated stormwater to the stormwater system;</p> <p>(c) Contaminants lawfully released to sewer; OR</p> <p>A release in accordance with a condition of this development approval.</p>	At all times.
3.13	<p>All waste water from the kennel blocks including wash down waters are to pass through the proposed Onsite Sewerage Design, submitted with the application and prepared by Matthew Brown from Ebenezer, dated 22/04/2018.</p>	At all times.
3.14	<p>Excreta, food scraps and other material that is, or is likely to become, offensive is to be collected no less than daily and, if not immediately removed from the premises, is kept in an approved waste container.</p>	At all times.
3.15	<p>Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises are to be provided and regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition</p>	At all times.

3.16	All general waste produced as part of the operation of the development 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 – ADVISORY NOTES		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
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.		
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 <i>Workplace, Health and Safety Act</i> (as amended) and the Workplace Health and Safety Regulation (as amended).		

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*.

Attachments for the Decision Notice include:

Detailed Site Layout Plan Revision D – Acoustic Amendments dated 12.10.2018, prepared

for O.D Sellwood 77 Kerles Road, Minden, and prepared by MLDG Design Consultancy.
On-Site Sewer Facility Design for Breeding Kennel at 77 Kerles Road Minden, prepared by Matt Brown Ebenezer.
Revised Noise Assessment Report prepared by Noise Measurement Services Pty Ltd, report No. 4316 revision 4, 3 October 2018.
Peer Review of Revised Noise Assessment Report, date 30.11.2018, prepared by Ian Hillock, Rondebush Pty Ltd.
Traffic Assessment for proposed Breeding Kennel development at 77 Kerles Road, Minden, prepared by Bitzios Consulting dated 22 December 2017.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Brieschke

“THAT Council approve the Development Application for a Development Permit for Making a Material Change of Use for Animal Keeping (Breeding Kennel) on land described as Lot 637 on CH31809 and situated at 77 Kerles Road, Minden 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
	Detailed Site Layout Plan Revision D – Acoustic Amendments dated 12.10.2018, prepared for O.D Sellwood 77 Kerles Road, Minden, and prepared by MLDG Design Consultancy.	
	On-Site Sewerage Facility Design for Breeding Kennel at 77 Kerles Road Minden, prepared by Matt Brown Ebenezer, and Drawing Number 1923-H01 Revision A dated 22/04/2018.	
	Revised Noise Assessment Report prepared by Noise Measurement Services Pty Ltd, report No 4316 revision 4, 3 October 2018.	
	Peer Review of Revised Noise Assessment Report, date 30.11.2018, prepared by Ian Hillock, Rondebush Pty Ltd.	At all times.
	Traffic Assessment for proposed Breeding Kennel development at 77 Kerles Road, Minden, prepared by Bitzios Consulting dated 22 December 2017.	
	APPROVED USE	
1.2	This approval is limited to that of a Breeding Kennel Facility only.	At all times.
	It does not authorise the use of the land or the kennel facility for the boarding overnight or longer of dogs at anytime.	
	ACCESS TO KENNEL FACILITY RESTRICTIONS	
1.3	The Breeding Kennel Facility is only to be accessed by the joint owners/operators, excluding vet visits. No members of the	At all times.

	public are permitted to visit the breeding kennel to view or purchase pups. A 4sqm sign is to be placed on the front gate on Kerles Rd, to read "Public Access to Breeding Kennel is Prohibited".	
	LANDSCAPING	
1.4	The Kennel Facility is to be screened by a 2-metre-wide landscaped buffer (native vegetation) around the northern, western and eastern sides of the acoustic screen fence for visual amenity purposes. The landscaped buffer is to be maintained, always.	Established within six months from commencement of the use; and Maintained at all times.
	HOURS OF OPERATION	
1.5	All dogs are to be kennelled between the hours of 6pm and 7am.	At all times.
	WATER SUPPLY	
1.6	Two water tanks with a combined volume of 45,000 litres must be connected to the kennel building, to ensure a seven (7) day supply for the kennel is available always.	Prior to commencement of use; and At all times.
	NUMBER OF DOGS	
1.7	This approval limits the number of dogs to be housed as part of the Breeding Kennel facility to 40 adult dogs, excluding pups up to the age of 3 months.	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 Somerset Regional Council Design Standards.	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to Commencement of Use.
	VEHICLE ACCESS	
2.3	All vehicular access for the development shall provide convenient and safe access and egress from the site in accordance with Somerset Regional Council Design Standards.	Prior to Commencement of Use.
2.4	The landowner is responsible for maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
	CAR PARKING	
2.5	Provide on-site car parking 2 vehicles in accordance with Council Planning Scheme Design Standards.	At all times.

	DRIVEWAY	
2.6	Construct and maintain the driveway in a compacted gravel material in accordance with Australian Standards.	At all times.
	MANOEUVRING AND PARKING AREAS	
2.7	Construct and maintain the vehicle manoeuvring and parking areas in a compacted gravel material in accordance with Australian Standards.	At all times.
	INDOOR AND OUTDOOR LIGHTING	
2.8	<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	
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
	EROSION AND SEDIMENT CONTROL	
2.10	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times.
2.11	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 site.	At all times.
2.12	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place. 	At all times.

	Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
NO	CONDITION	TIMING
	ENVIRONMENTAL NUISANCE	
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.
	SERVICEABILITY	
3.2	All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained: <ul style="list-style-type: none"> (a) in a serviceable condition; (b) in a state of good repair and efficient action; (c) in a clean, sanitary condition; (d) free of an accumulation of materials that may form a harbour to vermin or pests; and (e) free of vermin and pest infestations. 	At all times.
	CONSTRUCTION NOISE	
3.3	All construction activity must be restricted to the hours of 6:30am to 6:30pm Monday to Saturday. No construction work is to be conducted on Sundays or public holidays. <p>For the purpose of this condition, construction activity includes:</p> <ul style="list-style-type: none"> (a) all construction related activity which produces noise, audible beyond the site (including all building works); (b) all deliveries and removal of materials and equipment associated with the works. 	During the construction of the kennel complex.
	FACILITIES	
3.4	General <ul style="list-style-type: none"> a) the kennel facilities (kennel building and exercise yards) shall be sited in accordance with the site layout plan given in Noise Assessment Report No. 4316, Revision 4 (Noise Management Services Pty Ltd, 3 October 2018, (refer Plate 2) b) The kennel building shall comprise of a prefabricated steel shed of dimensions in accordance with the plans shown in Appendix A, Plates A2 and A3 of the above report. 	At all times.
3.5	Kennel Building <ul style="list-style-type: none"> a) Wall construction: 	Prior to the commencement of the use and at all

	<ul style="list-style-type: none"> i. Lower walls: walls to a height of 1.2m above the floor slab shall comprise of 140mm thick concrete masonry brickwork. ii. Upper walls: colorbond sheet steel wall cladding externally, 6mm fibre-cement one side of 100mm studs internally, provide 50mm acoustic insulation in the cavity. <p>b) Ceiling construction:</p> <ul style="list-style-type: none"> i. The ceiling shall be spaced at least 300mm below the sheet metal roof and shall comprise 6mm fibre-cement sheeting, taped and sealed. ii. Acoustic insulation, 75mm thick, shall be provided in the ceiling cavity <p>c) Cavity insulation: acoustic insulation in wall or ceiling cavities shall be glass fibre or rockwool building blanket; nominal densities, respectively 10 kg/m³ and 34 kg/m³.</p> <p>d) Sound absorptive ceiling lining:</p> <ul style="list-style-type: none"> i. A 50mm sound absorptive lining should be provided to the underside of the ceiling. The insulation shall comprise of rockwool or glass wool, nominal densities respectively 60kg/m³, and 20 kg/m³. The insulation shall be retained behind perforated sheet metal (at least 20% open area). ii. Prior to placement of the lining, the ceiling shall be inspected to ensure that all gaps have been sealed. This includes electrical penetrations for lighting and the like. <p>e) Service Penetrations: Penetrations in walls and ceilings for electrical fittings, plumbing and (if provided) air-conditioning coolant, electrical and condensate lines, shall be sealed with a fire-rated resilient mastic to an appropriate acoustic detail.</p> <p>f) Lighting: Light fittings should be surface mounted; recessed lighting should be avoided.</p> <p>g) Doors:</p> <ul style="list-style-type: none"> i. Doors giving personnel access to the kennel building shall comprise of 35mm thick solid core wooden doors or their acoustic equivalent. Doors fabricated from 18mm or 19 mm thick compressed fibre-cement are an alternative. 	times.
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	<ul style="list-style-type: none"> ii. Kennel doors ("dog doors") should be 18 mm or 19 mm compressed fibre-cement. iii. Door frames shall have a rebate to the head and jambs of at least 12 mm. iv. Doors shall be hung so as to be close fitting within their frames; gaps should be less than 3 mm at door head and hinge stile, 5mm at the lock stile and 10 mm between the door foot and sill. 	
	<p>h) Windows: window assemblies shall achieve a minimum sound reduction of R_w 26. Window suppliers shall be required to provide evidence of the quality of their product and certification that the required acoustic rating will be met.</p>	
	<p>i) Ventilation:</p> <ul style="list-style-type: none"> i) The kennels shall be provided with mechanical or natural ventilation sufficient to ensure an air change rate of 8–12 changes per hour with all doors and windows shut. ii) Ventilation intake and outlet vents shall be provided with acoustic attenuation sufficient to ensure that noise breakout through these openings does not compromise the acoustic integrity of the kennel building. <p>Note: the arrangements <u>must ensure</u> that night-time noise limits can be complied with.</p>	
	<p>j) Visual screening to a height of 1.2 m shall be provided between each adjoining kennel enclosure.</p> <ul style="list-style-type: none"> i) Visual screening should comprise corrugated zincalume or colorbond sheet metal, alternatively 18 mm or 19 mm compressed fibre cement may be used. ii) If the panels are fabricated from sheet metal, sheet metal edges shall be protected by a perimeter frame so that people or dogs do not come in contact with them. Similarly, bolts/screws or other panel fixings shall not project into the space of the kennel enclosure. 	
	<p>k) Background Sound System and Intercom:</p> <ul style="list-style-type: none"> i) A background sound system shall be installed in the kennel building to provide masking sound at night. ii) An intercom system shall be provided between the homestead and the interior of the kennel building. This should be 	

	<p>configured so that it can be used to monitor and communicate with the dogs at any time of the day or night.</p> <p>Exercise Yards</p> <p>a) The yards should be laid out such that the finished level of the surface of each yard corresponds closely to the natural slope of the hill.</p> <p>b) As per Plate 2 of the Noise Measurement Services Pty Ltd, report No. 4316 revision 4, 3 October 2018, the exercise yards shall be provided with a 2.7 m high, acoustic barrier about their full circumference.</p> <p>(i) For the barrier on the western side of the yards the barrier height shall be taken relative to the floor height of the kennel building (i.e. to the top of the concrete slab), or to the made ground level at the western end of the exercise yards, whichever is higher. For other sides, the barrier height shall be taken relative to the made ground level of the nearest adjacent yard.</p> <p>ii) The barrier shall be constructed of 9 mm compressed fibre-cement or its acoustic equivalent. To facilitate wash-down and cleaning, the supporting frame of the barriers should be on the outer side of the wall relative to the kennels and exercise yards.</p> <p>iii) Gaps between adjoining fibre-cement panels and between the panels and their supporting elements shall be sealed with an appropriate polyurethane mastic sealant. Similarly gaps at the base of the barriers and between the barriers and adjoining buildings shall be sealed.</p> <p>iv) If a gate through the barrier is to be provided (for example to allow access by mechanical plant), it will need to be constructed to an approved acoustical detail, with gaps minimised. (Note: the southern side of the exercise yards would be the preferred in locating such a gate: in any event gates in the western side must be avoided).</p> <p>v) In implementing the barrier, attention must be paid to drainage to avoid undermining of the barrier footings.</p> <p>c) Visual screens shall be provided between each exercise yard. The screens should be at least 1.2m high (height relative to local ground level).</p>	
	CERTIFICATION	

3.6	Provide certification from a suitably qualified person that the kennel facilities (building and exercise yards) have been constructed in compliance with the arrangements described in Conditions 3.4 and 3.5.	Prior to the commencement of the use.												
	OPERATIONAL NOISE LIMITS													
3.7	<p>Noise from the use 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); (c) the background noise level + 0 dBA for night time hours (10 pm to 7 am); <p>or, the noise limits specified in Table A, whichever is greater.</p> <p>Table A – Noise limits $L_{Aeq, adj, 15 min}$ dBA</p> <table> <tr> <th></th><th>Period</th><th>Noise limits $L_{Aeq, adj, 15 min}$ dBA</th></tr> <tr> <td>Day</td><td>7am to 6pm</td><td>37</td></tr> <tr> <td>Evening</td><td>6pm to 10pm</td><td>32</td></tr> <tr> <td>Night</td><td>10pm to 7am</td><td>27</td></tr> </table>		Period	Noise limits $L_{Aeq, adj, 15 min}$ dBA	Day	7am to 6pm	37	Evening	6pm to 10pm	32	Night	10pm to 7am	27	At all times.
	Period	Noise limits $L_{Aeq, adj, 15 min}$ dBA												
Day	7am to 6pm	37												
Evening	6pm to 10pm	32												
Night	10pm to 7am	27												
3.8	<p>Noise from dogs at the kennel facility must be limited such that the A-weighted average maximum noise level, $L_{Amax, avg}$ when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (a) the background noise level + 10 dBA for daytime hours (7 am to 6 pm); (b) the background noise level + 5dBA for evening hours (6pm to 10pm); (c) the background noise level + 5 dBA for night time hours (10 pm to 7 am); <p>or, the noise limits specified in Table B, whichever is greater.</p> <p>Table B – Noise Limits $L_{Amax, avg}$ dBA</p> <table> <tr> <th></th><th>Period</th><th>Noise Limits $L_{Amax, avg}$ dBA</th></tr> <tr> <td>Day</td><td>7am to 6pm</td><td>40</td></tr> </table>		Period	Noise Limits $L_{Amax, avg}$ dBA	Day	7am to 6pm	40	At all times.						
	Period	Noise Limits $L_{Amax, avg}$ dBA												
Day	7am to 6pm	40												

	Evening/night 6pm to 7am 25	
3.9	<p>For the purposes of the above noise limits the following procedures shall be used.</p> <ol style="list-style-type: none"> 1. Sound measurement instrumentation, measurement and reporting shall be in accordance with the provisions of AS1055: 2018, Acoustics-Description and Measurement of Environmental Noise. 2. Measurements shall be conducted with the sound measurement instrumentation set to “Fast” time response and “A” frequency weighting. 3. The Background Noise Level <ol style="list-style-type: none"> (i) The background noise level ($L_{A_{bg},T}$) during the relevant time period, T, refers to the average minimum A-weighted sound level in the absence of the noise under consideration. (ii) When statistical analysis is used, the background noise level shall be taken as that noise level which is exceeded for 90 percent of the relevant time period, T (that is the $L_{A90,T}$). 4. Assessed noise levels <ol style="list-style-type: none"> (i) For Condition 3.7: <ol style="list-style-type: none"> (a) <i>The Measured Noise Level</i> The measured noise level shall be determined as the equivalent continuous sound pressure level in dB(A) due to noise from the subject site during the relevant assessment period, T. A measurement interval of 15 minutes shall be used, except where this period is insufficient to provide a true representation of the characteristics of the noise under consideration. For noise due to dog barking, a minimum measurement period of 30 minutes is preferred. (b) <i>Adjustments to the Measured Noise Level</i> Where the noise from the subject site exhibits tonal or impulsive characteristics, the measured noise level shall be adjusted in accordance with Schedule A. 	At all times.

