



**Minutes of Ordinary Meeting
Held Wednesday 10 July 2019**

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

Present

Cr G D Lehmann	(Mayor)
Cr D Hall	(Deputy Mayor)
Cr H Brieschke	(Councillor)
Cr S Choat	(Councillor)
Cr C Gaedtke	(Councillor)
Cr M Ogg	(Councillor)
Cr B Whalley	(Councillor)
Mr J Bradshaw	(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)
Mr B Weier	(Communications and Marketing)

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Opening of Meeting

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

Leave of Absence

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Ogg

Seconded – Cr Choat

"THAT Council confirm the Minutes of the Ordinary Meeting held 26 June 2019 as circulated to all Members of Council."

Carried

Business arising out of minutes of previous meeting

Esk Jockey Club - Community Assistance Grant approved 26 June 2019

The Chief Executive Officer informed the meeting that with regard to the late agenda item from the meeting of 26 June 2019 regarding the request for a community assistance grant from the Esk Jockey Club, the application was assessed and approved and paid prior to 30 June 2019 in order to allow the Esk Jockey Club to progress. The matter is now complete.

Matters of Public Interest**Cr Hall - Matters of Public Interest**

13 – 14 June Mt Stanley Ranch Sorting event
14 June – Somerset Rail Trail Fun Run
17 June – Lowood High School Expo

Cr Choat - Matters of Public Interest

Somerset Rail Trail Fun Run - Cr Choat advised that he will be at the 3 kilometre starting line, and looks forward to watching people running by him on Sunday. Cr Choat encouraged all to get involved in this fantastic event.

Cr Whalley - Matters of Public Interest

Cr Whalley noted that Country Racing NSW have increased their prize money, which will in turn provide marketing support for country race clubs and tourism. Cr Whalley stated that this is what our race and jockey clubs are trying to promote and requested that Council write to the Hon Stirling Hinchliffe, Minister for Local Government, Racing and Multicultural Affairs, highlighting the benefits of being able to provide increased prize money for Racing Queensland, and encouraging cooperation between the State Tourism Board and Racing Queensland to drive tourism into rural regions.

Resolution

Moved – Cr Choat

Seconded – Cr Hall

"THAT Somerset Regional Council write to the Hon Stirling Hinchliffe, Minister for Local Government, Racing and Multicultural Affairs informing him of the recent decision of Racing New South Wales to increase prize money, and encouraging similar action in Queensland as well as cooperation between the State Tourism Board and Racing Queensland to help drive tourism into rural regions so regional Queensland can benefit."

Carried

Vote - Unanimous

Cr Gaedtke - Matters of Public Interest

13 July	Esk Races
13 July	Regional Show Ball – Lowood Showground
13 July	Cormorant Bay parkrun – First birthday celebration
14 July	Somerset Rail Trail Fun Run
17 July	Building My Future Expo – Lowood State High School
20 July	Ice Breaker Stanley Rivers Rural Fire Brigade Group – Kilcoy Showground
20 July	Linville State School P & C – Cent Auction Linville Hall
20 July	Stonehouse Open Day – Moore
21 July	Christmas in July – Clock Park Lowood

The Esk Garden and Lifestyle organising Committee advised that they held the fourth successful Esk Garden and Lifestyle Fair. Nine buses along with 3500 attendees soaked up the atmosphere of the Esk railway station and surrounds with yarn bombing the trees as well as members dressed for the occasion. The E S K sign in front of the railway station was a favourite. It was reported that seventy volunteers assisted on the day of the festival.

Conflict of Interest

Cr Gaedtke declared that she may have a perceived conflict of interest with regard to Agenda Item 26.

Subject:	Planning and Building Services Monthly Report - June 2019
File:	Officer Reports
Action Officer:	DPAD, SP, BS, PI

Report

A summary of the Departments activities during the month of June 2019 is provided for Council's information.

1. Planning Development Applications

During the month the following Development Applications were received:

Assessment Type	June 2019	May 2019
Building Works assessable against the Planning Scheme	5	8
Material Change of Use	2	9

Reconfiguring a Lot	0	8
Operational Works	1	1
Combined Applications	0	1
Total	8	27

The list of applications received is provided in **Appendix 1**

During the month the following Development Applications were decided:

Approved/Refused	June 2019	May 2019
Refused - Council	0	1
Approved - Council	3	2
Approved - Delegated Authority	16	4
Total	19	7

The list of applications decided is provided in **Appendix 1A**

2. Building Development Approvals

A total of forty-three (43) building approvals were issued in the region for May 2019.

Assessment Type: Building Works

Status	Number
Accepted	43
Approved - Council	15
Approved - Private Certifier	28
Withdrawn	0
Info Request	0
Finalised	48
Fees Not Paid	1

The list of applications approved is provided in **Appendix 2**.

3. Plumbing Compliance Permits and Inspections

The number of plumbing and drainage approvals for June 2019 was twenty (20):

Assessment Type: Plumbing Approval

Status	Number
Approved	20
Info Request	5
Total	25

The list of applications approved is provided in **Appendix 3**.

The number of home sewerage treatment plants on Council's register is 1893 of which 65 or 3.43% 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.

Mid-Brisbane River Risk Mitigation Program

Council Plumbing Inspectors and NRM officer are currently in the process of managing a subsidy program aimed at improving water quality in the mid Brisbane River catchment.

The subsidy of up to \$17,000 per Household is being offered for the upgrade of septic systems on properties identified as high risk to water quality. The subsidy is funded by SEQ Water.

Following an initial inspection program carried out during 2018, 16 properties have been offered the opportunity to apply for the subsidy of these 9 have expressed an interest and 5 have followed up with an application and 4 applications have been finalised.

4. Environmental Services Environmental Health Services

Toolbox overview

The below figures reflect the customer sessions on Somerset Regional Council's content on Toolbox during the month of April 2019.

Visitors to Council content

	May 2019	April 2019
Users	81	77
Sessions	117	103
Pageviews	887	298
Pages/Sessions	7.58	2.89
Avg. Session Duration	7:29 minutes	2:36 minutes
Downloads	35	22

Most popular content

Top content pages	Unique pageviews	
	May 2019	April 2019
Food	37	15
Noise Pollution	32	38
Cats and Dogs	28	-
Pets and Animals	26	-
How to start a food business	21	9
Entertainment events	-	13
Caravan parks and camping	-	9

Food Safety Training

Council subscribes to the I'm ALERT food safety training package which offers food businesses, community groups, schools and the general public access to free online interactive food safety training. Just go to www.somerset.imalert.com.au

A total of 19 users completed the training during the month of June.

Swimming Pool Water Quality Monitoring

Swimming pool water sampling was not conducted during the month as pools in the region are not currently open. Sampling will recommence in conjunction with the swimming season which is expected to commence in the middle of September.

School Based Immunisation Clinics

Council delivers a school based vaccination program at the Lowood and Toogoolawah High Schools for year 7 and year 10 students under a service provider agreement with the State of Queensland. Planning has commenced for the second round of clinics to be delivered in August and September 2019.

Mosquito Monitoring

The Rapid Surveillance of Vector Presence (RSVP) mosquito surveillance program for detecting *Aedes aegypti* and *Aedes albopictus* within Somerset Region was conducted from January 2019 to April 2019. The program utilised ovitraps which were placed in properties within Jimna, Kilcoy, Linville, Toogoolawah, Esk, Fernvale, Lowood and Minden. The egg laying strips were submitted to Qld Health for detection of *Aedes aegypti* and *Aedes albopictus* which are vectors of the dengue fever and Zika virus.

The main aim of the annual surveillance program is to establish the level of confidence in:

- the assumption that mosquitoes *Aedes aegypti* or *Aedes albopictus* are **not** present in the Somerset Region, and
- the likelihood of early detection – to facilitate eradication.

The results of the 2019 program were **zero detection** of *Aedes aegypti* and *Aedes albopictus* detected in Somerset Region. It is proposed that the surveillance program will recommence in January 2020.

In addition to the Queensland Dengue Management Plan 2015 – 2020; Queensland Health is currently working with local governments in SEQ to establish an emergency response framework that will be triggered on confirmation of positive *Aedes aegypti* or *Aedes albopictus* identification in SEQ.

An overview of the section activities for the month is contained in Appendix 4.