Schedule A: Adjustments to the Measured Noise Level		
	Characteristics of the noise	Adjustment dBA
Tonal components:	If the tonal components are just perceptible	2
	If the tonal components are readily perceptible	5
Impulse components:	If the impulse components are just perceptible	2
	If the impulse components are readily perceptible	5
(c)	The Adjusted Measured Noise Level or in situations where no adjustments are applied, the Measured Noise Level, shall be compared with the noise limits given in Table A .	
(ii)	For condition 3.8 :	
(a)	Sound levels from the dogs at the kennel facility shall be monitored for a period of not less than thirty (30) minutes on not fewer than three (3) separate occasions randomly selected.	
(b)	On each such occasion:	
	<ul style="list-style-type: none">• at least ten (10) maximum sound levels from the dogs (barks or other vocalisations) shall be measured and recorded;• the arithmetic average of the individual maximum sound levels due to the dogs (the average maximum level) shall be compared with the noise limits given in Table B.	
(c)	The noise emission from the dogs at the kennel facility shall be deemed to be unacceptable if so rated on two (2) out of three (3) occasions.	
5.	<i>Time and Place of Measurement</i>	
(i)	Noise from the subject site and the background noise level shall be measured in the vicinity of the relevant noise sensitive place. The measurement position shall be at least 3.5 m from the affected building and any other building or sound reflecting structure.	
(ii)	The microphone height shall be 1.5 m above local ground level except where this height would be insufficient to provide representative measurement of noise levels at all habitable	

	<p>levels of the relevant building. In such cases the microphone height shall be equivalent to 1.5 m above the floor height of the highest habitable floor or at a height equivalent to the centre of the window of the most effected habitable room in the building, whichever is higher.</p> <p>(iii) The noise from the subject site and the background noise level shall be measured at a time which is as close as practicable to the time of day that the noise is alleged to be excessive.</p> <p>(iv) Where it is not practically possible to measure the background level in the absence of the noise from the subject site, then the background level may be measured at another similar location where noise from the subject site is absent.</p>	
3.10	<p>Design Noise Limit – Mechanical Plant</p> <p>(a) Mechanical plant shall be selected and installed so that the limits given in Conditions 3.7 and 3.8, Table A and B, are not exceeded at adjacent dwellings.</p> <p>(b) The limits apply to the component noise level generated by all items of mechanical plant operating simultaneously or in combination at any one time.</p> <p>(c) Individual items of plant shall be selected so that their contribution to the emission, does not result in an exceedance of the limits.</p>	At all times.
3.11	<p>Acoustical Assessment – Compliance Monitoring and Reporting</p> <p>(a) The approval holder must commission an acoustic assessment of the kennel operations, conducted by a suitably qualified acoustical consultant in order to assess compliance with the conditions of this approval.</p> <p>(b) Without limiting the scope of the assessment, the acoustical assessment report shall:</p> <ol style="list-style-type: none"> i. Detail the extent and effectiveness of all noise attenuation measures implemented at the site in relation to this approval. This shall include kennel building construction, internal fit out and ventilation arrangements, acoustic barrier construction and visual screening. ii) Assess and report on compliance with the noise limits given in Conditions 3.7 and 3.8. <p>(c) Council may also request that Council's appointed acoustical consultant participate in and/or observe the work undertaken in relation to compliance assessment.</p>	When requested by Council.

	(d) A copy of the above mentioned acoustical assessment report shall be submitted to Council within 7 days of its completion.	
	WASTE	
3.12	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: (a) Uncontaminated overland stormwater flow; (b) Uncontaminated stormwater to the stormwater system; (c) Contaminants lawfully released to sewer; OR A release in accordance with a condition of this development approval.	At all times.
3.13	All waste water from the kennel blocks including wash down waters are to pass through the proposed Onsite Sewerage Design, submitted with the application and prepared by Matthew Brown from Ebenezer, dated 22/04/2018.	At all times.
3.14	Excreta, food scraps and other material that is, or is likely to become, offensive is to be collected no less than daily and, if not immediately removed from the premises, is kept in an approved waste container.	At all times.
3.15	Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the premises are to be provided and regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition.	At all times.
3.16	All general waste produced as part of the operation of the development 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 – ADVISORY NOTES		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		

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

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

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

Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's 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.

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).

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*."

Carried

Subject:	Planning and Building Services Monthly Report – November 2018
File:	Governance - Reporting - Officer Reports
Action Officer:	DPAD, SP, BS, PI

Background/Summary

In delivering on the Themes identified in Council's current Operational Plan, it is with pleasure that we submit a summary of the Sections' activities during the month of November 2018.

Planning Development Applications

During the month eleven (11) Development Applications were received, less than the number of applications during the same month in the previous year. Details form part of the attachments.

Building Development Approvals

A total of forty-one (41) building approvals were issued in the region for October 2018. This is down on the September total of forty-six (46). The percentage of 'Council approved' building applications is 39.0% of all building approvals for the month of October.

Building Compliance Matters

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

Unapproved building works at Dundas, Vernor, Sandy Creek, Coominya, Royston, Kilcoy, Lowood and Mount Beppo.

Plumbing Compliance Permits and Inspections

The number of plumbing and drainage approvals for November 2018 was 14; this figure is a 44% decrease on the figure of 25 for November 2017.

The number of treatment plants on Councils register is 1842 of which 49 or 2.66% are currently overdue for servicing. Letters have been sent to the owners of these systems to ensure compliance. Penalty infringement notices have been issued to repeat offenders.

Attachments

Spreadsheets and Graphs

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.”

Carried

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

Background/Summary

Financial reports

Financial reports for the period 1 July 2018 to 27 November 2018 are attached as per section 204 of the Local Government Regulation 2012.

Grants

- On 7 September 2018 Council lodged an application under the Queensland Government's competitive Building our Regions program for Kilcoy racecourse development for which it had previously been shortlisted. On 15 November 2018 Council lodged a further application for this project under the Australian Government's competitive Building Better Regions Fund. No advice has yet been received about these applications.
- On 11 October 2018, Council lodged an application for 70% funding towards a weighbridge and associated works at Esk landfill under the (waste) Levy Ready funding program. No advice has yet been received about this application.
- Council is preparing funding applications for a number of rooftop solar projects and for the redevelopment of Lowood CBD land that Council is currently purchasing from Telstra.

Rates

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

- \$2.04 million – 31 May 2018
- \$1.97 million – 27 November 2018

Council issued 27 notices of intention to sell land for overdue rates or charges totalling \$0.18 million on 8 May 2018. Council received full payments for the last two of the relevant properties on 21 and 28 November 2018. An auction had previously been scheduled for 30 November 2018 for these two properties.

Council issued a further 26 notices of intention to sell land for overdue rates or charges totalling \$0.18 million on 18 October 2018. As at 28 November 2018, full payments had been received for five of these properties leaving 21 actions in progress for a total of \$0.15 million.

Disclosures under section 237 of the Local Government Regulation 2012

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

Road maintenance detail

Councillors have previously requested additional information about road maintenance:

	<i>Rural (\$000's)</i>	<i>Urban (\$000's)</i>	<i>Total (\$000's)</i>
Bitumen road maintenance	256	52	308
Gravel road maintenance	1,222	15	1,237
Roadside drainage	224	43	267
Culvert maintenance	2	-	2
Vegetation maintenance	96	118	214
Traffic furniture	72	31	103
Linemarking	3	15	18
Total actual year to date	1,875	274	2,149
Expected pro-rata budget year to date	1,622	281	1,903

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

Esk Crows Nest (gravel) Ch26120-Ch34090	\$57,134
Kavanaghs Rd Buaraba (gravel) Ch0-Ch2840	\$50,660
Monsildale Rd (gravel) Ch12000-Ch19100	\$38,128
Gregors Creek Rd (bitumen) Ch3120-Ch4950	\$34,985
Zischkes Rd (gravel) Ch20-Ch2300	\$30,981
Ann St Esk (bitumen) Ch240-Ch430	\$29,199
Yielo Rd (gravel) Ch0-Ch5100	\$29,039
Kimbala Rd (gravel) Ch0-Ch5680	\$27,781
Cowah Rd (gravel) Ch0-Ch3990	\$26,969
Louisavale Rd (gravel) Ch5010-Ch5810	\$26,719
Falls Rd (gravel) Ch0-Ch2530	\$25,706
Langtons La (gravel) Ch3210-Ch5050	\$24,753
Cedarvale Rd (gravel) Ch1540-Ch4410	\$24,371
Grays Rd (gravel) Ch1620-Ch3020	\$23,485
Monsildale Rd (gravel) Ch1630-Ch10200	\$23,379
Black Jack Creek Rd (gravel) Ch730-Ch3640	\$23,231

Westvale Rd (gravel) Ch1340-Ch13550	\$23,022
Braemore La (gravel) Ch1050-Ch3050	\$23,012
Yabba Rd (gravel) Ch0-Ch3330	\$22,563
Spring Creek Rd (gravel) Ch60-Ch4210	\$21,997
Gregors Creek Rd (bitumen) Ch4950-Ch5530	\$21,841
Sunday Creek Rd (gravel) Ch1690-Ch3390	\$20,530
Buaraba Creek Rd (gravel) Ch3800-Ch4770	\$19,486
E Summervilles Rd (gravel) Ch770-Ch2850	\$19,382
Richter Rd (gravel) Ch0-Ch2020	\$17,495
Fernvale Rd (bitumen) Ch2250-Ch5100	\$17,158
Brighton Hills Rd (gravel) Ch0-Ch1260	\$16,959
Handley Rd (gravel) Ch0-Ch1640	\$16,838
Banks Ck England Ck R (gravel) Ch0-Ch2900	\$16,827
Gaults La Gregors Ck (gravel) Ch0-Ch1140	\$16,584
Subtotal	\$770,214

Attachments

Financial reports and payment listings

Recommendation

THAT the reports including payments presented totalling \$7,009,894.06 be received.

Decision:

Moved - Cr Hall

Seconded - Cr Choat

"THAT the reports including payments presented totalling \$7,009,894.06 be received."

Carried

Subject: FY2019 second budget review
File Ref: Financial management – budget
Action Officer: DFIN

Background/Summary

A draft second revised budget for FY2019 is attached.

A list is attached that details changes between the first and second revised budgets including the \$1 million Esk Crows Nest Road widening project, various facility repairs to reflect quotations received, master plans proposed, CCTV upgrades resolved by Council, the purchase of Telstra land in the Lowood CBD and evidence of Council contributions available towards proposed grant projects (solar and car parking projects).

Attachments

- Adoption level budget statements Appendix A
- List of proposed changes for second budget review
- Extracts from Council's original and first revised FY2019 budget will be tabled at the Council meeting

Recommendation

THAT the draft revised budget including long term financial plan and forecast and long-term asset management plan (Appendix A) as presented be adopted along with the previously-adopted revenue policy and revenue statement.

Decision: Moved - Cr Hall Seconded - Cr Brieschke

"THAT the draft revised budget including long term financial plan and forecast and long-term asset management plan (**Appendix A**) as presented be adopted along with the previously-adopted revenue policy and revenue statement."

Carried

Subject: Rationalisation of freehold land – Chaille Road
File Ref: Council properties - disposal
Action Officer: DFIN

Background/Summary

Council owns a 77 square metre freehold lot off Chaille Road near Esk described as L 2 RP213665.

There are cost implications to Council in holding L 2 RP213665.

Council has sold similar lots to adjoining property owners for development purposes in the past.

In this case however because the majority of the long, narrow 2.6 hectare neighbouring allotment (lot 3 RP213665) is subject to water easements and the unencumbered balance is immediately adjacent to the Brisbane Valley Highway (a major transport corridor), it is considered that this would make any development proposal difficult (map attached)

It is recommended that L 2 RP213665 be converted to a tenure that does not attract State levies.

Attachment

Plan of lots 2 and 3 RP213665

Recommendation

THAT Council dedicate L 2 RP213665 as road.

Decision: Moved - Cr Gaedtke Seconded - Cr Brieschke

"THAT Council dedicate L 2 RP213665 as road."

Carried

Subject: Rationalisation of freehold land – Mount Mulgowie Road
File Ref: Council properties - disposal
Action Officer: DFIN

Background/Summary

Council owns a 4 square metre freehold lot at the end of Mount Mulgowie Road, Buaraba described as L 29 RP174047.

There are cost implications to Council in holding L 29 RP174047.

Council has recently sold similar small lots to adjoining property owners for development purposes. It is noted that L 29 RP174047 adjoins four privately-owned allotments in a rural area where subdivision is not permitted.

L 29 RP174047 however lies between lot 2 SP127704 (held by HQ Plantations Pty Ltd) and Mount Mulgowie Road. Council issued a material change of use development permit (DA5349) for forestry purposes for lot 2 SP127704 on 27 September 2006 which included conditions relating to the extraction of timber via Mount Mulgowie Road.

It is considered that any sale of L 29 RP174047 may have implications for HQ Plantations Pty Ltd in meeting the conditions of DA5349 and it is recommended that L 29 RP174047 be converted to road.

Attachment

Plan of lot 29 RP174047 and lot 2 SP127704

Recommendation

THAT Council dedicate lot 29 RP174047 as road.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT Council dedicate lot 29 RP174047 as road."

Carried

Subject:	Rationalisation of freehold land - Slaughter Road
File Ref:	Council properties - disposal
Action Officer:	DFIN

Background/Summary

Council owns an 800-metre long by 21-metre wide freehold lot described as L 2 RP49078 which is used as part of the Bicentennial Trail and links the end of Slaughter Road to Regent Road at Redbank Creek.

There are cost implications to Council in holding L 2 RP49078 as freehold land and it is recommended that it be converted to road so it can continue to be used as a trail. The land is not used to access any property. It is not recommended that the new road be closed to motorised transport at this stage.

Attachment

Plan of L 2 RP49078

Recommendation

THAT Council dedicate L 2 RP49078 as road which is to remain unconstructed and unnamed.