Pest Management

The following is a report on activities in the Pest Management sections for the month of April:

Invasive Animal Control

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

Wild dogs

- 1080 Baits injected: 0.
- A 1080 baiting program day will be held on the 8 July 2019.
- Dingo scalps presented: 5.

Rabbits

- Officers have been working with landholders to control rabbit infestations in the following areas Kilcoy, Glamorgan Vale, Fernvale and Coal Creek.
- Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset and Wivenhoe Dams.

Feral Pigs

- A report was received from a landholder at Kingaham of feral pigs digging up pastures on his property. In response pest management officers deployed the Jager pig trap, trapping 27 with three trap activations in total so far, 5 were pregnant and carrying an average of 5 suckers each that would have been born approximately mid-August, providing another 25 feral pigs to this sounder. There were another 13 sows that had the potential to start breeding in another 6-10 months.

Feral Cats

- Feral cats have been reported to be impacting on urban landholders, in response traps were deployed effectively trapping 2 feral cats at Fernvale.

Invasive Plant Control

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

- **Fireweed** – Fernvale, Glamorgan Vale, Minden Sandy Creek, Jimna, Tarampa and Minden.
- **Groundsel** – Fernvale and Hazeldean.
- **Giant rats tail grass** – Mount Kilcoy, Harlin, Colinton, Linville and Sandy Creek.
- **Mother of Millions** – Villeneuve, Neurum, Ivory Creek, Gregors Creek, Colinton, Tarampa, Wivenhoe Pocket, Fernvale, Glamorganvale, Coominya and Jimna.
- **Honey Locust** - Fernvale
- **Main Roads Element 5** – D'Aguilar Highway West, Brisbane Valley Highway, Kilcoy Murgon Road and Esk-Kilcoy Road.
- **Council controlled land** – Brisbane Valley Road Trail – Lowood to Fernvale.
- **Herbicide applied** – 6, 755

Compliance under the Biosecurity Act 2014

- **Information notices** - 6
- **Biosecurity Orders** - 1
- **Enter and Clear action** - 0

Education and Awareness

- Pest Management Officers attended the Toogoolawah and Lowood Show during the month providing information, fact sheets and informing people about the development of Council's draft biosecurity plan and up and coming public consultation.

Animal Management

An overview of the section activities for the month are contained in Appendix 4.

5. Natural Resource Management

Land for Wildlife

- Officer attendance at the Land for Wildlife Steering Committee meeting held 12 June, Moreton Bay Regional Council.

Somerset Flora and Fauna

- Workshops are currently being run out across Somerset primary schools, highlighting wildlife awareness, with a particular focus on the Koala. A total of 20 workshops are intended across Mid 2019.
- Officer attendance at regional workshops held 9 and 14 June regarding the endangered Richmond Birdwing Butterfly. The premise of the workshop was a collaborative effort by participant councils to reinstate the butterflies host plant/s back into the landscape to assist species recovery.

Catchment Management

- Resilient Rivers Project Updates
 - Consultants for the Black Snake Creek Project have undertaken preliminary meetings with identified landholders, and are currently refining the scope of works to confirm the project elements before commencing delivery.
 - Hills Crossing and Savages Crossing investigation projects are currently

underway by the appointed consultants. It is anticipated that Consultants will meet with Council on the 24 July to discuss the projects, and help inform a preliminary technical report in mid August.

- Continued progress regarding the development of an Upper Brisbane and Stanley Catchment Action to guide investment and collaborative effort under the Council of Mayors Resilience Rivers Initiative.
- Preliminary consultation regarding a Canoe trail/s network across Somerset Catchments, including Seqwater, and adjacent Brisbane and Ipswich City Councils

Planning

- Attendance at State Koala consultation regarding proposed regulatory measures – 12 and 27 June at Caboolture and Toowoomba respectively.
- Attendance at the SEQ Regional Offsets forum – 3 June in Brisbane.
- Ongoing assistance in the development of Somerset Regional Council's Biosecurity Plan.

Collaborations

- Council will support the Department of Transport and Main Roads regarding the replacement of the Kilcoy Highway bridge over Kilcoy Creek, with a Council decision supporting the use of Councils "as of right" provisions regarding management of Flying Fox Roost/s. The proposal will require the select removal of trees in the vicinity of the bridge to allow for replacement.
- Preliminary arrangements for National Tree Day, and provision of trees to participant schools in the Somerset Region – Schools are currently being contacted to gauge interest. National Tree Day for schools is on 26 July.
- Officer facilitation of a fire information night, and follow-up property fire management planning workshop held June 12 and 22 in Esk. The Somerset workshops were delivered with key support by Queensland Fire and Emergency Services, Queensland Rural Fire Service, Healthy Land and Water, and South East Queensland Fire and Biodiversity Consortium.
- Support for a Climate Awareness workshop in Moore held 2 June . Council provided a selection of native trees for attendees.
- Officer attendance at the Brisbane Valley Kilcoy Landcare meeting held 12 June at Kilcoy.
- Officer attendance at the Fire and Biodiversity Consortium meeting held 11 June in Brisbane.
- Officer representation at the Esk Garden and Lifestyle Fair – 15 June, Esk.
- Preliminary meeting and site works with Esk community group ProgrEsk to support a future community workshop proposed for Mid July, seeking to improve the habitat values of Sandy Creek adjacent to the Esk Lion Park.
- Undertaking negotiations regarding site permissions for a proposed advertisement film

shoot proposed for Esk and surrounds.

6. Water for the Lockyer - Project Working Group

The Project Working Group met, with Jacobs presenting the final details of the infrastructure scenarios being considered to provide long term water security for the Lockyer and parts of the Somerset Region. These scenarios will be subject to further detail business case investigation to confirm their viability.

7. Ministerial Advisory Council Dam Safety

Further meetings of the Council occurred, with the focus being on the plan for the operations of the North Pine Dam. There are no direct issues to report to Somerset Council at this stage of the process.

Recommendation

THAT Council receive the Department of Planning and Development Monthly Report for June 2019 and that the contents be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Hall

"THAT Council receive the Department of Planning and Development Monthly Report for June 2019 and that the contents be noted."

Vote - Unanimous

Carried

Subject:	Systematic Inspection Program - Dog Registration and Microchipping
File Ref:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	MES

Background/Summary

The Animal Management (Cats and Dogs) Act 2008 (the Act) requires that all dogs in Queensland are registered and microchipped (unless exemptions under the Act).

The Act allows Council to approve inspection programs under section 113, to monitor compliance with the provisions of the Act which includes registration and microchipping requirements. Please refer to attachment 1 which contains an extract of section 113 and 114 of the Act relating to the requirements for approved inspection programs.

Council registered 4141 dogs in the region for the 2018/2019 financial year. It is likely however, that some dog owners have not complied with registration and microchipping requirements and unless there is some form of deterrent, will continue to avoid compliance.

An inspection program will allow Council to:

- Better understand the level of compliance in relation to dog registration and microchipping across the region.
- Follow up on overdue registrations.
- Obtain new registrations.
- Assist Council in reuniting lost dogs with owners.

Proposed Program

It is proposed that an approved inspection program (attachment 2) will facilitate access to properties to check compliance with dog registration and microchipping of the Act. The intent is to inspect all inhabited properties in the Somerset Region that do not have dogs registered or have not renewed registration.

Inspection will be carried out by contractor staff or casual staff who have the necessary level of training and skill to be appointed as authorised persons under the Act.

An approved inspection program allows for authorised persons to enter properties (other than a dwelling) at reasonable times of the day without the permission of the occupier of the property.

However, before entering the property, the authorised person must make a reasonable attempt to:

- Produce an identity card.
- Tell the occupier the purpose for the entry, and
- Tell the occupier the authorised person is permitted under the Act to enter the place without the occupier's consent.

Type of Program

The Act list two types of inspection programs:

1. A **selective inspection program** provides for the selection, in accordance with the resolution, of places in the local government's area, or a particular part of the area, to be entered and inspected.
2. A **systematic inspection program** provides for all places, or parts of places of a particular type, in the local government's area, or a particular part of the area, to be entered and inspected.

It is proposed that the program will be a systematic inspection program as all areas in the region may contain dogs that are not registered and microchipped.