Decision:

Moved - Cr Brieschke

Seconded - Cr Choat

"THAT Council dedicate L 2 RP49078 as road which is to remain unconstructed and unnamed."

Carried

Background/Summary

Attachment

Recommendation

Carried

Background/Summary

It is noted that Council's asset management policy on bridges dates from 2010 and was last revised in 2014. It is recommended that the policy be updated to reflect Council's recent and extensive timber bridge replacements.

Attachment

Asset management policy - bridges

Recommendation

THAT Asset management policy - bridges be amended as follows:

- the section headed “current situation” be deleted
- the table of average gross replacement costs per square metre of deck area in 2013/2014 be deleted
- the section headed “identified timber bridges that will not be replaced with concrete or part-concrete bridges” be deleted

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

“THAT Asset management policy - bridges be amended as follows:

- the section headed “current situation” be deleted;
- the table of average gross replacement costs per square metre of deck area in 2013/2014 be deleted;
- the section headed “identified timber bridges that will not be replaced with concrete or part-concrete bridges” be deleted.”

Carried

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

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
- LLA Ipswich
- Kilcoy State High School
- Cr Cheryl Gaedtke SRC
- Deputy Mayor Dan Hall
- Cr Sean Choat
- Chris Dench – Principal Kilcoy State High School

- Joshe Newton – Guidance Officer Kilcoy State High School
- Warren Papa – Deputy Principal Kilcoy State High School
- Steve Beacham – Deputy Principal Toogoolawah High School
- Bill Maloney – Student Support
- Liz Ball – Dean Lowood State High School
- Mercy Lowood Hub
- Morayfield Psychology
- Suncare
- Careers Qld NDIS
- Centrelink – Farm Household Case Officer
- Headspace
- Save the Children Play and Learn
- Mercy Community

General activities and key projects undertaken

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

- The YEO attended the 56th Annual Awards Ceremony at Kilcoy State High School, Friday 9 November along with Deputy Mayor Dan Hall, Cr Sean Choat and Cr Cheryl Gaedtke. Students were recognised for their academic achievement, subjects, sporting and special achievement, year levels 7-12. Students performed a cultural welcome dance to open the awards ceremony. There was an outstanding number of students receiving recognition. Chris Dench, Principal of Kilcoy State High School made mention of how proud he is of all his students, the new leaders and Kilcoy State High School.
- The YEO attended the Ipswich and West Moreton Youth Interagency Network, Tuesday 20 November. 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). Core subject discussed is the Youth transitioning into work either being during school years (wayward students) or post year 12. A high percentage of the Youth once finishing school, are still unemployed, not seeking tertiary study, attending Tafe, apprenticeships or part time jobs. Lack of motivation to look for employment or study. Youth are focused on being at home playing video games and using social media. Many parents are seeking help for their children and themselves due to the stress of youth's lack of interest in becoming accountable and responsible for their own futures. Mental health seems to be a large component around this topic.
- The YEO attended the Kilcoy Interagency meeting on Tuesday, 26 November. This includes support services and community groups which operate in or outreach to the Kilcoy area. Headspace is offering a Boost Your Mood Group to help transition students suffering from different forms of mental health i.e. Anxiety and Depression. Linville State School is struggling with new enrolments. May need to reduce to a 1 Teacher/Principal school. It is too easy for Moore children to travel to Toogoolawah to school bypassing the smaller school. Housing affordability and lack of suitable rental accommodation for younger people was raised as a major issue in Kilcoy. People are being forced to leave town. It is also a problem for older people not only in Kilcoy but throughout Somerset. We discussed setting up a subcommittee to focus on housing in the new year.
- The YEO attended the Ipswich Region Local level Alliance Meeting on Monday 12 November 2018. Topics covering Cultural Connections, Transition from Care for

support to young people around building independence in preparation for transition out of the statutory child protection system. A new working group created around Education / Transitioning from early childhood to primary schooling and Housing / homelessness for your people who are 16 years. The rural regional working group continues to create momentum and providing a thorough more user friendly Visiting Services database.

Youth

- The YEO attended and assisted CDC with the Focus on Farmers event held at the Esk Civic Centre, Monday 26 November. 124 Farmers attended. The dinner and speakers were well received. Many requests were made from those in attendance, for the Council to host more of these types of events throughout the year.

Information provided was very informative, interesting and relative. The speakers covered general topics but not limited to - farm safety, mental health and wellbeing, weeds and rainfall.

- The YEO with the assistance of the SRO, created the Somerset Christmas School Holiday Program 2018-2019. The program is about being active, healthy and having fun through the school holiday - offering and facilitating recreational events for the Somerset Families. The program will run from Friday, 14 December 2018 through to Saturday, 26 January 2019. Activities will be held in various locations throughout the Somerset Region – Fernvale, Lowood, Esk, Toogoolawah and Kilcoy, including Christmas activities, pool parties, movie nights, sports programs, robotics, craft, swimming lessons – something for all ages and interests. Main event will be Australia Day Pool Party where numerous Aussie themed activities will be on offer along with land based water slides and water based obstacle courses. The Australia Day themed event will be held at all 4 pool locations in the Somerset Region - Kilcoy, Esk, Toogoolawah and Lowood.
- The YEO is continuing to liaise with KSHS, LSHS and TSHS regarding the Somerset Youth Leadership Camp scheduled for 21-23 January 2019. All nominations for the camp have been selected and the YEO hand delivered to each high school, a letter from the CEO inviting each student to attend the event. We are now waiting on the consent forms to be returned into the office. YEO will continue to work with relevant stakeholders, SRO, to plan this event, including involving the students to take photos about what they love about the Somerset Region. These photos are intended to be displayed during the Experience Somerset photographic exhibition.

Attachments

Somerset Christmas School Holiday Program 2018-2019

Recommendation

THAT the report be received.

Decision:

Moved - Cr Choat

Seconded - Cr Gaedtke

"THAT the report be received."

Carried

Subject:	RADF - Regional Arts Development Fund Committee Meeting - 19 November 2018
File Ref:	2018 - 2019 - RADF - Doc Id. 1076995,1076996,1076997
Action Officer:	DCORP

Background/Summary

The Regional Arts Development Funding Committee met on Monday, 19 November 2018 to discuss miscellaneous items of business.

Matters discussed included the following:

1. Application from Somerset Art Society for the project "2019 Bendigo Bank (TBC) Art Awards" for an amount of \$20,616.00.

The committee supported an amount 80% of requested amount which totals \$16 492.80 with a request to further investigate possible costs savings in the areas of advertising, promotion and curation.

2. Application from Somerset Regional Council for the project "Jugg Life – Artour" for an amount of \$5000 which was supported by committee members with the following considerations:

- i) budget not include ticket sales and
- ii) the theatre show be incorporated into or made part of another event in the region.

3. Application from Somerset Regional Council for the project "Creative Business" for an amount of \$1139.82 which was supported in full.
4. Application from Somerset Regional Council for the project "Experience Somerset" for an amount of \$4500 which was supported in full.
5. The attendance and participation of RADF committee members in committee meetings by teleconference/ video link.
6. As there are three remaining committee vacancies, a letter of invitation will be sent to suggested community members in an attempt to fill the positions.

Attachments

Nil

Recommendation

THAT:

1. Council approve RADF funding for the application from Somerset Art Society for the project "2019 Bendigo Bank (TBC) Art Awards" for an amount of \$16,492.80; and
2. approve RADF funding for the application from Somerset Regional Council for the project "Jugg Life – Artour" for an amount of \$5000 with the budget not to include ticket sales and the theatre show be incorporated into or made part of another event in the region; and
3. approve RADF funding for the application from Somerset Regional Council for the

- project "Creative Business" for an amount of \$1139.82; and
5. approve RADF funding for the application from Somerset Regional Council for the project "Experience Somerset" for an amount of \$4500; and
 5. approve the attendance and participation of RADF committee members in committee meetings by teleconference/ video link; and
 6. approve the request to send a letter of invitation to suggested community members in an attempt to fill three positions.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Ogg

"THAT:

1. Council approve RADF funding for the application from Somerset Art Society for the project "2019 Bendigo Bank (TBC) Art Awards" for an amount of \$16,492.80; and
2. approve RADF funding for the application from Somerset Regional Council for the project "Jugg Life – Artour" for an amount of \$5000 with the budget not to include ticket sales and the theatre show be incorporated into or made part of another event in the region; and
3. approve RADF funding for the application from Somerset Regional Council for the project "Creative Business" for an amount of \$1139.82; and
4. approve RADF funding for the application from Somerset Regional Council for the project "Experience Somerset" for an amount of \$4500; and
5. approve the attendance and participation of RADF committee members in committee meetings by teleconference/ video link; and
6. approve the request to send a letter of invitation to suggested community members in an attempt to fill three positions."

Carried

Subject:	Fernvale Hall and Col Powell Park Overall Management Committee – Meeting Report for Meeting held 13 November 2018
File Ref:	Community services - meetings - 2016 - 2020 - Fernvale Hall and Col Powell Park Overall Management Committee
Action Officer:	DCORP

Background/Summary

The quarterly meeting of the Committee was held on Tuesday, 13 November 2018.

Attachments

Meeting Report for Fernvale Hall and Col Powell Park Reserve Overall Management Committee

Recommendation

THAT the meeting report for the quarterly meeting of the Fernvale Hall and Col Powell Park Reserve Overall Management Committee held on Tuesday, 13 November 2018 be received and the contents noted.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT the meeting report for the quarterly meeting of the Fernvale Hall and Col Powell Park Reserve Overall Management Committee held on Tuesday, 13 November 2018 be received and the contents noted."

Carried

Subject:	Esk Racecourse Advisory Committee Meeting - 20 November 2018
File Ref:	Community services - meetings - 2016 - 2020 - Esk Racecourse Advisory Committee
Action Officer:	DCORP

Background/Summary

The quarterly meeting of the Committee was held on Tuesday, 20 November 2018.

Attachments

Meeting Report for Esk Racecourse Advisory Committee Meeting – 20 November 2018.

Recommendation

THAT the Meeting Report for the quarterly meeting of the Esk Racecourse Advisory Committee held on Tuesday, 20 November 2018 be received and the contents noted.

Decision:

Moved – Cr Hall

Seconded - Cr Brieschke

"THAT the Meeting Report for the quarterly meeting of the Esk Racecourse Advisory Committee held on Tuesday, 20 November 2018 be received and the contents noted."

Carried

Subject:	Kilcoy Showground Reserve Overall Management Committee Meeting - 29 November 2018
File Ref:	Community services - meetings - 2017 - 2018 - Kilcoy Showground Reserve Overall Management Committee
Action Officer:	DCORP

Background/Summary

The meeting of the Committee was held on Thursday, 29 November 2018.

Attachments

Meeting Report for Kilcoy Showground Reserve Overall Management Committee Meeting

Recommendation

THAT the meeting report for the quarterly meeting of the Kilcoy Showground Reserve Overall Management Committee Meeting held on Thursday, 29 November 2018 be received and the contents noted.

THAT Council send a letter of thanks to the Kilcoy Yowies for the donation of a three-door refrigerator.

Decision:

Moved - Cr Brieschke

Seconded - Cr Gaedtke

"THAT the meeting report for the quarterly meeting of the Kilcoy Showground Reserve Overall Management Committee Meeting held on Thursday, 29 November 2018 be received and the contents noted.

THAT Council send a letter of thanks to the Kilcoy Yowies for the donation of a three-door refrigerator."

Carried

Subject: Vandalism - 1 October to 30 November 2018
File Ref: Risk management - risk assessment - Vandalism
Action Officer: DCORP

Background/Summary

Council has previously resolved to be informed of incidences of wilful damage and destruction of Council property.

There was one incident reported during the period of 1 October to 30 November 2018.

Date	Location	Incident
20/11/2018	D'Aguilar Highway Moore	Fuel tank lid broken and fuel stolen from a Council Roller

The Vandalism Repair Costs until 30 November 2018 are attached. There was no Insurance Claim relating to Vandalism for this period.

Attachments

Table – Vandalism Repair Costs until 30 November 2018.

Recommendation

THAT the report be received and the contents noted.

Decision:

Moved - Cr Ogg

Seconded - Cr Hall

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

Carried

Subject:	Upgrade to Fernvale Sports Park – Fernvale Sports Park Facility Development Plan
File Ref:	Recreation and cultural services - Consultation
Action Officer:	SRO

Background/Summary

Following a decision made at Council meeting, Wednesday, 14 November:

Decision:	Moved - Cr Choat	Seconded - Cr Ogg
	"THAT Council investigates the development of a Facility Master Plan for the Fernvale Sports Park in order to assist with the further development of the site."	

Carried

The SRO/DCORP have commenced seeking quotations for the development of a Facility Development Plan for the Fernvale Sports Park. Quotations have been sought from Ross Planning, Otium Planning and CPR Group. The following project scope was provided to the three consultancy firms to allow uniformity among the quotations:

Site analysis:

- site inspections
- analysis of Council's site information
- services requirements (water, power, sewerage etc) for proposed uses and the associated cost estimates.

Confirmation of the facility needs for the site, based on:

- population projections
- existing and potential future uses
- sporting trends
- other sporting facilities within the site's catchment.

Consultation will focus on Council staff, current user groups, relevant State Sporting Associations and technical experts such as lighting and irrigations designers, Energex etc.

Draft Facility Development Plan

Following the above steps, a draft Facility Development Plan (including the additional land to the immediate south of the subject site) for review by Council staff that will incorporate:

- sporting fields/courts/greens layout, including run-offs and common areas
- field lighting, including preliminary designs and power requirements
- proposed location of clubhouse, spectator facilities, and other ancillary facilities (such as scoreboards, dug-outs, etc).
- an implementation plan with proposed staging or developments and cost estimates
- an accompanying report documenting the outcomes of the above, in both paper and digital form (including CAD drawings to enable detailed designs by Council).

Working closely with key members of the project team to ensure that the end product will meet Council's (and the community's) needs. Once adopted, the Facility Development Plan will allow Council and user groups to budget for implementation over time, as well as to seek external grants to supplement resources.

Council has received two quotations with the third, CPR Group unable to quote. Ross Planning provided a quotation for \$33,600 excluding GST and Otium Planning for \$22,850 excluding GST.

Council has previously contracted Otium Planning Group to construct the Lowood Recreation Complex Facility Master Plan which was completed to a reasonable standard. Numerous hours were spent by the SRO/DCORP to ensure the final draft was accurate of the needs of the facility. Based on this prior experience with Otium Planning, it is recommended that Council provide the opportunity for Ross planning to take on the project despite the higher cost.

Attachments

- Quotation from Ross Planning
- Quotation from Otium Planning
- Email advising inability to quote from CPR Group

Recommendation

THAT Council appoints Ross Planning to commence the development of a Facility Development Plan for the Fernvale Sports Park for the sum of \$33,600 excluding GST and that the CEO be authorised to progress any land dealings which may arise from the plan.

Decision:

Moved - Cr Gaedtke

Seconded - Cr Ogg

"THAT Council appoints Ross Planning to commence the development of a Facility Development Plan for the Fernvale Sports Park for the sum of \$33,600 excluding GST and that the CEO be authorised to progress any land dealings which may arise from the plan."

Carried

Subject:	South East Queensland (SEQ) West Waste Alliance - Heads of Agreement
File Ref:	Waste management - planning - waste reduction strategies
Action Officer:	DOPER

Background/Summary

At Council Ordinary Meeting on 12 September 2018, the below decision was carried.

"THAT Council agree in principle to participate in the SEQ West Waste Alliance."

As advised in September, the first step was the preparation of a heads of agreement (HOA) document which has now been prepared for participating Councils. Once this HOA is agreed, the next phase is the calling of an expression of interest (EOI) to investigate and identify possible opportunities for regional waste management solutions. Should Council agree to the HOA, Council is made aware that a financial contribution for legal and technical advice associated with the management of the HOA and the EOI will be incurred. As per the HOA, Somerset contribution is 3% and based on forecast estimates, likely to be in the range of \$6,000 to \$10,000.

Once an assessment of the EOI is complete, a report to Council will be prepared to advise of waste management solutions that Council may wish to consider. Under the HOA, Council is not bound to participate in any potential solutions.

Attachments

Proposed Heads of Agreement (to be distributed to Council separately due to confidential content)

Recommendation

THAT Council authorises the Chief Executive Officer to execute the SEQ West Waste Alliance, Heads of Agreement.

Decision:

Moved - Cr Choat

Seconded - Cr Ogg

"THAT Council authorises the Chief Executive Officer to execute the SEQ West Waste Alliance, Heads of Agreement."

Carried

Subject: Bridge load limits
File Ref: Roads - maintenance - bridges-culverts
Action Officer: WM

Background/Summary

Reference is made to the report presented to council on the 27 August 2014 where the following resolution was carried:

"THAT Council endorse the action of Council engineers in reducing the load limit on Taylors Bridge on Esk Crows Nest Road and that Council delegate authority to the Chief Executive Officer to endorse actions that must be taken by Council's Manager Operations to load limit bridges that are identified as deficient in their ability to carry the designated traffic loading."

Council has recently carried out its annual bridge inspections and these reports identify ongoing structural degradation of our remaining timber bridge stock. Currently the remaining timber bridges are load limited to 22 tonne and these inspections have highlighted the need to further reduce certain bridges to an 8 tonne limit.

Accordingly, in the interest of public safety, Council's Director Operations has taken immediate action to load limit the following bridges to 8 tonne gross vehicle mass:

- Braeburn Road Bridge, Monsildale
- Sandy Creek Bridge on Copley Lane, Crossdale

Council officers are presently preparing future submissions under the Australian Government's Bridges Renewal Program in an attempt to fund the replacement of these bridges with resilient concrete structures.

Attachments

Nil

Recommendation

THAT the report is received and contents noted

Decision: Moved - Cr Hall Seconded - Cr Choat
"THAT the report is received and contents noted."

Carried

Subject: Application to Purchase Segment of State Land - Lot 4 CG6370
File Ref: Rates and Government Valuations - Notifications - 2018 - 2019 -
Leases (Road Licence - Permit to Occupy - Stock Grazing Permit
(1079244)
Action Officer: CD

Background/Summary

An email has been received from the Department of Natural Resource, Mines and Energy seeking Council's views on an application to purchase a segment of State controlled land parcel described as Lot 4 CG6370 for amalgamation into the adjoining freehold property Lot 4 S8966, located in Somerset Dam.

The area of this segment of State controlled land is about 213m².

This segment of State land is currently under a "State Land" tenure to the Department of Natural Resources, Mines and Energy.

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

The adjacent land to Lot 4 CG6370 is leasehold and zoned rural one side and freehold and zoned village on the other side.

Attachments

- Smart Map of Lot 4 CG6370 and Lot 4 S8966.
- Survey Title Map Lot 4 CG6370
- Department of Natural Resources, Mines and Energy administrative plan of referenced land on Lot 4 CG6370 – DWG 18/300

Recommendation

THAT Council advise the Department of Natural Resources, Mines and Energy in reference to the application to purchase a segment of State controlled land parcel described as Lot 4 CG6370 for amalgamation into the adjoining freehold property Lot 4 S8966, located in Somerset Dam, that it offers no objections to this application.

Decision: Moved - Cr Brieschke Seconded - Cr Hall

"THAT Council advise the Department of Natural Resources, Mines and Energy in reference to the application to purchase a segment of State controlled land parcel described as Lot 4 CG6370 for amalgamation into the adjoining freehold property Lot 4 S8966, located in Somerset Dam, that it offers no objections to this application."

Carried

Subject:	Minutes of Traffic Safety Advisory Committee (TSAC) Meeting 21 November 2018
File Ref:	Community services - service provision - Transport Safety Advisory Committee
Action Officer:	DOPER

Background/Summary

A meeting of the Transport Safety Advisory Committee (TSAC) took place at Esk on Wednesday 21 November 2018.

Attachments

Minutes of the TSAC, 21 November 2018

Recommendation

THAT the Minutes of the Transport Safety Advisory Committee meeting held 21 November 2018 be received and the contents noted.

Decision:	Moved - Cr Choat	Seconded - Cr Ogg
	"THAT the Minutes of the Transport Safety Advisory Committee meeting held 21 November 2018 be received and the contents noted."	

Carried

Subject:	Minutes - Local Disaster Management Group - 21 November 2018
File Ref:	Governance - reporting - officer reports
Action Officer:	DMO

Background/Summary

The Somerset Local Disaster Management Group (LDMG) meets regularly to develop strategies to respond to disasters should they occur and to mitigate the effects of disasters on the community wherever possible. The LDMG consists of the following agencies:

- CS Energy
- Department of Communities
- Energex
- Queensland Health (Esk and Kilcoy Hospitals)
- Queensland Ambulance Service
- Queensland Fire and Emergency Services
- Queensland Police
- Queensland Urban Utilities
- SEQWater
- Somerset Regional Council
- Telstra

Meetings are held quarterly, generally held on the third Wednesday of February, May, August and November each year.

Minutes from the August meeting are attached.

Attachments

Minutes – Local Disaster Management Group - 21 November 2018

Recommendation

THAT the report be received and its contents noted.

Decision:

Moved - Cr Choat

Seconded - Cr Ogg

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

Carried

Subject:	Naming of roads in Woodside Park - Banks Creek Road, Fernvale
File Ref:	Roads - naming - roads (1077511)
Action Officer:	QAO / SES

Background/Summary

The developer of Woodside Park on Banks Creek Road, Fernvale has offered the following names for consideration in naming the two internal roads B and C in this new estate.

- Bunya Pine Place
- Tulipwood Drive
- Carrotwood Close
- Bottle Brush Drive
- Stringybark Drive

It is considered that the use of Tulipwood and Carrotwood would not be appropriate in view of the proximity of Honeywood Estate where the suffix "wood" has been adopted for all street names in that estate.

While none of the other three names refers to flora native to Somerset region (a source listed for primary consideration in Council Policy OP/001), the following is offered for Council's consideration.

Bunya pine and stringybark are included in the Department of Science, Information Technology, Innovation and the Arts (DSITIA) list of flora found in this region. Bottlebrush trees, while not listed in the DSITIA list, are not uncommon in Somerset region.

Based on information contained in AS/NZS 4819:2011 "Rural and Urban Addressing Standard", the road types considered best suited to each street (cul-de-sac) in this estate, both approximately 250m long, are Place (being a short, sometimes narrow, enclosed roadway), Close and Court (being short enclosed roads).

Attachments

Nil

Recommendation

THAT road names Bunya Pine Place and Stringybark Place be approved for roads B and C respectively in Woodside Park.

Decision:	Moved - Cr Choat	Seconded - Cr Hall
	"THAT road names Bunya Pine Place and Stringybark Place be approved for roads B and C respectively in Woodside Park."	

Carried

Subject:	Operational Report for November 2018
File Ref:	Governance - Reporting - Officer Reports
Action Officer:	CSSA

Background/Summary – Technical Design Team (Michael Kinion)

Technical Design Team (Michael Kinion)

This team continues the detailed designs for the 2018-2019 capital works program and have started to prepare projects for future works. They have provided support to the construction crews on the roadwork's at the construction of Fernvale Road, Fernvale, Pryde Street, Lowood, the shared path Pipeliner Park, Esk, Seib Street, Kilcoy and Apple Tree Creek Bridge. The Technical Design team continue to set out traffic counters within the region to maintain our current information and update the asset register with the latest information following completion of works and inspections.

Permit	Nov-18	Nov-17
Property Searches	75	89
Land access Permit	65	37
Property Access Applications	4	6
National Heavy Vehicle Regulator Permits – Dwellings	9	8
National Heavy Vehicle Regulator Permits – Other	8	11

Background/Summary – Works Department (Peter Hardie)

Weather Conditions:

There has been some wild weather over the past month, dry, windy, hot, blowing dust as well as some wild storms with small intense areas of hail and wind. However, Council crews have not lost time, and there have been only some minor clean up jobs.

Gary Eastell - Foreman:

Northern Maintenance Crew (Nigel Valentine)

This crew has now completed construction on Fernvale Road, Fernvale, with the primer seal placed Thursday, 29 November. This crew is now on maintenance in the Fernvale area.

Excavator crew (Dave Bandit)

There have been five burials during November. This crew is continuing with ongoing drainage maintenance and clean-up of illegal dump sites. Other works include construction work on Fernvale Road.

Landfill (Rob Hester)

The waste operations are continuing as normal at Esk Landfill.

Wayne Kohler - Foreman:

Southern Maintenance Crew (Thomas Varney)

This crew has now completed the widening and sealing of Pryde Street, Lowood with the top coat seal placed on 4 December. This crew has undertaken maintenance works on McLaughlans Lane, Neithes Road, Kraschnefskis Road, Marschkes Road, Vernor Road and

Leschkes Road. The crew will be working on Walter and Park Street underground drainage with Esk concrete crew.

Esk Concrete Crew (Ron Ratcliff)

This crew has now completed the placement of solar lights in the Pipeliner Park project. However more lights have been ordered to replace existing 240V lights, and these will be installed when they arrive. The crew is currently working on the footpath component of Pryde Street, Lowood.

Doug Freeman - Foreman:

Kilcoy 1 Grader Crew (Stuart Gardner)

This crew is continuing with grading and gravel replacement work on Kilcoy Murgon Road. This will be ongoing until the closedown in December.

Kilcoy 2 Grader Crew (Acting Peter Cobbin)

This crew is continuing with the kerb replacement work in Seib Street, Kilcoy. The crew has also undertaken some TMR works on D'Aguilar Highway to remove material brought down from a slip that required work between Dam Creek and Wallaby Creek No 1. This work is now completed, and the crew is back in Kilcoy.

Bob Peters – Foreman:

Austrroads Patching Crew 1 (Clinton McLeod)

This crew has continued with ongoing patrols for potholes on both Council and TMR roads, sealing of patches and Pryde Street, Lowood. It has also undertaken pavement repairs as required.

Austrroads Patching Crew 2 (Craig Thompson)

This crew has continued with ongoing patrols for potholes on both Council and TMR roads, sealing of patches and pavement repairs as required. It has also completed reseal preparation works as required.

Bitumen Crew (James Rolph)

This crew is continuing with ongoing pavement repairs, drainage repairs/cleaning on both Council and TMR roads. This crew has completed the replacement of a blocked drainage pipe in Middle Street, Esk along with a pavement repair at the intersection of Mary Street in Esk. Both jobs completed on behalf of TMR. This crew is now undertaking some reseal preparation works in Somerset Dam town.

Bruce Zinn - Foreman:

Bridge Crew: (Chris Wheeler)

This crew is continuing with Hawthornes Road bridge replacement with traffic now running over the new culvert. It is continuing with ongoing works on batter protection. This project should be completed by Christmas close down. The crew is continuing with Apple Tree Creek bridge replacement. The piling contractor has completed their works, and the crew is now waiting on steel for the headstocks.

Kilcoy Concrete Crew: (Kerry Kubler)

This crew has been assisting with concrete at Hawthornes Bridge replacement as required. Other works include ongoing replacement of drainage pit/lintel repairs in Kilcoy and assisting with concrete work as needed in Seib Street.

Lyle Crawford – Senior Foreman:

Repair Crew 1: (Jim Walker)

This crew is continuing with ongoing sign repairs and customer service requests, such as

linemarking and some minor respray jobs for stop lines. It is continuing with maintenance on footpaths including Ipswich Street, Esk, car park and signs at Harlin, tree trimming. pick up of vegetation after recent blowy storms and replacing damaged bollards.

This crew has also completed the Brightview intersection signage upgrade, erosion protection on BVRT and construction of headwalls on pipes in Middle Street, Esk.

Repair Crew 2: (Steve Nutley Ganger)

This crew is continuing with ongoing signage repairs. It has also patrolled and completed various customer service requests in more remote locations. Other works include ongoing tree lopping/trimming clean up, TMR maintenance works and assisting with concrete works as required.

Department of Transport and Main Roads (TMR) –

Mary Street, Kilcoy - Council has entered into a contract with TMR for the relocation of underground assets to facilitate future roadworks planned for the D'Aguilar Highway (Mary Street). Queensland Urban Utilities is presently progressing with works on behalf of Council and expect to be completed early in the New Year.

Forest Hill Fernvale Road – Council has placed an offer with TMR for the pavement rehabilitation project from Reinbotts Road to Park Street, Lowood. TMR is yet to advise if Council's offer will be accepted.

Charlene Meehan – Parks and Garden Coordinator:

Esk Gardeners:

This crew is undertaking mowing and garden maintenance activities.

Esk and Lowood Mowing Crew:

The mowing crew is undertaking mowing activities.

Kilcoy Mowing Crew and Gardeners

This crew is undertaking mowing and garden maintenance activities.

SRC Slasher Operators:

Slasher operators are currently undertaking slashing and flail mowing activities.

Town Stewards:

The town stewards are undertaking their normal duties.

Peter Heath – Workshop Foreman:

Mechanics:

- The mechanics have continued with the ongoing service and maintenance of Council fleet.
- P.594 UD tip truck Kilcoy had a radiator replaced.
- P.595 Fuso gangers truck had a radiator replaced.
- P.768 dog trailer had ball race under dolly replaced as the old one was cracked.
- P.515 Isuzu 4x4 new truck delivered to replace the old spray truck based in Esk. It has been all fitted out and is in service.
- P.248 Komastu new 8 ton has been delivered for the bitumen crew. It has been fitted out and is in service.
- Four repairs carried out on IWS trucks.
- One new lease vehicle has been delivered.
- Monthly check and start test on emergency gensets were carried out at Esk office, Fernvale Futures and Kilcoy Depot.