Purpose of the Program

The purpose of the program is to inspect properties throughout the Somerset Region to determine compliance with dog registration and microchipping requirements of section 44 (registration) and section 14 (implanting) of the Act.

Properties to be Inspected

All properties within the Somerset Regional Council local government area identified as having no dogs registered for the 2019/2020 financial year.

Notice of Program

Under section 114 of the Act, Council must give notice of the program at least 14 days, but not more than 28 days an approved inspection program starts.

Notice will be given in newspapers circulating in the local government area and on Council's website.

It is proposed that Council will issue a media release regarding the program, along with other media releases about dog registration.

A copy of the program (attached) will be available at Council Service Centres.

Commencement and Duration

It is proposed that the systematic inspection program will commence on 5 August 2019 and will be conducted for a period of 6 months.

Budget

Funding for the inspection program has been allocated within the Planning and Development budget for the 2019/2020 financial year.

Consultation

Considerable input has been sought from the Regulatory Service and Customer Service Sections in developing the proposed inspection program. Consultation about the proposed program has also been undertaken with Council's Finance Department.

Discussions have occurred with other Councils who have undertaken similar programs.

Attachments

1. Requirements under the *Animal Management (Cats and Dogs) Act 2008* for approved inspection programs.
2. Somerset Regional Council Approved Systematic Inspection Program – Dog Registration 2019/2020

Recommendation

THAT Council approve a systematic inspection program named "Somerset Regional Council Systematic Inspection Program – Dog Registration 2019/2020" (as shown in Attachment 2) pursuant to section 113 of the *Animal Management (Cats and Dogs) Act 2008*, under which an authorised person may enter a place to monitor compliance with the requirements of Section 14 (Owner must ensure dog is implanted) and section 44 (Registration obligation).

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

"THAT Council approve a systematic inspection program named "Somerset Regional Council Systematic Inspection Program – Dog Registration 2019/2020" (as shown in Attachment 2) pursuant to section 113 of the *Animal Management (Cats and Dogs) Act 2008*, under which an authorised person may enter a place to monitor compliance with the requirements of Section 14 (Owner must ensure dog is implanted) and section 44 (Registration obligation).

Attachment 1

113 Approval of inspection programs authorising entry

- (1) A local government (the **approving local government**) may by resolution approve a program (an **approved inspection program**) under which an authorised person may enter a place to monitor compliance with this Act or an aspect of this Act.

Examples of approved inspection program—
monitoring compliance with requirements of permit conditions

- (2) An approved inspection program must be a selective inspection

program or systematic inspection program.

- (3) A selective inspection program provides for the selection, in accordance with the resolution, of places in the local government's area, or a particular part of the area, to be entered and inspected.
- (4) A systematic inspection program provides for all places, or all places of a particular type, in the local government's area, or a particular part of the area, to be entered and inspected.
- (5) An approved inspection program must state the following—
 - (a) the purpose of the program;
 - (b) when the program starts;
 - (c) for a selective inspection program—
 - (i) objective criteria for selecting places to be entered and inspected; and
 - (ii) if the places are to be selected from a part of the local government's area—a description of the part;
 - (d) for a systematic inspection program—
 - (i) if places in a part of the local government's area are to be entered and inspected—a description of the part; and
 - (ii) if a type of place is to be entered and inspected—a description of the type;
 - (e) the period, of not more than 6 months or another period prescribed under a regulation, over which the program is to be carried out.

114 Notice of proposed inspection program

- (1) At least 14 days, but not more than 28 days, before an approved inspection program starts, the approving local government must give notice of the program.
- (2) The notice must be published—
 - (a) in a newspaper circulating generally in the local government's area; and
 - (b) on the local government's website.
- (3) The notice must state the following—
 - (a) the name of the local government;
 - (b) in general terms, the purpose and scope of the program;
 - (c) when the program starts;
 - (d) the period over which the program is to be carried out;
 - (e) that a copy of the program is open to inspection at the

- public office of the local government until the end of the program;
 - (f) that a copy of the program may be purchased at the public office of the local government until the end of the program;
 - (g) the price of a copy of the program.
- (4) The price of a copy of the program must be no more than the cost to the local government of having the copy available for purchase and, if the copy is posted to the purchaser, the postage cost.

Attachment 2

Somerset Regional Council

Approved Systematic Inspection Program – Dog Registration 2019/2020

Animal Management (Cats and Dogs) Act 2008

Chapter 5, Division 1 - Approval of Inspection Program Authorising Entry

Somerset Regional Council's program for inspection of properties to determine compliance registration and microchipping requirements of the *Animal Management (Cats and Dogs) Act 2008*.

Purpose of the Program

The purpose of the program is to inspect properties throughout the Somerset Region to determine compliance with dog registration and microchipping requirements of section 44 (registration) and section 14 (implanting) of the Act.

Properties to be Inspected

The purpose of the program is to inspect properties throughout the Somerset Region to determine compliance with dog registration and microchipping requirements of section 44 (registration) and section 14 (implanting) of the Act.

Commencement and Duration

The systematic inspection program will commence on 5 August 2019 and will be conducted for a period of 6 months.

Additional Information

Inspections will be carried out by appropriately trained authorised persons who will carry an authorised person identity card.

Inspection will be carried out between 8am and 5pm Monday to Saturday for the duration of the program.

Carried

Vote - Unanimous

Subject:	Development Application No 18479 - Application for a Development Permit for Material Change of Use for Indoor Sport and Recreation (Gymnasium)
File No:	DA18479
Action Officer:	PO - RC
Assessment No:	00843-30002-000

1.0 APPLICATION SUMMARY

Subject Land

Location	1-7 Fairneyview-Fernvale Road, Fernvale
Real Property Description	Lot 2 on SP103141
Area	0.139 hectares
Current land use	Shops

Somerset Region Planning Scheme Version Three

Zone	Centre
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ShapingSEQ

Land Use Category	Urban Footprint
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Application

Proposed Development	Indoor Sport and Recreation – Gymnasium
Category of Assessment	Impact
Applicant/s	DJ and TM Brown Family Trust
Applicants contact details	c/- TJ Kelly Surveys PO Box 221 Beaudesert QLD 4285
Date application received	29 March 2019
Date properly made	29 March 2019

Referral Agencies

Concurrence Agency	Department of State Development, Manufacturing, Infrastructure and Planning for the following trigger: Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – Material change of use of premises near a State transport corridor or that is a future State transport corridor
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Notification Part	Required. Zero submissions were received
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RECOMMENDED DECISION

Approve the Development Application No 18479 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to establish an Indoor Sport and Recreation (gymnasium) in an existing commercial building, as depicted in the site and floor plan provided as Attachment 1. The gymnasium will be providing fitness and personal training services to the public. No new buildings or structures or external building works or extension to the existing building are proposed by the applicant.

The total floor area of the gymnasium is approximately 288m², representing a site cover of 20.7% of the site. The existing building is single storey and has a maximum building height of

no more than 8.5m above the ground level. The building is constructed to the boundary of Fairneyview-Fernvale Road and has a setback in excess of 3m from the north-eastern rear boundary, the Brisbane Valley Highway.

The proposed hours of operation is from 5:30am to 9:30pm on weekdays and from 7am to 12pm on Saturdays. It is expected the development will employ two permanent full-time staffs. Part-time staffs may be required once the gym establishes a strong client base.

The two existing storage sheds in the north-western end of the site will be removed to accommodate the proposed car parking area associated to the gym. A total of 10 car spaces have been proposed. A new crossover will also be constructed off Fairneyview-Fernvale Road to replace the existing access. The building is oriented towards Fairneyview-Fernvale Road. The applicant has also proposed 10 bicycle parks behind the existing building.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is an irregular shaped property located in the commercial area of Fernvale. The site boundaries are defined by the Brisbane Valley Highway to east and north, Fairneyview-Fernvale Road to the west and other existing commercial uses and buildings to the south. The Fernvale Village Shopping Centre is located on the opposite side of Fairneyview-Fernvale Road. Surrounding existing land uses are predominately commercial uses in nature consisting of mixed size lots.

An existing stormwater drain severs the subject site, separating the proposed development and its car parking area. The development is not expected to create impacts to the existing stormwater drain.

The existing billboard located in the north-western corner of the site will be retained.

4.0 STATE ASSESSMENT

4.1 Vegetation Management Act 1999

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

4.2 Environmental Protection Act 1994

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

4.3 Planning Regulation 2017

In accordance with the provision of Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the *Planning Regulation 2017*, the proposed development triggers referral to the State due to part of the premises is within 25m of a State transport corridor.

5.0 COUNCIL ASSESSMENT

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

5.1 Strategic Framework

The proposed development is located in the existing commercial area of Fernvale and will enhance, maintain and consolidate the role and function of Fernvale as a district centre. The development will not be introducing a new competing centre which will rival the established commercial centre. The proposed development in its location is supported by the Planning Scheme.

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Centre zone code	Yes	Alternative solutions provided for PO4 and PO6
Recreation facilities zone code	Yes	Alternative solutions provided for PO3, PO5, PO6 and PO11
Landscaping code	Yes	Complies
Services, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Alternative solutions provided for PO3, PO7 and PO8
Flood hazard overlay code	Yes	Alternative solution provided for PO13

Centre zone code

<i>Performance outcomes</i>	<i>Examples</i>
Centre design	
PO4 Development contributes to an attractive, vibrant and well-designed town centre where: <ul style="list-style-type: none"> (a) development addresses the public realm; (b) building design, layout, and tenancy mix activates the street and pedestrian thoroughfares; (c) building services do not dominate the streetscape; and (d) conflict between pedestrians and vehicles is minimized. 	AO4.3 Ground level facades which address the <i>primary street frontage</i> incorporate a glassed area of not less than 25 percent of the total area of the external wall. AO4.5 Car parking is provided behind the building alignment to the <i>primary street frontage</i> .
Performance outcome assessment	
<p>The applicant has not proposed any external building works. The façade of the established building will be retained and is currently oriented towards Fairneyview-Fernvale Road and the Fernvale Shopping Village.</p> <p>Parking will be provided on the north-western side of the building due to the irregular configuration of the subject land. The existing sheds will be removed to accommodate the proposed parking area.</p> <p>The pedestrian entrance to the development is also at the Fairneyview-Fernvale Road frontage. The proposed car parking will not create conflict between pedestrians and vehicles.</p>	
Building character	
PO6 The visual appearance of development	AO6.2 No acceptable outcome provided.

contributes to the existing or emerging built form character of the town centre, with respect to the use of: <ul style="list-style-type: none"> (a) materials and colours; (b) patterns and textures; (c) roof form and pitch; (d) eaves and awnings; (e) horizontal and vertical detailing; and (f) fenestration. 	
Performance outcome assessment	
The character of the locality is not affected by the proposed development as no external building works are proposed.	

Recreation activities code

<i>Performance outcomes</i>	<i>Examples</i>
Built form and character	
P03 Buildings and structures are of form and character that is commensurate with the zone and locality in which the activity is located.	AO3.1 No acceptable outcome provided.
Building articulation	
P05 Building design incorporates <i>articulation</i> to provide visual interest.	AO5.1 No acceptable outcome provided.
Building materials	
P06 Buildings and structures are constructed of robust materials that are graffiti resistant.	AO6.1 No acceptable outcome provided.
CPTED	
P011 The <i>site</i> layout and design incorporates crime prevention through environmental design (CPTED) principles.	AO11.1 No acceptable outcome proposed.
Performance outcome assessment	
The existing building will be utilised and no external works are proposed. The building is oriented towards Fairneyview-Fernvale Road and complies with CPTED principles providing surveillance towards the Fernvale Village Shopping Centre. Conditions requiring landscaping along the Brisbane Valley Highway boundary have been included.	

Transport, access and parking code

Performance outcomes	Examples				
Vehicle parking and servicing					
<p>PO3 The amount of <i>on-site</i> car parking and service vehicle loading/ unloading is consistent with:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the traffic generation of the use; (c) the loading/ unloading needs of the use; (d) the availability of street parking in the Centre zone; and (e) the impact of the <i>road</i> network. <p>Car parks, service vehicle access, loading and manoeuvring areas are of suitable standard for the intended use.</p>	<p>AO3.1 The minimum number of car parking spaces complies with Table 8.3.6.3.B – Minimum car parking requirements.</p> <p>Table 8.3.6.3.B – Minimum car parking requirements</p> <table border="1"> <thead> <tr> <th>Use</th><th>Minimum car parking requirements</th></tr> </thead> <tbody> <tr> <td>Indoor sport and recreation</td><td>One (1) space for every 20 square metres or part thereof of <i>gross floor area</i>.</td></tr> </tbody> </table>	Use	Minimum car parking requirements	Indoor sport and recreation	One (1) space for every 20 square metres or part thereof of <i>gross floor area</i> .
Use	Minimum car parking requirements				
Indoor sport and recreation	One (1) space for every 20 square metres or part thereof of <i>gross floor area</i> .				
Performance outcome assessment					
<p>Table 9.4.6.3.B requires parking at a rate of 1 space per 20m² for Indoor sport and recreation developments. Therefore, in accordance with the Planning Scheme, the proposed development needs to provide 15 car parking spaces.</p> <p>The proposed development will provide 10 car parking spaces, inclusive of 1 disabled space and 2 tandem spaces for staffs.</p> <p>The applicant has noted that due to the existing site's configuration, the site can only accommodate a limited number of spaces. Ample street parking spaces are established at the front of the premises. The applicant therefore submitted that the parking demand for the gym will be met without causing any undue impact on the locality and the development will have adequate parking spaces to meet the expected demand.</p> <p>The proposal to provide 10 car parking spaces is adequate given considerations to the expected demand of the proposed use and the availability of street parking. In addition, the applicant has proposed the provision of 10 cycle parking spaces. In accordance with Council's Design Standard, the parking area will be conditioned to be sealed.</p> <p>Due to the location of the stormwater drain, access from the car park under the current existing arrangement will be via a grass verge. To provide a suitable pedestrian linkage between the parking area and the development, and for allowing disability access, a condition has been included requiring the applicant to provide a concrete footpath with a width of 1.5m along Fairneyview-Fernvale Road from the proposed car parking area to the proposed building. The footpath will provide adequate pedestrian access via an accessible path.</p>					

Car parking locations and treatments	
P07 Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.	A07.1 Car parking is located behind or within a building.
P08 Car parking areas are sensitively designed to minimise impacts on <i>sensitive land uses</i> and visually soften and provide shade to ground parking.	A08.1 Screen fencing is provided next to any vehicle movement or vehicle parking areas along the side or rear boundary of a <i>site</i> .
Performance outcome assessment	
As the site has been developed and provides limited options in regard to parking, the most suitable layout is to utilise the land on the western side of the drainage easement as shown on the Proposal Plan.	
The site is not adjoining, nor is it in close proximity to a sensitive land use. The applicant has stated screening of the parking area is therefore not required.	

Flood hazard overlay code

Performance outcomes	Acceptable outcomes
Significant flood hazard area, Low flood hazard area or Potential flood hazard area	
P013 Development is located and designed to: <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that a proportion of <i>buildings</i> are set above the <i>defined flood level</i>; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide road access to <i>buildings</i> above the level of the 1% AEP flood level. <p><i>Note</i> - where the development is located in a Potential flood hazard area as identified on Flood Hazard Overlay Map OM-007,</p>	Where for Material Change of Use or Building Work A013.1 <i>Buildings</i> , including extensions to existing <i>buildings</i> are: <ul style="list-style-type: none"> (a) elevated above the <i>defined flood level</i>; and (b) and the <i>defined flood event</i> does not exceed a depth of 600mm.

and there is no <i>defined flood level</i> , a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of a Performance Solution. Alternatively, the <i>defined flood level</i> from an adjacent representative hazard area may be used if deemed appropriate by Council.	
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Performance Outcome Assessment

Council's current Planning Scheme mapping for Flood hazard overlay does not identify the site as affected by flood.

However, Council's adopted flood study data identifies the existing building proposed to be redevelopment is affected by the Low flood hazard. The identified Defined Flood Event for these flood hazard level is 1% AEP (or Q100) flood level.

As the proposed use is located within an existing building, the applicant has not proposed additional floor space or new buildings on-site and that no accommodation activities have been proposed as part of the development, it is considered the development complies with PO13 of the Flood hazard overlay code.