- Quarterly truck mounted crane inspections have been carried out.

Welding Crew:

- The welding crew has carried out various repairs to Council assets for parks, garden and Council buildings.
- Fabricated horseshoe shaped sign frame for Kilcoy Race Club finish post and has been installed.
- Fabricate and install new tool boxes for P.515 new spray truck.
- Inspect all flag poles for Remembrance Day.
- Replaced all damaged flaps at the Kilcoy transfer station between concrete and skip bin.
- Carried out various repairs to council plant.

Hire Plant:

- Council has been using hired rollers, excavators and water trucks as required.
- Colas, bitumen spraying crew, has had a number of visits for new and reseal work. More visits are planned before Christmas close down.

Reflect Info:

- TMR – RMPC has 1718 defects with 222 accomplishments completed.
- Local Roads has 1429 defects recorded with 1123 accomplishments.
- Somerset Bridges has 156 completed inspections.

Background/Summary – Customer Service Requests (Debbie Chandler)

Council received 357 customer service requests for the month of November 2018. A copy of the report is attached for your information.

Month	No of CSRs Received	For Comparison Month	No of CSRs Received
Jul-18	377	Jul-17	539
Aug-18	365	Aug-17	595
Sept-18	410	Sept-17	456
Oct-18	389	Oct-17	458
Nov-18	357	Nov-17	547
		Dec-17	421
		Jan-18	536
		Feb-18	585
		Mar-18	533
		Apr-18	451
		May-18	483
		June-18	409
Total	1541	Total	6013

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

- Roads/bridges/drainage – vegetation – 29
- Roads/bridges/drainage – bitumen roads - 17
- Roads/bridges/drainage – traffic furniture – 17
- Overgrown allotments – private land - 16

- Dogs wandering at large and livestock wandering at large – 15 each

Recommendation

THAT the report be received.

Decision:	Moved - Cr Choat	Seconded - Cr Brieschke
	"THAT the report be received."	
		<u>Carried</u>

Subject:	Community Assistance Grants 2018-2019 Lowood Show Society Inc Doc Id 1080949
File Ref:	Community Relations - Sponsorships - Donations
Action Officer:	DHRCS

Background/Summary

To assist with the costs of holding the Lowood Show Society Christmas Carnival on Saturday, 8 December 2018.

Amount requested:	\$ 500
Total cost of project:	\$1,950
Amount recommended to be granted:	\$ 500

Assessor's Summary

The applicant states that the Lowood Show Society Christmas Carnival is held each year to celebrate Christmas and to give back to the local community for their valued support. The 2018 event will include rides for children, face painting and presents. The group will also be providing live entertainment.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be considered for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the costs of holding the Lowood Show Society Christmas Carnival on Saturday, 8 December 2018.

Decision:	Moved - Cr Brieschke	Seconded - Cr Ogg
	"THAT the application as summarised in this report be considered for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the costs of holding the Lowood Show Society Christmas Carnival on Saturday, 8 December 2018."	
		<u>Carried</u>

Background/Summary

Oman in 2018.

This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$500 for National Level representation.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant a National Level Sporting Excellence grant of \$500 to Sue Smith mother of Taylah Smith who has been selected as a member of the International Tent Pegging Team, and has been invited to attend the Federation Youth Championship 2019 being held in Sultanate of Oman, 29 January to 1 February 2019, to represent Australia.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT Council approve the application as summarised in this report and grant a National Level Sporting Excellence grant of \$500 to Sue Smith mother of Taylah Smith who has been selected as a member of the International Tent Pegging Team, and has been invited to attend the Federation Youth Championship 2019 being held in Sultanate of Oman, 29 January to 1 February 2019, to represent Australia."

Carried

Subject:	Condensery Gallery Advisory Committee Meeting Report - November 2018
File Ref:	2017 - 2018 – Condensery Gallery Advisory Committee
Action Officer:	TVISO

Background/Summary

A meeting of the Somerset Regional Council Condensery Gallery Advisory Committee was held on Monday, 26 November 2018.

Attachments

Meeting report for Somerset Regional Council Condensery Gallery Advisory Committee Monday, 26 November 2018.

Recommendation

THAT the meeting report of the Somerset Condensery Gallery Advisory Committee Meeting held on Monday, 26 November 2018 be received and the following recommendations endorsed:

THAT the applications received by artists/groups Christine Cooper and Russell Howard, Kilcoy Art Society Inc., Neil Degney, Sandi Harold and the Artists Alliance Australia be approved to display at the Somerset Regional Art Gallery – The Condensery in late 2019 or early 2020 and that the remaining application by Kevin Kruger be referred to the Kilcoy Art Society Inc. for including in their exhibition.

THAT a one-month exhibition period be allocated to the Somerset Senior Students exhibition in 2019.

Decision: Moved – Cr Brieschke Seconded - Cr Gaedtke

"THAT the meeting report of the Somerset Condensery Gallery Advisory Committee Meeting held on Monday, 26 November 2018 be received and the following recommendations endorsed:

THAT the applications received by artists/groups Christine Cooper and Russell Howard, Kilcoy Art Society Inc, Neil Degney, Sandi Harold and the Artists Alliance Australia be approved to display at the Somerset Regional Art Gallery – The Condensery in late 2019 or early 2020 and that the remaining application by Kevin Kruger be referred to the Kilcoy Art Society Inc. for including in their exhibition.

THAT a one-month exhibition period be allocated to the Somerset Senior Students exhibition in 2019."

Carried

Subject:	Tourism and Promotions Report - November 2018
File Ref:	Tourism - Promotions
Action Officer:	CMM

Background

The following is the end of monthly summary of activities relating to the four visitor information centres in Somerset (Esk, Fernvale, Kilcoy and Toogoolawah) for November 2018.

Visitor Statistics

	Somerset	Brisbane	Other SEQ	Rest of Queensland	Interstate	International	Total
Esk VIC	81	72	112	63	57	26	411
Kilcoy VIC	114	105	124	59	57	32	491
Fernvale VIC	279	77	46	26	12	12	452
SRAG and TVIC	293	91	48	41	16	15	504

Visitor Motivators

The top three reasons visitors attended each respective centre.

	First	Second	Third
Esk VIC	Maps and directions	Glen Rock Gallery	Tourist drives
Kilcoy VIC	Maps and directions	Tourist drives	Caravan and camping
Fernvale VIC	Maps and directions	Room Hire	Fishing and boating
SRAG and TVIC	SRAGTC Exhibition	Other – Tour Group Visits	Heritage

Merchandise Sold

The top three merchandise items sold at each centre.

	First	Second	Third	Total \$ Value
Esk VIC	Stubby cooler	Water bottle	-	\$23
Kilcoy VIC	Stubby cooler	Water bottle	Magnet	\$67
Fernvale VIC	Water bottle	-	-	\$5
SRAG and TVIC	Fridge Magnet	Water bottles	Postcards	\$19

Volunteers

	Active Volunteers	Non Active Volunteers	Total	Resignations	New Volunteers
Esk VIC	10	2	12	0	0
Kilcoy VIC	12	4	16	1	0
Fernvale VIC	19	2	21	0	0
SRAG and TVIC	10	3	13	2	1
	51	11	62	3	1

Volunteer Acknowledgement / Engagement

The next volunteer famil is scheduled on Wednesday, 5 December 2018. This famil is the annual Christmas Famil and a celebration of International Volunteers Day which falls on the same day.

Room Bookings

	Number of Room bookings/hires	Total \$ value from Room bookings/hires
Esk VIC	2	\$0 (Council staff)
Kilcoy VIC	8	\$55
Fernvale VIC	36	\$1727
SRAG and TVIC	0	0
Fernvale Community Hall	22	\$441
Fernvale Showgrounds	1	\$116

Somerset Regional Art Gallery – The Condensery

Current exhibition: An End to Conflict Exhibition

Artists: The exhibition is presented by Toogoolawah and District History Group Inc.

This exhibit commemorates the 100-year anniversary of the signing of the Armistice. The historical display will include a series of paintings, Why Way, by artist Merton Chambers, a Remembrance Poppy installation by artists Jayne Hodge, Chris Just and the wider Somerset

community. The display will also include various historical items highlighting Stanley Dallas, Air Ace, Dr Edith Fox, the Esk Hospital, The Australian Cycle Corp and Light Horse.

The opening event for this exhibition occurred on Saturday, 10 November 2018 between 2pm – 4pm.

Next exhibition: Picturing Innovation Exhibition

Artists: The exhibition is presented by Somerset Regional Council

Picturing Innovation is a portrait photography display celebrating the innovative people contributing to the fabric of the Somerset community and the region's diverse industries.

Queensland based photographer Rob Maccoll has captured in-situ portraits of nominated Somerset residents that highlight their achievement and help share their story.

The opening event for this exhibition will occur on Friday, 14 December 2018 between 6pm – 8pm.

Workshops

ATP9 children workshops have been secured through GOMA for the Somerset Regional Art Gallery – The Condensery. These free workshops will be available to children from January until April 2019.

Bus Tours

Three bus tours were welcomed to the gallery in November. Hampton and Toowoomba volunteers visited the gallery on Thursday, 15 November, the Sunshine Caravaners Club visited on Wednesday, 21 November and a Brisbane car club visited on Saturday, 25 November.

Toogoolawah State School visited the gallery on Wednesday, 28 November. Students were provided a talk by history group members on the Remembrance Day display commemorating the 100-year anniversary of the signing of the Armistice. The TVISO also provided students a talk on the building and its history relating to the Nestle Condensed Milk Factory.

About 104 extra guests visited the gallery during November due to pre- booked group visits.

Glen Rock Art Gallery (inside Esk Visitor Information Centre)

Glen Rock Gallery exhibitions coordinated by SASI include:

Artist: Fernvale Artists

Friday, 26 October 2018 to Wednesday, 28 November 2018

Artist: Glen Rock Stitchers

Friday, 30 November 2018 to Wednesday, 26 December 2018

Events

2018 Somerset Christmas Light Competition and Trail

The 2018 Somerset Christmas Light Competition and Trail entries closed on Friday, 23 November 2018. Council received 39 entries. Judging will be held during the week starting Monday, 3 December.

2019 Australia Day Awards

Planning is underway for the 2019 Somerset Australia Day Awards Ceremony and morning tea.

Award nominations opened on Monday, 24 September. Nominations closed on Friday, 30 November 2018. All nominees, nominators and residents will be invited to attend an Australia Day Awards presentation and morning tea. The Australia Day Awards judging panel will meet on Wednesday, 12 December.

Experience Somerset Exhibition and Tourism Guide Launch

The launch of the next Experience Somerset Visitor Guide, online image library and exhibition will be held in February at the Somerset Regional Art Gallery – The Condensery. The team continues to create content for the guide and prepare the online image library for the launch. Council has received advertising booking from 36 Somerset tourism operators. The team is planning for the launch event and official invitations will be sent out in January 2019. The experience Somerset exhibition planning has started. Council has applied for a Regional Arts Development Fund grant for a portion of the Experience Somerset exhibition.

Reel Wivenhoe Classic 2019

Council has contracted Fishing Freshwater to manage Council's Reel Wivenhoe Classic event for the next three consecutive years. In addition to the big annual, Reel Wivenhoe Classic event on Wivenhoe Dam, a smaller similar scale fishing comp, Reel Somerset Classic will be held at Lake Somerset annually in March for the next three years.

The following dates have been confirmed with Seqwater for Captain Logan Campground, Lake Wivenhoe for the Reel Wivenhoe Classic -

Saturday, 17 August 2019 and Sunday, 18 August 2019
Saturday, 15 August 2020 and Sunday, 16 August 2020
Sunday, 14 August 2021 and Sunday, 15 August 2021

Work has started on the event application to be lodged with Seqwater. A meeting has been scheduled for January with Fishing Freshwater to plan the next event.

The following dates have been confirmed with Fishing Freshwater for the Reel Somerset Classic on Lake Somerset. Exact location to be confirmed -

Friday, 29 March 2019 to Sunday, 31 March 2019,
Friday, 27 March 2020 to Sunday, 29 March 2020,
Friday, 26 March 2021 to Sunday, 28 March 2021,

Somerset Rail Trail Fun Run

The annual Somerset Rail Trail Fun Run will be held on Sunday, 14 July 2019. Planning for this event will start in January 2019. Council's tourism team assist with event promotion, social media management, graphic design collateral and organisation of the festival component and assistance with event organisation.

Promotions

Creating online content for free listings with the Australian Tourism Data Warehouse is ongoing. This will increase online presence for tourism in Somerset. Operators have been encouraged to create their own ATDW listing. Regional events have also been added to ATDW to be distributed to various websites including Visit Brisbane and Queensland.com. Brisbane Marketing have advised that they will only accept events listed on ATDW.

Events are continually updated on the Experience Somerset website.

Electronic signs – events placed on signs throughout the region.

Graphic design and promotional material/merchandise to support all events is created by the tourism team on an ongoing basis.

Council will again advertise in the 2019 edition of Wot's on in Queensland Event, Markets and Festival.

Wot's on in QLD have offered Council a free additional ad in SE Qld Wots on in QLD guide distributed only at airports and a free website ad on VIC landing page of the Wots on in QLD website.

Engagement

The eleventh monthly tourism visitor email newsletter was sent out Monday, 19 November 2018 to 1,563 recipients (1,463 visitor database, 100 council database).

Database	New subscribers in past month	Unsubscribed	Opened	Clicks	Total subscribers
Visitors	0	14	411	40	1463
Council	0	0	3	0	100

Most popular enews story

Coronation Hall

NB: The information and articles being circulated through the electronic newsletter are being sourced and produced by the tourism team. Each VISO is responsible for writing a minimum of one article focusing on a Somerset tourism attraction or event in the region for use in the monthly newsletter. These articles are also displayed on the Experience Somerset tourism site as blog posts.

Social Media Overview

Facebook Pages

Experience Somerset – 2009 likes (an increase of **6** on previous month)

Somerset Regional Art Gallery – the Condensery – 376 likes (an increase of **6** on previous month)

Somerset Rail Trail Fun Run - 1035 likes (no change)

Reel Wivenhoe Classic Facebook page - 702 likes (an increase of **36** on previous month)

Instagram account

Experience Somerset – 706 followers (an increase of **1** on previous month)

Experience Somerset Website Statistics

Total pages views: 4216

	First	Second	Third
Top three audience locations	Brisbane (1727)	Gold Coast (156)	Sydney (140)
Top three referrers	somerset.qld.gov.au (106)	wedshed.com.au (100)	facebook.com (27)

Other:

- The tourism team are continuing to work on a strategic development plan to improve its interactions with tourism operators (existing and potential) in the region over the

- next 12-18 months. Expected completion early 2019.
- Council's tourism team are reviewing a guidelines *for use* document for the use of Council's tourism logo, Somerset. Real Country. Real Adventure, prior to encouraging its use by third parties. This is in draft format. Council officers are now investigating design of a brand element to complement the tourism brand.
 - Work continues on updating and managing the new Experience Somerset online image catalogue due for release in February 2019.
 - Council has secured a site at the South Queensland Caravan, Camping, Boating, Fishing and 4x4 Expo to be held at Nambour from Friday, 26 April to Sunday, 28 April 2019.
 - Tour De Vines are starting a tour on Brisbane Valley Rail Trail in June 2019. Officers contacted the owner/operator of the company on 19 November and information about Somerset was sent.
 - Council officers have organised a 12-month membership listing with Volunteering Queensland specifically to advertise volunteer positions available at Council's four visitor information centres.
 - Tourism officers engaged the services of a local photographer to attend the Kilcoy Races on 1 December 2018 and three notable markets in Somerset on 8 December 2018 to obtain a series of images to be included in the Somerset Visitor Guide and online image library.