6.0 OTHER PLANNING CONSIDERATIONS

6.1 Trunk Infrastructure and Services

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

6.2 Water Supply and Sewerage

The subject land is located within an area serviced by a reticulated water supply and reticulated sewer networks. Conditions will be included requiring the development to be provided connected to these networks.

6.3 Stormwater/Drainage

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. The applicant has proposed the removal of existing sheds on-site north-west to the proposed development to accommodate the proposed carparking area. This will remove a potential stormwater blockage during the flood event.

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 associated transport network infrastructure charge associated for development of this type in the Somerset region.

6.5 Parks and Open space

There is no associated Parks and Open Space charge for the proposed development.

6.6 Infrastructure charges

The proposed development is defined as an Indoor Sport and Recreation Facility by the Somerset Regional Council Charges Resolution (No 1) 2018. However in this instance, infrastructure charges do not apply as the proposed development is located in an existing

building and no new buildings have been proposed as part of the development.

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 PUBLIC CONSULTATION

As the development was an impact assessable development application, public notification is required by the legislation. The public notification period began on the 22 May 2019 and finished on the 13 June 2019. The public notification was carried out in accordance with the relevant legislative requirements.

During this period, zero submissions were received in relation to the proposed development.

8.0 STATE AGENCY REFERRALS

8.1 Concurrence Agencies – State Assessment and Referral Agency

The State Assessment and Referral Agency, as the concurrence agency has assessed the impact of the proposed development on the state controlled road network and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. The reference response is referenced as 1904-10732 SRA and dated 21 May 2019. Refer to attachment 3 and Schedule 4 of the recommend conditions.

9.0 CONCLUSION

The proposed development is for an Indoor Sport and Recreation (Gymnasium) development in the commercial area of Fernvale. The development complies with the acceptable outcomes of the assessment benchmarks and alternative solutions have been provided satisfying relevant performance outcomes. Conditions have been included in the Decision Notice to ensure the development can be carried out generally in accordance with the approved plans and documents and mitigate any impacts created by the development to surrounding properties.

10.0 ATTACHMENT

1. Site and Floor Plan, Title: Renovation of Shop/Sheds in Fernvale, Prepared by Gall Architects, Dated on 26 April 2019.
2. Photos of the existing building, photos taken by planning officer, Council's reference as DA18479 – Attachment 2, taken on 28 June 2019.
3. SARA response – 1-7 Fairneyview-Fernvale Road, Fernvale, SARA reference as 1904-10732 SRA, Dated on 21 May 2019.

RECOMMENDED DECISION

THAT Council approve the Development Application No 18479 for a Development Permit for a Material Change of Use for Indoor Sport and Recreation (Gymnasium) on land described as Lot 2 on SP103141 and situated at 1-7 Fairneyview-Fernvale Road, Fernvale subject to the requirements and conditions contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Site and Floor Plan, Title: Renovation of Shop/Sheds in Fernvale, Prepared by Gall Architects, Dated on 26 April 2019.	At all times
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The Material Change of Use of this site is for the purpose of Indoor sport and recreation, and may include any ancillary activities, where these activities remain incidental to and necessarily associated with the approved recreation activities of all time.	Before the change happens
1.6	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
	General Services	
1.7	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Before the commencement of use
1.8	The applicant must provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
1.9	Electricity/telecommunication/water supply / sewer drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Before the commencement of use
	Landscape	
1.10	Landscaping is to be provided and maintained along the Brisbane Valley Highway (North-eastern) boundary and around the proposed parking area.	At all times

1.11	Landscaping incorporates local endemic and drought tolerant vegetative species.	
1.12	Retain and incorporate any existing vegetations on-site as part of the landscaping on-site.	
	Building designs	
1.13	<p>External details of the buildings, façade treatment and external materials, colours and finishes must be consistent with the approved drawings and documents. Any design changes to the approved drawings and document must receive Council's written approval.</p> <p><i>Note: The requirement to use particular materials and finishes is imposed only for the purpose of achieving a built form outcome that displays architectural merit. Council has not assessed the materials and finishes for compliance with the Building Act, the Building Fire Safety Regulation, the Building Regulation, the Building Code of Australia, the Queensland Development Code, relevant Australian Standards, fire safety standards or any other relevant requirement of a statutory authority with regard to building work.</i></p>	At all times
	Visual amenity	
1.14	Any graffiti on buildings, structures or fences on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council.	At all times
1.15	All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.	At all times
1.16	All fixed mechanical plant must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.	At all times
1.17	Open storage areas, loading areas, bin storage areas and other unsightly areas, must be screened from view from all street frontages and public places.	At all times
	Safety, security and publicly accessible facilities	
1.18	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	Acoustic amenity	
1.19	Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the <i>Environment Protection (Noise) Policy 2008</i> when measured at any sensitive receptor.	At all times
1.20	All refrigeration equipment, pumps, regulated devices, and air conditioning equipment as defined by the <i>Environmental Protection Act 1994</i> must be designed, installed, operated and	At all times

	maintained to comply with the noise standards as specified within the <i>Environmental Protection Act 1994</i> .	
1.21	All plants and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
	Advertising device	
1.22	Signage/Advertising devices are to comply with the relevant <i>Subordinate Local Law (Installation of Advertising Devices)</i> .	At all times
	Refuse storage area	
1.23	The refuse storage area: <ul style="list-style-type: none"> a) Is provided within the building; or b) Is an outdoor area that is: <ul style="list-style-type: none"> i. no closer than 3 metres to any frontage and 1.5 metres to any other site boundary; ii. enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; iii. screened by dense planting with or without mounding; and iv. separated from sensitive land uses by a minimum of 10m so as to avoid any undesirable impact of odour or noise from refuse storage and collection services. 	
No	Condition	Timing
	Engineering	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.3	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times
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.	At all times
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times

2.6	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	When preparing the Operational Works application
2.7	Obtain the relevant approvals for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Prior to commencement of construction
	Roadworks	
2.8	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to commencement of use
2.9	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Manual for Uniform Traffic Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works
	Footpath	
2.10	Provide a concrete footpath with a width of 1.5 metres, from the car park to the building entrance.	As part of Operational Works
	Stormwater drainage	
2.11	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times
2.12	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
	Vehicle access	
2.13	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
2.14	Direct vehicle access to the Brisbane Valley Highway is prohibited unless approvals from the relevant State department/Council have been obtained.	At all times
	Erosion and sediment control	
2.15	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	At all times

	<p>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>	
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
SCHEDULE 4 – REFERRAL AGENCY		
Department of State Development, Manufacturing, Infrastructure and Planning – State Assessment and Referral Agency		
<i>Concurrence Agency Response</i>		
<i>Agency Response: Recommend Conditions Apply</i>		

Pursuant to section 62 of the *Planning Act 2016*, the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.

The Department of State Development, Manufacturing, Infrastructure and Planning, as a Concurrence Agency, has assessed the impact of the proposed development in regards to development in a state controlled road environment.

Concurrence Agency response dated 21 May 2019 and referenced as 1904-10732 SRA.

Concurrence Agency response will be attached to Council's Decision Notice for DA18479.