Attachments

Nil

Recommendations

THAT the report be received.

Decision:

Moved - Cr Brieschke

Seconded - Cr Hall

"THAT the report be received."

Carried

Subject:	Queensland Urban Utilities - Resignation of Board Member
File Ref:	Government relations - utilities departments liaison - 2018 - 2019
	- QUU - Queensland Urban Utilities [Doc ID 1081645]
Action Officer:	CEO

Background

Council is in receipt of a letter from Queensland Urban Utilities advising that Queensland Urban Utilities' Board member, Mr Kerian McNamara, formally resigned his position from the Board on 25 November 2018.

It is now necessary to appoint a further new Board member to fill the vacancy created by the resignation.

Mr Geoff Harley (Board Chairman QUU) has recommended Ms Kathy Hirschfeld's appointment to the QUU Board be brought forward from 1 July 2019 (as originally agreed) to 1 January 2019.

Attachments

Letter from Mr Geoff Harley, Chairman QUU dated 3 December 2019

Recommendation

THAT Somerset Regional Council agree that Ms Kathy Hirschfeld's appointment to the Queensland Urban Utility Board be brought forward from 1 July 2019 to 1 January 2019.

Decision:

Moved - Cr Hall

Seconded - Cr Ogg

"THAT Somerset Regional Council agree that Ms Kathy Hirschfeld's appointment to the Queensland Urban Utility Board be brought forward from 1 July 2019 to 1 January 2019."

Carried

Subject:	Acting Chief Executive Officer
File Ref:	Governance - authorisations - delegations by Council
Action Officer:	CEO

Background/Summary

Council resolved as follows on 11 July 2018:

"THAT in the absence of the Chief Executive Officer (CEO) on leave, attendance at conferences or extended sick leave, that the Director of Finance (DFIN) be delegated to act as Chief Executive Officer on these occasions.

THAT further, all delegations by Council to the Chief Executive Officer (CEO) are thereby delegated to the Director of Finance (DFIN) whilst he/she is acting as Chief Executive Officer (CEO)."

It is considered that there may be benefit in a further delegation.

Attachment

Council decision of 11 July 2018

Recommendation

THAT should the Chief Executive Officer (CEO) be absent for other reasons and that the Director Finance (DFIN) also be absent that the Director of Corporate and Community Services (DCORP) be delegated to act as Chief Executive Officer on these occasions.

Decision:

Moved - Cr Hall

Seconded - Cr Brieschke

"THAT should the Chief Executive Officer (CEO) be absent for other reasons and that the Director Finance (DFIN) also be absent that the Director of Corporate and Community Services (DCORP) be delegated to act as Chief Executive Officer on these occasions."

Carried**Meetings authorised by Council**

Nil

Mayor and Councillor Reports

Cr Gaedtke - Councillor Report -

28 November Kilcoy and District Progress Alliance Inc. monthly meeting
 29 November Kilcoy Showground Reserve Overall Management Committee Meeting
 05 December Somerset Dam and District Progress Assn monthly meeting
 05 December Somerset Tourism Volunteers' Day
 06 December Brisbane Valley Heritage Trails Inc. monthly meeting – Nanango
 08 December Back to Jimna
 08 December Kilcoy Lions Christmas Carnival
 10 December War on Waste – Kilcoy State High School
 11 December Kilcoy State School Awards Ceremony and End of Year Celebration

I have received many favourable comments regarding Back to Jimna and the Kilcoy Lions Christmas Carnival. I would like to acknowledge those responsible for organising the events. Hopefully both events will become regular entries on our calendar of events.

Congratulations to the students involved with "War on Waste" (Kilcoy State High School) and Kilcoy State School Awards Ceremony and End of Year Celebration. When asked about each project on War on Waste, students were eager to share their knowledge of the subject and how they researched their particular project. It is reassuring that this important universal issue is gaining greater understanding at school level.

I was impressed by the delivery of the Kilcoy State School Awards Ceremony (Year 3 – 6) and End of Year Celebration (Prep to Year 2). Students of all ages displayed confidence by hosting their end of school year events.

Cr Choat - Councillor Report -

28/11/2018 Council General Meeting and Workshop – Council Chambers Esk
 30/11/2018 Prenzlaw State School Annual Awards Ceremony
 30/11/2018 Ipswich Show Society Christmas Social
 1/12/2018 Fernvale Feast and Trade Fair
 1/12/2018 Kilcoy Race Day
 2/12/2018 Compere for Esk Community Choir Christmas Concert
 3/12/2018 Brisbane Valley Neighbourhood Watch Meeting
 6/12/2018 Regional Development Australia Board Meeting
 7/12/2018 Glamorgan Vale State School Annual Awards Night and Christmas Concert
 7/12/2018 Shirley Payne 80th Birthday Community Celebration
 11/11/2018 Toogoolawah Progress Association Fire Preparedness Information Night Mt Beppo

Cr Brieschke - Councillor Report

Starlight Dance Concert

Cr Brieschke attended the Starlight Dance Concert on Monday night in Toogoolawah, and noted the amount of talented children we have in our area who performed that night. It is a credit to the coach and the parents.

Toogoolawah Bush Fire Information Evening

Cr Brieschke noted her attendance at the Toogoolawah Bush Fire Information evening last night. Cr Brieschke thanked the Rural Fire Services, Red Trucks and Council's Community Support Coordinator for their assistance in holding the event. It was well attended with 55 people attending.

Cr Hall - Councillor Report

Cr Hall reported that last Saturday night he filled in for the Mayor at the Esk Lions Dinner, where they handed out over \$40,000 funding to local groups in the area. For the year it was over \$50,000 all up. Well done.

Decision:

Moved - Cr Ogg

Seconded - Cr Hall

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

Carried**Receipt of Petition**

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Staff Service Presentations

The Mayor presented Certificates and gifts to Mr Steven Capsanis (Labourer, Repair Crew) in recognition of 10 years' service to Council, and Mr Adam Staunton (Disaster management Officer) in recognition of 10 years' service to Council.

Presentations to 2018 Christmas Light Winners -

The Mayor presented certificates and cash prizes to the winners of the 2018 Christmas Lights Competition as follows –

- Bodymechanic Bowen Therapy, Manuela Laycock of Toogoolawah - Best business / Community Group Category A - Shopfront Display Only
- Esk Caravan Park, Paul Lawson - Best Business / Community Group Category B - Shopfront and Additional Space Display Only
- John and Judy Seppanen, Glamorgan Vale - Best Rural Display
- Megan Tobler, Lowood - Best Urban Display
- Trevor and Gaele Hare and Pam and Ernie Elliot, Fernvale - Best Street

- Kel and Melissa Stanton, Kilcoy - Display over 5000 lights and below 10,000 lights
- Lola Beard, Lowood - Display over 10,000 lights
- Rachell Schafer and Diana Meiers, Esk - Best Solar Powered Display

The following recipients were unable to attend today -

- Chloe Lowe, Fernvale - Display under 5000 lights
- Bev Ruthenburg, Fernvale - Best Street
- Willie Kocsardi, Fernvale - Best Street
- Vanessa Isbell, Fernvale - Best Street
- Sue McRae, Fernvale - Best Street

The Mayor congratulated everyone on their wonderful efforts.

Closure of Meeting

Summary

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10am.

APPENDIX A

Somerset Regional Council
Budget - adoption level - second budget review
Year Ending 30 June 2019

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of cash flows										
<u>FUNDS IN (ACCRUALS BASIS)</u>										
Capital grants and subsidies	6,580,904	158,704	-	-	-	6,422,200	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	690,000	-	-	690,000	-	-	-	-	-	-
Tax equivalents	600,000	-	-	600,000	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,360,180	152,220	-	48,720	-	145,000	951,440	-	-	62,800
Interest earned	1,726,800	-	-	1,726,800	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,788,645	244,504	-	3,364,290	21,000	33,851	15,000	110,000	-	-
Other revenue	1,843,521	436,109	13,200	1,136,712	-	257,500	-	-	-	-
Private/ Main Roads Works	3,627,206	-	-	-	-	49,226	-	-	3,577,980	-
Profit on sale/ Proceeds from sale	1,584,000	1,584,000	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,273,291)	-	-	(2,821,683)	-	-	-	-	-	(451,608)
Rates and utility charges excluding discounts and rebates	24,937,245	-	-	21,500,115	-	-	91,885	-	-	3,345,245
<u>TOTAL FUNDS IN</u>	44,133,322	2,575,537	13,200	26,913,066	21,000	6,907,777	1,058,325	110,000	3,577,980	2,956,437
<u>FUNDS OUT (ACCRUALS BASIS)</u>										
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Labour, plant and materials/ Councillor remuneration	47,961,812	5,592,220	2,219,922	1,525,670	1,727,124	7,010,646	2,995,078	(1,754,151)	23,812,254	4,833,049
Internal recovery	-	(137,680)	-	-	-	-	-	-	(493,346)	631,026
Plant purchases	1,125,280	-	-	-	-	-	-	1,125,280	-	-
Water and sewerage services - Queensland Urban Utilities	308,194	-	-	-	-	308,194	-	-	-	-
Loan redemption	-	-	-	-	-	-	-	-	-	-
<u>TOTAL FUNDS OUT</u>	49,395,286	5,454,540	2,219,922	1,525,670	1,727,124	7,318,840	2,995,078	(628,871)	23,318,908	5,464,075
NET FUNDS MOVEMENT	(5,261,964)	(2,879,003)	(2,206,722)	25,387,396	(1,706,124)	(411,063)	(1,936,753)	738,871	(19,740,928)	(2,507,638)
CHANGES IN RESERVES AND EQUITY MOVEMENTS	(5,261,964)	-	-	(13,790,604)	-	7,199,360	-	1,125,280	-	204,000
NET FUNDS MOVEMENT AND EQUITY MOVEMENTS	-	(2,879,003)	(2,206,722)	39,178,000	(1,706,124)	(7,610,423)	(1,936,753)	(386,409)	(19,740,928)	(2,711,638)

Somerset Regional Council
Budget - adoption level - second budget review
Year Ending 30 June 2019

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of income and expenditure										
OPERATING REVENUE										
Capital grants and subsidies	6,580,904	158,704	-	-	-	6,422,200	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	690,000	-	-	690,000	-	-	-	-	-	-
Tax equivalents	600,000	-	-	600,000	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,360,180	152,220	-	48,720	-	145,000	951,440	-	-	62,800
Interest earned	1,726,800	-	-	1,726,800	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,788,645	244,504	-	3,364,290	21,000	33,851	15,000	110,000	-	-
Other revenue	1,843,521	436,109	13,200	1,136,712	-	257,500	-	-	-	-
Private/ Main Roads Works	3,627,206	-	-	-	-	49,226	-	-	3,577,980	-
Profit on sale/ Proceeds from sale	1,584,000	1,584,000	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,273,291)	-	-	(2,821,683)	-	-	-	-	-	(451,608)
Rates and utility charges excluding discounts and rebates	24,937,245	-	-	21,500,115	-	-	91,885	-	-	3,345,245
Less capital items	(8,164,904)	(1,742,704)	-	-	-	(6,422,200)	-	-	-	-
TOTAL OPERATING REVENUE	35,968,418	832,833	13,200	26,913,066	21,000	485,577	1,058,325	110,000	3,577,980	2,956,437
OPERATING EXPENDITURE										
Labour, plant and materials/ Councillor remuneration	47,961,812	5,592,220	2,219,922	1,525,670	1,727,124	7,010,646	2,995,078	(1,754,151)	23,812,254	4,833,049
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Plant purchases	1,125,280	-	-	-	-	-	-	1,125,280	-	-
Internal recovery	-	(137,680)	-	-	-	-	-	-	(493,346)	631,026
Water and sewerage services - Queensland Urban Utilities	308,194	-	-	-	-	308,194	-	-	-	-
Depreciation	8,528,640	-	-	-	-	7,199,360	-	1,125,280	-	204,000
Less used for capital purposes	(21,655,881)	-	-	-	-	(2,048,274)	-	(1,125,280)	(15,659,272)	(2,823,055)
TOTAL OPERATING EXPENDITURE	36,268,045	5,454,540	2,219,922	1,525,670	1,727,124	12,469,926	2,995,078	(628,871)	7,659,636	2,845,020
NET RESULT OR NET OPERATING POSITION	(299,627)	(4,621,707)	(2,206,722)	25,387,396	(1,706,124)	(11,984,349)	(1,936,753)	738,871	(4,081,656)	111,417
Dissection of capital expenditure										
New assets including upgrading, extending and improving assets and infrastructure	8,912,329									
Replacement or renewals of assets	12,743,552									
Total capital expenditure	21,655,881									

Somerset Regional Council
Budget - adoption level - second budget review
Year Ending 30 June 2019

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of changes in equity										
Accumulated (Surplus)/ Deficit	(6,515,964)	-	-	(6,515,964)	-	-	-	-	-	-
Appn to-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Works & Roads	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Wtr/Sewerage	-	-	-	-	-	-	-	-	-	-
Trfr from-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Constrained Works Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Land Sale Reserve	1,254,000	-	-	1,254,000	-	-	-	-	-	-
Depreciation	8,528,640	-	-	-	-	7,199,360	-	1,125,280	-	204,000
Depreciation funding adjustment	(8,528,640)	-	-	(8,528,640)	-	-	-	-	-	-
TOTAL RESERVES AND EQUITY MOVEMENTS	(5,261,964)	-	-	(13,790,604)	-	7,199,360	-	1,125,280	-	204,000

Somerset Regional Council
Budget - adoption level - second budget review
Year Ending 30 June 2019