SCHEDULE 5 – ADVICE

Assessment Manager

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

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

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

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

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

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

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

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

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

Attachments for the Decision Notice include:

- Site and Floor Plan, Title: Renovation of Shop/Sheds in Fernvale, Prepared by Gall Architects, Dated on 26 April 2019.
- SARA response – 1-7 Fairneyview Fernvale Road, Fernvale, SARA reference as 1904-

10732 SRA, Dated on 21 May 2019.

Resolution

Moved – Cr Whalley

Seconded – Cr Ogg

“THAT Council approve the Development Application No 18479 for a Development Permit for a Material Change of Use for Indoor Sport and Recreation (Gymnasium) on land described as Lot 2 on SP103141 and situated at 1-7 Fairneyview-Fernvale Road, Fernvale subject to the requirements and conditions contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
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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	The Material Change of Use of this site is for the purpose of Indoor sport and recreation, and may include any ancillary activities, where these activities remain incidental to and necessarily associated with the approved recreation activities of all time.	Before the change happens
1.6	Building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
	General Services	
1.7	Connect the development to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Before the commencement of use

1.8	The applicant must provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
1.9	Electricity/telecommunication/water supply / sewer drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Before the commencement of use
	Landscape	
1.10	Landscaping is to be provided and maintained along the Brisbane Valley Highway (North-eastern) boundary and around the proposed parking area.	At all times
1.11	Landscaping incorporates local endemic and drought tolerant vegetative species.	
1.12	Retain and incorporate any existing vegetations on-site as part of the landscaping on-site.	
	Building designs	
1.13	<p>External details of the buildings, façade treatment and external materials, colours and finishes must be consistent with the approved drawings and documents. Any design changes to the approved drawings and document must receive Council's written approval.</p> <p><i>Note: The requirement to use particular materials and finishes is imposed only for the purpose of achieving a built form outcome that displays architectural merit. Council has not assessed the materials and finishes for compliance with the Building Act, the Building Fire Safety Regulation, the Building Regulation, the Building Code of Australia, the Queensland Development Code, relevant Australian Standards, fire safety standards or any other relevant requirement of a statutory authority with regard to building work.</i></p>	At all times
	Visual amenity	
1.14	Any graffiti on buildings, structures or fences on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council.	At all times
1.15	All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.	At all times
1.16	All fixed mechanical plant must be contained within the building or visually screened to all street frontages, public viewing locations and adjoining premises.	At all times
1.17	Open storage areas, loading areas, bin storage areas and other unsightly areas, must be screened from view from all street frontages and public places.	At all times

	Safety, security and publicly accessible facilities	
1.18	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	Acoustic amenity	
1.19	Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the <i>Environment Protection (Noise) Policy 2008</i> when measured at any sensitive receptor.	At all times
1.20	All refrigeration equipment, pumps, regulated devices, and air conditioning equipment as defined by the <i>Environmental Protection Act 1994</i> must be designed, installed, operated and maintained to comply with the noise standards as specified within the <i>Environmental Protection Act 1994</i> .	At all times
1.21	All plants and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
	Advertising device	
1.22	Signage/Advertising devices are to comply with the relevant <i>Subordinate Local Law (Installation of Advertising Devices)</i> .	At all times
	Refuse storage area	
1.23	<p>The refuse storage area:</p> <ul style="list-style-type: none"> a) Is provided within the building; or b) Is an outdoor area that is: <ul style="list-style-type: none"> i. no closer than 3 metres to any frontage and 1.5 metres to any other site boundary; ii. enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; iii. screened by dense planting with or without mounding; and iv. separated from sensitive land uses by a minimum of 10m so as to avoid any undesirable impact of odour or noise from refuse storage and collection services. 	
No	Condition	Timing
	Engineering	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work

2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.3	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times
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.	At all times
2.5	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
2.6	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	When preparing the Operational Works application
2.7	Obtain the relevant approvals for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Prior to commencement of construction
	Roadworks	
2.8	Install all traffic signs and line markings in accordance with <i>Manual of Uniform Traffic Control Devices</i>	Prior to commencement of use
2.9	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Manual for Uniform Traffic Control Devices – Part 3, Works on Roads</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works
	Footpath	
2.10	Provide a concrete footpath with a width of 1.5 metres, from the car park to the building entrance.	As part of Operational Works
	Stormwater drainage	
2.11	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times
2.12	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.

	Vehicle access	
2.13	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
2.14	Direct vehicle access to the Brisbane Valley Highway is prohibited unless approvals from the relevant State department/Council have been obtained.	At all times
	Erosion and sediment control	
2.15	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> ▪ Be required to install additional measures ▪ Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specific time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, 	During construction phase

	<ul style="list-style-type: none"> stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	
SCHEDULE 4 – REFERRAL AGENCY Department of State Development, Manufacturing, Infrastructure and Planning – State Assessment and Referral Agency <i>Concurrence Agency Response</i> <i>Agency Response: Recommend Conditions Apply</i>		
Pursuant to section 62 of the <i>Planning Act 2016</i> , the Assessment Manager must, other than to the extent a referral agency's response provides advice, comply with the all referral agency responses and include conditions exactly as stated in the response.		
The Department of State Development, Manufacturing, Infrastructure and Planning, as a Concurrence Agency, has assessed the impact of the proposed development in regards to development in a state controlled road environment.		
Concurrence Agency response dated 21 May 2019 and referenced as 1904-10732 SRA.		
Concurrence Agency response will be attached to Council's Decision Notice for DA18479.		
SCHEDULE 5 – 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 *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

Vote - Unanimous

Subject:	Development Application No 18490 - Application for a Development Permit for a Material Change of Use for an upgrade to an existing Utility Installation (Linville Water Treatment Plant)
File No:	DA18490
Action Officer:	PO-RC
Assessment No:	00961-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	84 Wells Street, Linville
Real Property Description	Lot 157 on CSH2273
Site area	0.022 hectares
Current land use	Existing Utility Installation
Easements and Encumbrances	Nil

Somerset Region Planning Scheme Version Three

Zone	Rural
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ShapingSEQ (SEQ Regional Plan 2017)

Land Use Category	Regional Landscape and Rural Production Area
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Application

Proposed Development	Upgrading of the existing Linville Water Treatment Plant
Category of Assessment	Impact
Applicant/s	Seqwater
Applicants contact details	c/- Practical Engineering Australia c/- DTS Group Attn: Scott Entwistle PO Box 3128 West End QLD 4101
Date application received	3 April 2019
Date properly made	3 April 2019

Referral Part	Referral not required
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Notification Part	Required No submissions were received
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RECOMMENDED DECISION

THAT the Council approve the Development Application No 18490 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The applicant proposes to upgrade the Linville Water Treatment Plant on the subject site. The site, floor and elevation plans of the proposed development are provided as Attachments 1, 2, 3, 4 and 5 of this report.

The treatment plant was constructed in 1979 by the former Esk Shire Council. Since 2013, the existing treatment plant has not treated water due to the equipment and technology of the treatment plant being unable to meet current water quality standards.

Despite the disuse of the treatment system on-site, the treatment plant has continued to operate to store and supply water to the Linville community using importing treated water via water tankers.

The proposed upgrade will see the plant return to producing safe drinking water meeting water quality standards.

After the upgrade, the treatment plant will supply approximately 80 connections in the township of Linville.

The existing building will be removed prior to the commencement of construction on-site.

The proposed structure will be setback approximately 1.585m from the front boundary (northern boundary) of the site. Water tanks will be placed to the front boundary of the site. The proposed structure will be single storey and has a building height of no more than 11.5m above the ground level. A security fence has also proposed to surround the perimeter of the subject site. No on-site carpark has been proposed by the applicant. The proposed floor area of the development is 116m². The facility will be staffed by 1 staff member, 3 days per week between 7am to 2pm, unless called out. On average, the facility will also be operating for 4 to 5 hours each day.

A hard-stand area has also proposed to be in front of the building extending approximately 2.2m into the road reserve.

As the proposed treatment system requires the use of chemicals such as chlorine, it will be stored in the bunded area on site. The chemical will be limited to between 20 to 40 Litres and stored in 10 Litre containers, which will then further be contained in a chemical bund/tub. All equipment (apart from the water tanks) will be enclosed within the new building/structure.

The applicant has proposed to retain the existing access at Wells Street and will be supported by additional stabilization works. No vegetation will be removed to accommodate the development.

3.0 SITE DETAILS AND SURROUNDING USES

The subject site is regular in shape and currently improved by the Linville Water Treatment Plant operated by Seqwater. The treatment plant currently has a floor area of 75m². The site boundaries are defined by Wells Road to the north and by other rural properties to the remaining direction. The nearest residential dwelling is located approximately 66m south-west of the subject site. The Brisbane River is to the east of the subject site and Blackbutt Creek is to the north.

4.0 STATE ASSESSMENT

4.1 Vegetation Management Act 1999

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

4.2 Environmental Protection Act 1994

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

5.0 COUNCIL ASSESSMENT

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

5.1 Strategic Framework

The proposed development is for the upgrade of the existing Linville Water Treatment Plant and maintains the low intensity nature and character of the Rural Zone.