Balance sheet or statement of financial position	30-Jun-19	30-Jun-18
<u>Assets</u>		
Operating and trust cash to account	69,257,036	74,519,000
Rate debtors	2,234,000	2,234,000
Other receivables	2,224,000	2,224,000
Store inventories/ gravel stockpiles	655,000	655,000
Obligations that will be owed by the water distributor retailer to the local government in respect of the disposal of assets to the distributor retailer	13,804,000	13,804,000
Equity in Queensland Urban Utilities	27,899,000	27,899,000
Property, plant, equipment, work in progress, land	351,413,241	338,286,000
<u>Total assets</u>	467,486,277	459,621,000
<u>Liabilities</u>		
Trade creditors, accruals and other current liabilities	13,596,000	13,596,000
<u>Total liabilities</u>	13,596,000	13,596,000
<u>Net community assets</u>	453,890,277	446,025,000
Community equity	453,890,277	446,025,000

Somerset Regional Council
Budget - adoption level - second year forecast - second budget review
Year Ending 30 June 2020

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of cash flows										
<u>FUNDS IN (ACCRUALS BASIS)</u>										
Capital grants and subsidies	1,286,501	-	-	-	-	1,286,501	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	703,800	-	-	703,800	-	-	-	-	-	-
Tax equivalents	612,000	-	-	612,000	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,387,383	155,264	-	49,694	-	147,900	970,469	-	-	64,056
Interest earned	1,727,116	-	-	1,727,116	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,782,604	249,394	-	3,364,290	21,420	20,000	15,300	112,200	-	-
Other revenue	1,617,662	444,752	13,464	1,159,446	-	-	-	-	-	-
Private/ Main Roads Works	3,699,751	-	-	-	-	50,211	-	-	3,649,540	-
Profit on sale/ Proceeds from sale	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,349,020)	-	-	(2,886,573)	-	-	-	-	-	(462,447)
Rates and utility charges excluding discounts and rebates	25,511,884	-	-	21,993,140	-	-	93,213	-	-	3,425,531
<u>TOTAL FUNDS IN</u>	37,647,793	849,410	13,464	27,391,025	21,420	1,504,612	1,078,982	112,200	3,649,540	3,027,140
<u>FUNDS OUT (ACCRUALS BASIS)</u>										
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Labour, plant and materials/ Councillor remuneration	35,813,731	5,731,727	2,264,318	1,556,182	1,760,957	5,334,619	3,034,583	(1,789,234)	15,865,006	2,055,573
Internal recovery	-	(140,434)	-	-	-	-	-	-	(503,213)	643,647
Plant purchases	1,519,700	-	-	-	-	-	-	1,519,700	-	-
Water and sewerage services - Queensland Urban Utilities	314,362	-	-	-	-	314,362	-	-	-	-
Loan redemption	-	-	-	-	-	-	-	-	-	-
<u>TOTAL FUNDS OUT</u>	37,647,793	5,591,293	2,264,318	1,556,182	1,760,957	5,648,981	3,034,583	(269,534)	15,361,793	2,699,220
NET FUNDS MOVEMENT	-	(4,741,883)	(2,250,854)	25,834,843	(1,739,537)	(4,144,369)	(1,955,601)	381,734	(11,712,253)	327,920
CHANGES IN RESERVES AND EQUITY MOVEMENTS	-	-	-	(8,705,274)	-	7,349,408	-	1,147,786	-	208,080
NET FUNDS MOVEMENT AND EQUITY MOVEMENTS	-	(4,741,883)	(2,250,854)	34,540,117	(1,739,537)	(11,493,777)	(1,955,601)	(766,052)	(11,712,253)	119,840

Somerset Regional Council
Budget - adoption level - second year forecast - second budget review
Year Ending 30 June 2020

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of income and expenditure										
OPERATING REVENUE										
Capital grants and subsidies	1,286,501	-	-	-	-	1,286,501	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	703,800	-	-	703,800	-	-	-	-	-	-
Tax equivalents	612,000	-	-	612,000	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,387,383	155,264	-	49,694	-	147,900	970,469	-	-	64,056
Interest earned	1,727,116	-	-	1,727,116	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,782,604	249,394	-	3,364,290	21,420	20,000	15,300	112,200	-	-
Other revenue	1,617,662	444,752	13,464	1,159,446	-	-	-	-	-	-
Private/ Main Roads Works	3,699,751	-	-	-	-	50,211	-	-	3,649,540	-
Profit on sale/ Proceeds from sale	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,349,020)	-	-	(2,886,573)	-	-	-	-	-	(462,447)
Rates and utility charges excluding discounts and rebates	25,511,884	-	-	21,993,140	-	-	93,213	-	-	3,425,531
Less capital items	(1,286,501)	-	-	-	-	(1,286,501)	-	-	-	-
TOTAL OPERATING REVENUE	36,361,292	849,410	13,464	27,391,025	21,420	218,111	1,078,982	112,200	3,649,540	3,027,140
OPERATING EXPENDITURE										
Labour, plant and materials/ Councillor remuneration	35,813,731	5,731,727	2,264,318	1,556,182	1,760,957	5,334,619	3,034,583	(1,789,234)	15,865,006	2,055,573
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Plant purchases	1,519,700	-	-	-	-	-	-	1,519,700	-	-
Internal recovery	-	(140,434)	-	-	-	-	-	-	(503,213)	643,647
Water and sewerage services - Queensland Urban Utilities	314,362	-	-	-	-	314,362	-	-	-	-
Depreciation	8,705,274	-	-	-	-	7,349,408	-	1,147,786	-	208,080
Less used for capital purposes	(10,127,263)	-	-	-	-	(1,108,000)	-	(1,519,700)	(7,499,563)	-
TOTAL OPERATING EXPENDITURE	36,225,804	5,591,293	2,264,318	1,556,182	1,760,957	11,890,389	3,034,583	(641,448)	7,862,230	2,907,300
NET RESULT OR NET OPERATING POSITION	135,488	(4,741,883)	(2,250,854)	25,834,843	(1,739,537)	(11,672,278)	(1,955,601)	753,648	(4,212,690)	119,840
Dissection of capital expenditure										
New assets including upgrading, extending and improving assets and infrastructure	310,746									
Replacement or renewals of assets	9,816,517									
Total capital expenditure	10,127,263									

Somerset Regional Council
Budget - adoption level - second year forecast - second budget review
Year Ending 30 June 2020

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of changes in equity										
Accumulated (Surplus)/ Deficit	-	-	-	-	-	-	-	-	-	-
Appn to-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Works & Roads	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Wtr/Sewerage	-	-	-	-	-	-	-	-	-	-
Trfr from-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Constrained Works Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Land Sale Reserve	-	-	-	-	-	-	-	-	-	-
Depreciation	8,705,274	-	-	-	-	7,349,408	-	1,147,786	-	208,080
Depreciation funding adjustment	(8,705,274)	-	-	(8,705,274)	-	-	-	-	-	-
TOTAL RESERVES AND EQUITY MOVEMENTS	-	-	-	(8,705,274)	-	7,349,408	-	1,147,786	-	208,080

Somerset Regional Council
Budget - adoption level - second year forecast - second budget review
Year Ending 30 June 2020

Balance sheet or statement of financial position	30-Jun-20	30-Jun-19
<u>Assets</u>		
Operating and trust cash to account	69,257,036	69,257,036
Rate debtors	2,243,040	2,234,000
Other receivables	2,232,999	2,224,000
Store inventories/ gravel stockpiles	657,650	655,000
Obligations that will be owed by the water distributor retailer to the local government in respect of the disposal of assets to the distributor retailer	13,804,000	13,804,000
Equity in Queensland Urban Utilities	27,899,000	27,899,000
Property, plant, equipment, work in progress, land	352,835,230	351,413,241
<u>Total assets</u>	<u>468,928,955</u>	<u>467,486,277</u>
<u>Liabilities</u>		
Trade creditors, accruals and other current liabilities	13,616,689	13,596,000
<u>Total liabilities</u>	<u>13,616,689</u>	<u>13,596,000</u>
<u>Net community assets</u>	<u>455,312,266</u>	<u>453,890,277</u>
Community equity	455,312,266	453,890,277

Somerset Regional Council
Budget - adoption level - third year forecast - second budget review
Year Ending 30 June 2021

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of cash flows										
<u>FUNDS IN (ACCRUALS BASIS)</u>										
Capital grants and subsidies	1,298,491	-	-	-	-	1,298,491	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	717,876	-	-	717,876	-	-	-	-	-	-
Tax equivalents	624,240	-	-	624,240	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,415,131	158,369	-	50,688	-	150,858	989,879	-	-	65,337
Interest earned	1,729,383	-	-	1,729,383	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,841,034	254,382	-	3,414,754	21,848	20,000	15,606	114,444	-	-
Other revenue	1,642,965	446,597	13,733	1,182,635	-	-	-	-	-	-
Private/ Main Roads Works	3,773,746	-	-	-	-	51,215	-	-	3,722,531	-
Profit on sale/ Proceeds from sale	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,426,500)	-	-	(2,952,954)	-	-	-	-	-	(473,546)
Rates and utility charges excluding discounts and rebates	26,100,296	-	-	22,497,475	-	-	95,077	-	-	3,507,744
<u>TOTAL FUNDS IN</u>	38,384,774	859,348	13,733	27,932,209	21,848	1,520,564	1,100,562	114,444	3,722,531	3,099,535
<u>FUNDS OUT (ACCRUALS BASIS)</u>										
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Labour, plant and materials/ Councillor remuneration	36,444,426	5,846,212	2,309,593	1,587,303	1,795,465	4,444,155	3,095,271	(1,825,021)	17,089,252	2,102,196
Internal recovery	-	(143,243)	-	-	-	-	-	-	(513,277)	656,520
Plant purchases	1,619,700	-	-	-	-	-	-	1,619,700	-	-
Water and sewerage services - Queensland Urban Utilities	320,648	-	-	-	-	320,648	-	-	-	-
Loan redemption	-	-	-	-	-	-	-	-	-	-
<u>TOTAL FUNDS OUT</u>	38,384,774	5,702,969	2,309,593	1,587,303	1,795,465	4,764,803	3,095,271	(205,321)	16,575,975	2,758,716
NET FUNDS MOVEMENT	0	(4,843,621)	(2,295,860)	26,344,906	(1,773,617)	(3,244,239)	(1,994,709)	319,765	(12,853,444)	340,819
CHANGES IN RESERVES AND EQUITY MOVEMENTS	-	-	-	(8,885,579)	-	7,502,595	-	1,170,742	-	212,242
NET FUNDS MOVEMENT AND EQUITY MOVEMENTS	0	(4,843,621)	(2,295,860)	35,230,485	(1,773,617)	(10,746,834)	(1,994,709)	(850,977)	(12,853,444)	128,577

Somerset Regional Council
Budget - adoption level - third year forecast - second budget review
Year Ending 30 June 2021

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of income and expenditure										
OPERATING REVENUE										
Capital grants and subsidies	1,298,491	-	-	-	-	1,298,491	-	-	-	-
Contributions from developers	-	-	-	-	-	-	-	-	-	-
Dividends	717,876	-	-	717,876	-	-	-	-	-	-
Tax equivalents	624,240	-	-	624,240	-	-	-	-	-	-
Interest earned - Queensland Urban Utilities	668,112	-	-	668,112	-	-	-	-	-	-
Fees and charges	1,415,131	158,369	-	50,688	-	150,858	989,879	-	-	65,337
Interest earned	1,729,383	-	-	1,729,383	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,841,034	254,382	-	3,414,754	21,848	20,000	15,606	114,444	-	-
Other revenue	1,642,965	446,597	13,733	1,182,635	-	-	-	-	-	-
Private/ Main Roads Works	3,773,746	-	-	-	-	51,215	-	-	3,722,531	-
Profit on sale/ Proceeds from sale	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,426,500)	-	-	(2,952,954)	-	-	-	-	-	(473,546)
Rates and utility charges excluding discounts and rebates	26,100,296	-	-	22,497,475	-	-	95,077	-	-	3,507,744
Less capital items	(1,298,491)	-	-	-	-	(1,298,491)	-	-	-	-
TOTAL OPERATING REVENUE	37,086,283	859,348	13,733	27,932,209	21,848	222,073	1,100,562	114,444	3,722,531	3,099,535
OPERATING EXPENDITURE										
Labour, plant and materials/ Councillor remuneration	36,444,426	5,846,212	2,309,593	1,587,303	1,795,465	4,444,155	3,095,271	(1,825,021)	17,089,252	2,102,196
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-
Plant purchases	1,619,700	-	-	-	-	-	-	1,619,700	-	-
Internal recovery	-	(143,243)	-	-	-	-	-	-	(513,277)	656,520
Water and sewerage services - Queensland Urban Utilities	320,648	-	-	-	-	320,648	-	-	-	-
Depreciation	8,885,579	-	-	-	-	7,502,595	-	1,170,742	-	212,242
Less used for capital purposes	(10,294,031)	-	-	-	-	(116,230)	-	(1,619,700)	(8,558,101)	-
TOTAL OPERATING EXPENDITURE	36,976,322	5,702,969	2,309,593	1,587,303	1,795,465	12,151,168	3,095,271	(654,279)	8,017,874	2,970,958
NET RESULT OR NET OPERATING POSITION	109,961	(4,843,621)	(2,295,860)	26,344,906	(1,773,617)	(11,929,095)	(1,994,709)	768,723	(4,295,343)	128,577
Dissection of capital expenditure										
New assets including upgrading, extending and improving assets and infrastructure	2,983,443									
Replacement or renewals of assets	7,310,588									
Total capital expenditure	10,294,031									

Somerset Regional Council
Budget - adoption level - third year forecast - second budget review
Year Ending 30 June 2021

	TOTAL	Corporate	Executive	Finance	Human Resources	Operations	Planning	Plant	Roads	Waste mgt
Statement of changes in equity										
Accumulated (Surplus)/ Deficit	-	-	-	-	-	-	-	-	-	-
Appn to-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Works & Roads	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Wtr/Sewerage	-	-	-	-	-	-	-	-	-	-
Trfr from-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Constrained Works Reserve	-	-	-	-	-	-	-	-	-	-
Trfr from-Land Sale Reserve	-	-	-	-	-	-	-	-	-	-
Depreciation	8,885,579	-	-	-	-	7,502,595	-	1,170,742	-	212,242
Depreciation funding adjustment	(8,885,579)	-	-	(8,885,579)	-	-	-	-	-	-
TOTAL RESERVES AND EQUITY MOVEMENTS	-	-	-	(8,885,579)	-	7,502,595	-	1,170,742	-	212,242

Somerset Regional Council
Budget - adoption level - third year forecast - second budget review
Year Ending 30 June 2021