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Rural zone code	Yes	Alternative solutions provided for PO2 and PO7
Utility installation and substation code	Yes	Alternative solutions provided for PO1, PO3, PO5, PO6, PO8 and PO10
Filling and excavation code	Yes	Alternative solution provided for PO8
Service, works and infrastructure code	Yes	Compliance
Transport, access and parking code	Yes	Compliance
Agricultural land overlay code	Yes	Alternative solution provided for PO1
Bushfire hazard overlay code	Yes	Alternative solutions provided for PO2 and PO3
Catchment management overlay code	Yes	Alternative solutions provided for PO1 and PO3
Flood hazard overlay code	Yes	Alternative solution provided for PO13
Infrastructure overlay code	Yes	Compliance

Rural zone code

Performance outcomes	Example
Building setbacks	
PO2 Building setbacks: (a) contribute to the maintenance of the rural character of the zone; and (b) manage potential amenity impacts on <i>sensitive land uses on adjoining premises</i> .	AO2 Buildings and structures are setback a minimum 15 metres from the <i>primary street frontage</i> of the site.

Performance Outcome Assessment	
<p>The subject site has an area of 220m², with an approximate depth of 10m and a width of 22m. Therefore, it is not possible to have a 15m wide setback to the road frontage and still site a sufficiently sized treatment plant building.</p> <p>The proposed setbacks are generally consistent with those of the existing buildings and therefore is considered to not create potential amenity impacts on sensitive land uses in the area and will maintain the existing rural character of the area and its corresponding zone.</p>	
Amenity	
<p>PO7 The design, location and operation of development does not result in any undue adverse impact on the amenity of the locality, having regard to:</p> <ul style="list-style-type: none"> (a) hours of operation; (b) lighting; (c) noise; (d) dust, odour and other airborne emissions; (e) public health and safety; (f) traffic generation; (g) the use of <i>advertising devices</i>; (h) visual amenity; and (i) overlooking and privacy. 	<p>AO7 No acceptable outcome provided.</p>
Performance Outcome Assessment	
<p>There is considered to be negligible impacts on the amenity of the locality given the historical existence to the current facility and very low-density nature of the area and the separation to rural residential dwelling.</p>	

Utility installation and substation code

Performance outcomes	Example
Location and site suitability	
<p>PO1 The location and siting of the <i>utility installation</i> or <i>substation</i>:</p> <ul style="list-style-type: none"> (a) is co-located or in close proximity to other public utilities where practicable; (b) is carried out on a <i>site</i> at a scale and intensity that can be operated to maintain the amenity of the locality; and (c) are appropriately separated from substations to protect public health and safety. 	<p>AO1.1 The <i>utility installation</i> or <i>substation</i> is co-located with existing utilities on the same <i>site</i>.</p>

Performance Outcome Assessment	
The proposed upgrade includes the removal of the existing structure and a new structure will be constructed. The proposed scale and intensity of the structure is of a similar scale and intensity to other existing buildings in the rural locality.	
Built form and character	
PO3 Buildings and structures are of a form, position and character that minimises visual impact.	AO3.1 No acceptable outcome provided.
Performance Outcome Assessment	
The development has a low intensity built form and character which minimises visual impact. Furthermore, the development is positioned a significant distance (60 plus metres) from the adjoining rural residential dwelling to the south-west.	
The proposed structure does not represent a huge increase in floor area from the existing floor area. From 75m ² to 116m ² , representing an approximate 54.67% increase in floor area.	
Scale and intensity	
PO5 The scale and intensity of the activity is commensurate with the zone and locality in which the activity is located.	AO5.1 No acceptable outcome provided.
Building articulation	
PO6 Building design incorporates <i>articulation</i> , colours and materials to provide visual interest and minimise visual prominence.	AO6.1 No acceptable outcome provided.
Building materials	
PO8 Fencing is of a style and materials that is compatible with surrounding development.	AO8.1 No acceptable outcome provided.
Performance Outcome Assessment	
The design and scale of the proposal is considered to be acceptable in a rural environment.	
Emissions	
PO10 <i>Utility installations and substations</i> are designed to minimise noise impacts on adjoining land.	AO10.1 Noise levels generated do not exceed the levels stipulated in the <i>Environmental Protection (Noise) Policy 2008</i> .
Performance Outcome Assessment	
It is not anticipated that noise levels generated will exceed the levels stipulated in the <i>Environmental Protection (Noise) Policy 2008</i> . The pump facilities are now internal to the concrete/besser block structure where previously they were external to the building on-site, representing an improvement.	
It should be noted that no formal testing has been undertaken to confirm compliance with the policy.	

Filling and excavation code

Performance outcomes	Example
Impacts on infrastructure, public utilities and easements	
P08 Filling or excavation does not prejudice the integrity, operation, and maintenance of infrastructure, public utilities and easements.	AO8.1 Filling and excavation does not take place: <ul style="list-style-type: none"> (a) within an easement; (b) within 3 metres of public utilities; or (c) where underground infrastructure services would be impacted. OR AO8.2 Filling and excavation over existing sewers is in accordance with <i>Queensland Urban Utilities</i> standards.
Performance Outcome Assessment	
Filling and excavation will be in accordance with Queensland Urban Utilities standards. If required, build over infrastructure applications will be sought from the relevant public utility owner.	

Agricultural land overlay code

Performance outcomes	Acceptable outcomes
P01 Loss, fragmentation, alienation or diminished capacity of agricultural land is avoided unless: <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; loss or fragmentation is minimised to the extent possible.	Where for a material change of use in the Rural zone AO1.1 Development (inclusive of the <i>development footprint</i>) is not located on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b unless identified in Table 7.2.1.3.B . Table 7.2.1.3.B - Compatible development within Agricultural Land Class A or Class B <ul style="list-style-type: none"> (a) animal husbandry; (b) animal keeping; (c) cropping including a building, structure or activity supporting cropping; (d) dwelling house; (e) home based business; (f) intensive animal industry;

	<ul style="list-style-type: none"> (g) intensive horticulture; (h) landing; (i) outdoor lighting; (j) roadside stalls; (k) winery.
Performance Outcome Assessment	
<p>The subject site is identified as Class A agricultural land and is not identified as a compatible development on Table 7.2.1.3.B. Despite this, the proposal does not involve the construction of a secondary structure and simply proposes an upgrade to the existing Water Treatment Plant. As a result, the development will not result in a loss or fragmentation of the existing agricultural land supply.</p> <p>Given the existing small lot size, the usability of the land for agricultural purpose is minimal.</p> <p>Further, latest update to the State Planning Policy Interactive Mapping has identified the site as Class B agricultural land and is described as Limited crop land.</p>	

Bushfire hazard overlay code

Performance outcomes	Acceptable outcomes
<p>PO2 In Medium (potential intensity) Bushfire Hazard Areas as identified on Bushfire Hazard Overlay Map OM-004a-b, <i>buildings and structures</i> are sited:</p> <ul style="list-style-type: none"> (a) in cleared areas where the environmental impacts of vegetation clearing are minimised; (b) on the area of the site which is least prone to bushfire hazard having regard to aspect, slope and vegetation; <p>to provide adequate setbacks between buildings, structures, and areas of identified bushfire hazard.</p>	<p>AO2 <i>Buildings and structures</i> in areas of Medium Bushfire (potential intensity) Hazard as identified on Bushfire Hazard Overlay Map OM-004a-b:</p> <ul style="list-style-type: none"> (a) are located 100 metres from ridgelines; (b) are not located on north to west facing slopes; (c) have a firebreak with a minimum dimension of 20 metres.
<p>PO3 In Medium (potential intensity) Bushfire Hazard Areas as identified on Bushfire Hazard Overlay Map OM-004a-b, development maintains the safety of people and property by providing an adequate and accessible water supply for fire-fighting purposes.</p>	<p>AO3 For uses involving new or existing buildings in areas of Medium (potential intensity) Bushfire Hazard as identified on Bushfire Hazard Overlay Map OM-004a-b each lot has:</p> <ul style="list-style-type: none"> (a) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow in 10 litres a second at 200kPa); or

	(b) an accessible on-site dam or tank with fire fighting fittings, or a swimming pool of not less than 40,000 litres.
Performance Outcome Assessment	
<p>The subject site is relatively flat and is not located on a north to west facing slope. There is a small slope south at the rear of the property. The site is also cleared of vegetation.</p> <p>Pursuant to the latest Bushfire hazard overlay mapping provided by the State DA Mapping System, the site is identified as Potential impact buffer and not as Medium potential bushfire intensity by the current Planning Scheme mapping.</p> <p>However, a condition will still be included requiring the development to be provided with a water tank with fire-fighting fittings due to the unpredictability of bushfire hazard.</p>	