	30-Jun-21	30-Jun-20
Balance sheet or statement of financial position		
<u>Assets</u>		
Operating and trust cash to account	69,257,036	69,257,036
Rate debtors	2,251,994	2,243,040
Other receivables	2,241,913	2,232,999
Store inventories/ gravel stockpiles	660,275	657,650
Obligations that will be owed by the water distributor retailer to the local government in respect of the disposal of assets to the distributor retailer	13,804,000	13,804,000
Equity in Queensland Urban Utilities	27,899,000	27,899,000
Property, plant, equipment, work in progress, land	354,243,682	352,835,230
<u>Total assets</u>	<u>470,357,900</u>	<u>468,928,955</u>
<u>Liabilities</u>		
Trade creditors, accruals and other current liabilities	13,637,182	13,616,689
<u>Total liabilities</u>	<u>13,637,182</u>	<u>13,616,689</u>
<u>Net community assets</u>	<u>456,720,718</u>	<u>455,312,266</u>
Community equity	456,720,718	455,312,266

Somerset Regional Council
Budget, long term financial forecast and financial plan, long term asset management plan and ratios - adoption level - second budget review
Years ending 30 June 2019 to 2029

Year	Second Revised Budget FY2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
STATEMENT OF CASH FLOW											
FUNDS IN (ACCRUALS BASIS)											
Capital grants and subsidies	6,580,904	1,286,501	1,298,491	1,310,721	1,323,195	1,335,919	1,348,897	1,362,135	1,375,638	1,389,411	1,403,459
Contributions from developers	-	-	-	-	-	-	-	-	-	-	-
Dividends	690,000	703,800	717,876	732,234	746,879	761,817	777,053	792,594	808,446	824,615	841,107
Tax equivalents	600,000	612,000	624,240	636,725	649,460	662,449	675,698	689,212	702,996	717,056	731,397
Interest earned - Queensland Urban Utilities	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112
Fees and charges	1,360,180	1,387,383	1,415,131	1,443,433	1,472,302	1,501,748	1,531,781	1,562,415	1,593,663	1,625,535	1,658,047
Interest earned	1,726,800	1,727,116	1,729,383	1,731,684	1,734,019	1,736,389	1,738,795	1,741,237	1,743,716	1,746,232	1,748,785
Internal recovery	-	-	-	-	-	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,788,645	3,782,604	3,841,034	3,900,381	3,960,660	4,021,883	4,084,067	4,147,227	4,211,379	4,276,538	4,342,720
Other revenue	1,843,521	1,617,662	1,642,965	1,675,745	1,709,179	1,743,283	1,778,066	1,813,547	1,849,737	1,886,653	1,924,306
Private/ Main Roads Works	3,627,206	3,699,751	3,773,746	3,849,220	3,926,205	4,004,730	4,084,825	4,166,521	4,249,851	4,334,849	4,421,547
Profit on sale/ Proceeds from sale	1,584,000	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,273,291)	(3,349,020)	(3,426,500)	(3,505,774)	(3,586,882)	(3,669,867)	(3,754,772)	(3,841,642)	(3,930,522)	(4,021,459)	(4,114,502)
Rates and utility charges excluding discounts and rebates	24,937,245	25,511,884	26,100,296	26,702,285	27,318,168	27,948,267	28,592,908	29,252,428	29,927,170	30,617,486	31,323,736
TOTAL FUNDS IN	44,133,322	37,647,793	38,384,774	39,144,766	39,921,297	40,714,730	41,525,430	42,353,786	43,200,186	44,065,028	44,948,714
FUNDS OUT (ACCRUALS BASIS)											
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-	-
Labour, plant and materials/ Councillor remuneration	47,961,812	35,813,731	36,444,426	37,189,802	38,011,491	39,301,450	40,175,752	40,662,466	41,935,391	43,209,310	42,978,936
Plant purchases	1,125,280	1,519,700	1,619,700	1,627,900	1,576,200	1,073,000	1,002,600	1,337,300	903,700	487,400	1,594,100
Water and sewerage services - Queensland Urban Utilities	308,194	314,362	320,648	327,064	333,606	340,280	347,078	354,020	361,095	368,318	375,678
Loan redemption	-	-	-	-	-	-	-	-	-	-	-
TOTAL FUNDS OUT	49,395,286	37,647,793	38,384,774	39,144,766	39,921,297	40,714,730	41,525,430	42,353,786	43,200,186	44,065,028	44,948,714
NET FUNDS MOVEMENT	(5,261,964)	-	-	-	-	-	-	-	-	-	-
CHANGES IN RESERVES AND EQUITY MOVEMENTS	(5,261,964)	-	-	-	-	-	-	-	-	-	-
NET FUNDS MOVEMENT AND EQUITY MOVEMENTS	-	-	-	-	-	-	-	-	-	-	-
Non-cash cost											
Depreciation	8,528,640	8,705,274	8,885,579	9,069,634	9,257,516	9,449,305	9,645,082	9,844,932	10,048,937	10,257,186	10,469,767

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Year	Second Revised Budget FY2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
STATEMENT OF INCOME AND EXPENDITURE											
INCOME											
Capital grants and subsidies	6,580,904	1,286,501	1,298,491	1,310,721	1,323,195	1,335,919	1,348,897	1,362,135	1,375,638	1,389,411	1,403,459
Contributions from developers	-	-	-	-	-	-	-	-	-	-	-
Dividends	690,000	703,800	717,876	732,234	746,879	761,817	777,053	792,594	808,446	824,615	841,107
Tax equivalents	600,000	612,000	624,240	636,725	649,460	662,449	675,698	689,212	702,996	717,056	731,397
Interest earned - Queensland Urban Utilities	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112	668,112
Fees and charges	1,360,180	1,387,383	1,415,131	1,443,433	1,472,302	1,501,748	1,531,781	1,562,415	1,593,663	1,625,535	1,658,047
Interest earned	1,726,800	1,727,116	1,729,383	1,731,684	1,734,019	1,736,389	1,738,795	1,741,237	1,743,716	1,746,232	1,748,785
Internal recovery	-	-	-	-	-	-	-	-	-	-	-
Loan advance	-	-	-	-	-	-	-	-	-	-	-
Operating grants and subsidies	3,788,645	3,782,604	3,841,034	3,900,381	3,960,660	4,021,883	4,084,067	4,147,227	4,211,379	4,276,538	4,342,720
Other revenue	1,843,521	1,617,662	1,642,965	1,675,745	1,709,179	1,743,283	1,778,066	1,813,547	1,849,737	1,886,653	1,924,306
Private/ Main Roads Works	3,627,206	3,699,751	3,773,746	3,849,220	3,926,205	4,004,730	4,084,825	4,166,521	4,249,851	4,334,849	4,421,547
Profit on sale/ Proceeds from sale	1,584,000	-	-	-	-	-	-	-	-	-	-
Rates and utility charges discounts and rebates	(3,273,291)	(3,349,020)	(3,426,500)	(3,505,774)	(3,586,882)	(3,669,867)	(3,754,772)	(3,841,642)	(3,930,522)	(4,021,459)	(4,114,502)
Rates and utility charges excluding discounts and rebates	24,937,245	25,511,884	26,100,296	26,702,285	27,318,168	27,948,267	28,592,908	29,252,428	29,927,170	30,617,486	31,323,736
Less capital items	(8,164,904)	(1,286,501)	(1,298,491)	(1,310,721)	(1,323,195)	(1,335,919)	(1,348,897)	(1,362,135)	(1,375,638)	(1,389,411)	(1,403,459)
TOTAL INCOME	35,968,418	36,361,292	37,086,283	37,834,045	38,598,102	39,378,811	40,176,533	40,991,651	41,824,548	42,675,617	43,545,255
EXPENDITURE											
Interest paid and finance costs	-	-	-	-	-	-	-	-	-	-	-
Labour, plant and materials/ Councillor remuneration	47,961,812	35,813,731	36,444,426	37,189,802	38,011,491	39,301,450	40,175,752	40,662,466	41,935,391	43,209,310	42,978,936
Plant purchases	1,125,280	1,519,700	1,619,700	1,627,900	1,576,200	1,073,000	1,002,600	1,337,300	903,700	487,400	1,594,100
Water and sewerage services - Queensland Urban Utilities	308,194	314,362	320,648	327,064	333,606	340,280	347,078	354,020	361,095	368,318	375,678
Loan redemption	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
TOTAL EXPENDITURE BEFORE DEPRECIATION BUT AFTER CAPITAL EXPENDITURE	49,395,286	37,647,793	38,384,774	39,144,766	39,921,297	40,714,730	41,525,430	42,353,786	43,200,186	44,065,028	44,948,714
Add depreciation	8,528,640	8,705,274	8,885,579	9,069,634	9,257,516	9,449,305	9,645,082	9,844,932	10,048,937	10,257,186	10,469,767
Less used for capital purposes	(21,655,881)	(10,127,263)	(10,294,031)	(10,471,796)	(10,653,743)	(10,840,016)	(11,030,753)	(11,225,969)	(11,425,818)	(11,630,434)	(11,839,885)
TOTAL OPERATING EXPENDITURE	36,268,045	36,225,804	36,976,322	37,742,604	38,525,070	39,324,019	40,139,759	40,972,749	41,823,305	42,691,780	43,578,596
NET RESULT / OPERATING SURPLUS OR (DEFICIT)	(299,627)	135,488	109,961	91,441	73,032	54,792	36,774	18,902	1,243	(16,163)	(33,341)

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Year	Second Revised Budget FY2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
LONG TERM ASSET MANAGEMENT PLAN											
Program of capital expenditure that will provide for the sustainable management of assets and infrastructure while also improving assets and infrastructure											
Replacement or renewals of assets	12,743,552	9,816,517	7,310,588	6,947,567	6,819,800	8,856,700	7,021,452	9,467,616	7,107,212	7,122,322	7,999,164
New assets including upgrading, extending and improving assets and infrastructure	8,912,329	310,746	2,983,443	3,524,229	3,833,943	1,983,316	4,009,301	1,758,353	4,318,606	4,508,112	3,840,721
Total capital expenditure	21,655,881	10,127,263	10,294,031	10,471,796	10,653,743	10,840,016	11,030,753	11,225,969	11,425,818	11,630,434	11,839,885
STATEMENT OF CHANGES IN EQUITY											
Accumulated (Surplus)/ Deficit	(6,515,964)	-	-	-	-	-	-	-	-	-	-
Appn to-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Works & Roads	-	-	-	-	-	-	-	-	-	-	-
Appn to-Constr'd Wks Res-Wtr/Sewerage	-	-	-	-	-	-	-	-	-	-	-
Trfr from-Asset Replacement Reserve	-	-	-	-	-	-	-	-	-	-	-
Trfr from-Constrained Works Reserve	-	-	-	-	-	-	-	-	-	-	-
Trfr from-Land Sale Reserve	1,254,000	-	-	-	-	-	-	-	-	-	-
Depreciation	8,528,640	8,705,274	8,885,579	9,069,634	9,257,516	9,449,305	9,645,082	9,844,932	10,048,937	10,257,186	10,469,767
Depreciation funding adjustment	(8,528,640)	(8,705,274)	(8,885,579)	(9,069,634)	(9,257,516)	(9,449,305)	(9,645,082)	(9,844,932)	(10,048,937)	(10,257,186)	(10,469,767)
TOTAL RESERVES AND EQUITY MOVEMENTS	(5,261,964)	-	-	-	-	-	-	-	-	-	-

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Year	Second Revised Budget FY2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
<u>BALANCE SHEET OR STATEMENT OF FINANCIAL POSITION</u>											
<u>Assets</u>											
Operating and trust cash to account	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036	69,257,036
Rate debtors	2,234,000	2,243,040	2,251,994	2,260,908	2,269,784	2,278,625	2,287,434	2,296,214	2,304,967	2,313,697	2,322,407
Other receivables	2,224,000	2,232,999	2,241,913	2,250,787	2,259,623	2,268,424	2,277,194	2,285,934	2,294,648	2,303,339	2,312,010
Store inventories/ gravel stockpiles	655,000	657,650	660,275	662,888	665,490	668,082	670,665	673,239	675,805	678,365	680,919
Obligations that will be owed by the water distributor retailer to the local government in respect of the disposal of assets to the distributor retailer	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000	13,804,000
Equity in Queensland Urban Utilities	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000	27,899,000
Property, plant, equipment, work in progress, land	351,413,241	352,835,230	354,243,682	355,645,844	357,042,071	358,432,782	359,818,453	361,199,490	362,576,371	363,949,619	365,319,737
<u>Total assets</u>	467,486,277	468,928,955	470,357,900	471,780,463	473,197,004	474,607,949	476,013,782	477,414,913	478,811,827	480,205,056	481,595,109
<u>Liabilities</u>											
Trade creditors, accruals and other current liabilities	13,596,000	13,616,689	13,637,182	13,657,583	13,677,897	13,698,131	13,718,293	13,738,387	13,758,420	13,778,401	13,798,336
<u>Total liabilities</u>	13,596,000	13,616,689	13,637,182	13,657,583	13,677,897	13,698,131	13,718,293	13,738,387	13,758,420	13,778,401	13,798,336
<u>Net community assets</u>	453,890,277	455,312,266	456,720,718	458,122,880	459,519,107	460,909,818	462,295,489	463,676,526	465,053,407	466,426,655	467,796,773
<u>Community equity</u>	453,890,277	455,312,266	456,720,718	458,122,880	459,519,107	460,909,818	462,295,489	463,676,526	465,053,407	466,426,655	467,796,773
<u>ANALYSIS OF PROPERTY, PLANT, EQUIPMENT, WORK IN PROGRESS, LAND</u>											
Gross current replacement cost	498,395,001	498,705,747	501,689,190	505,213,419	509,047,362	511,030,678	515,039,980	516,798,332	521,116,938	525,625,050	529,465,770
Accumulated depreciation	(146,981,760)	(145,870,517)	(147,445,508)	(149,567,575)	(152,005,291)	(152,597,896)	(155,221,527)	(155,598,842)	(158,540,567)	(161,675,431)	(164,146,033)
Property, plant, equipment, work in progress, land - WDV	351,413,241	352,835,230	354,243,682	355,645,844	357,042,071	358,432,782	359,818,453	361,199,490	362,576,371	363,949,619	365,319,737
Opening accumulated depreciation	(138,453,120)										

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Current year and long term financial sustainability statement LOCAL GOVERNMENT REGULATION 2012 RATIOS/ financial sustainability measures											
Asset sustainability ratio - capital expenditure on the replacement of assets (renewals) divided by depreciation expense	149%	113%	82%	77%	74%	94%	73%	96%	71%	69%	76%
Net financial liabilities ratio - total liabilities less current assets divided by total operating revenue	(169%)	(167%)	(164%)	(161%)	(157%)	(154%)	(151%)	(148%)	(145%)	(142%)	(140%)
Operating surplus ratio - net operating surplus divided by total operating revenue	(1%)	0%	0%	0%	0%	0%	0%	0%	0%	(0%)	(0%)
Percentage change in total gross rates and charges revenue from the previous year incorporating growth in the number of properties as well as expected change in rates per property	2.84%	2.30%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%
Percentage change in total nett rates and charges revenue from the previous year incorporating growth in the number of properties as well as expected change in rates per property	2.53%	2.30%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%	2.31%