Catchment management overlay code

Performance outcomes	Acceptable outcomes
<p>PO1 Land use and <i>development</i> is:</p> <p>(a) appropriately separated from <i>watercourses</i> and <i>waterbodies</i> to avoid <i>adversely impacting on water quality</i>; and</p> <p>connected to reticulated sewerage or is connected to an on-site waste water treatment or effluent disposal system that complies with Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments</i>.</p>	<p>Where within a Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b AO1.3</p> <p>The development, including <i>effluent disposal areas</i> is setback a minimum of:</p> <p>(a) 100 metres from the <i>high bank</i> of a <i>watercourse</i> identified on Catchment management overlay maps OM005a-b; and</p> <p>(b) 400 metres from the <i>full supply level</i> or the <i>upper flood margin level</i> of a <i>waterbody</i>, whichever is greater, identified on Catchment management overlay maps OM005a-b.</p>
Catchment Management Analysis	
<p>PO3 Development in the Higher Risk Catchment Area is undertaken in a sustainable manner that:</p> <p>(a) contributes to maintaining and improving the water quality of the major drinking water storages; and</p> <p>will not have an adverse impact on the environment.</p>	<p>Where within the Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b AO3.1</p> <p>For any development within the Higher Risk Catchment Area the water quality impacts of the proposal are addressed in a catchment management analysis report undertaken in accordance with Planning Scheme Policy 3 – Catchment Management Analysis Guidelines</p>
Performance Outcome Assessment	
The development is located within 100m from the high bank of a watercourse as identified	

by the Catchment management overlay map.

Seqwater has confirmed the project has been submitted on behalf of its organisation and is aware of this project. The development is considered to be of a compatible project and will not create any adverse impact on the water quality of the development.

Any waste water treatment system on-site will be considered to comply with the relevant Seqwater.

Flood hazard overlay code

<i>Performance outcomes</i>	<i>Acceptable outcomes</i>
Significant flood hazard area, Low flood hazard area or Potential flood hazard area	
PO13 Development is located and designed to: <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that a proportion of <i>buildings</i> are set above the <i>defined flood level</i>; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide road access to <i>buildings</i> above the level of the 1% AEP flood level. <p><i>Note</i> - where the development is located in a Potential flood hazard area as identified on Flood Hazard Overlay Map OM-007, and there is no <i>defined flood level</i>, a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of a Performance Solution. Alternatively, the <i>defined flood level</i> from an adjacent representative hazard area may be used if deemed appropriate by Council.</p>	Where for Material Change of Use or Building Work AO13.1 <i>Buildings</i> , including extensions to existing <i>buildings</i> are: <ul style="list-style-type: none"> (a) elevated above the <i>defined flood level</i>; and (b) and the <i>defined flood event</i> does not exceed a depth of 600mm. AO13.4 Where the <i>defined flood level</i> is not known, new <i>buildings</i> are: <ul style="list-style-type: none"> (a) located on the highest part of the site to minimise entrance of floodwaters; and (b) provided with clear and direct pedestrian and vehicle evacuation access.
Performance Outcome Assessment	
The site is identified as located within a Potential flood hazard area by the Flood hazard	

overlay map.

Past flood event markers have been placed by the Water Treatment Plant operator and were within the vicinity of the site.

The applicant has reviewed the flood markers, collected statements from the Plant supervisor and reviewed the Brisbane River Catchment Flood Study (Hydrogeological Assessment) and has concluded the proposed Water Treatment Plant will be approximately 2.16m above the highest recorded flood event, and the site may be located above the Q200 event with freeboard.

Council's Operations Department has reviewed this assessment and provides no objection. A condition has been included requiring the Water Treatment Plant to be constructed above the Defined Flood Event of 119.32m AHD.

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

For water supply, the applicant has proposed to use the existing connection from the treated water tanks. For sewage treatment, the applicant has proposed a minimum 3000L holding tank to be installed and will be monitored, pumped out and disposed offsite regularly.

6.3 Stormwater/Drainage

The site is located outside the Urban Footprint and therefore, there are no stormwater network infrastructure charges associated for the proposed development in accordance with Somerset Regional Council Charges Resolution (No 1) 2018.

The landowners have been conditioned to ensure the stormwater is delivered to a legal point of discharge and designed in accordance with the Queensland Urban Drainage Manual.

6.4 Transport network

The proposed development is not expected to increase the burden upon the local transport networks. There are no transport network infrastructure charges associated for the proposed development in accordance with Somerset Regional Council Charges Resolution (No 1) 2018.

6.5 Parks and Open Space

There are no park and open space infrastructure charges associated for the proposed development in accordance with Somerset Regional Council Charges Resolution (No.1) 2018

6.6 Infrastructure Charges

As discussed previously, the proposed development does not require an infrastructure charges notice.

6.7 Services

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

6.8 Environment

The proposed development will not result in environmental degradation.

6.9 Heritage

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

7.0 PUBLIC CONSULTATION

As the development was an impact assessable development application, public notification is required by the legislation. The public notification period began on the 16 May 2019 and finished on the 5 June 2019.

During this period, no submissions were received in relation to the proposed development.

8.0 STATE AGENCY REFERRALS

8.1 Concurrence Agencies

There are no Concurrence Agencies relating to this application.

8.2 Advice Agencies

There are no Advice Agencies relating to this application.

8.3 Third Party Advice Agencies

Discussions with Seqwater confirms that advice from Seqwater is not required as the development was submitted on their behalf and Seqwater is aware of this project.

9.0 CONCLUSION

The proposed development is for the upgrade to an existing Utility installation (Water Treatment Plant) that services the rural locality of Linville. The development complies with the relevant acceptable outcomes of the assessment benchmarks and alternative solutions have been provided satisfying relevant performance outcomes. Conditions have been included in the Decision Notice to ensure the development can be carried out generally in accordance with the approved plans and documents and mitigate any impacts created by the development to surrounding properties.

10.0 ATTACHMENTS

1. Cover Sheet, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.00, Drawing Number: A-DWG-TLI-001, Revision F, Dated 5 June 2019.
2. Locality and Site Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.01, Drawing Number: A-DWG-TLI-002, Revision F, Dated 5 June 2019.
3. Floor Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A001.00, Drawing Number: A-DWG-TLI-003, Revision H, Dated 5 June 2019.
4. Roof Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.00, Drawing Number: A-DWG-TLI-004, Revision F Dated 5 June 2019.
5. Building Elevations – Sheet 1, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.01, Drawing Number: A-DWG-TLI-005, Revision F, Dated 5 June 2019.
6. Site inspection photos of the existing Linville Water Treatment Plant.

RECOMMENDED DECISION

THAT Council approve the Development Application No. 18490 for a Material Change of Use for a Development Permit for an upgrade to an existing Utility Installation (Linville Water Treatment Plant) on land described as Lot 157 on CSH2273 and situated at 84 Wells Street, Linville subject to the requirements and conditions contained in the Schedules and

Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Cover Sheet, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.00, Drawing Number: A-DWG-TLI-001, Revision F, Dated 5 June 2019.	
	Locality and Site Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.01, Drawing Number: A-DWG-TLI-002, Revision F, Dated 5 June 2019.	
	Floor Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A001.00, Drawing Number: A-DWG-TLI-003, Revision H, Dated 29 March 2019.	
	Roof Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.00, Drawing Number: A-DWG-TLI-004, Revision F Dated 5 June 2019.	
	Building Elevations – Sheet 1, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.01, Drawing Number: A-DWG-TLI-005, Revision F, Dated 5 June 2019.	
	Engineering Code Assessment Report (incorporating Stormwater Management Report), Prepared by TB at RMA Engineers, Reference number: 13619, Revision 3, Dated 29 March 2019.	
1.2	Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The approved Material Change of Use of this site is for upgrading the existing Utility installation (Water Treatment Plant).	At all times
<i>Note: This Development Approval does not imply or comprise</i>		

	an approval for any uses other than that listed in Condition 1.5.	
1.6	If required, building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.7	Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a Building Works approval.	At all times
1.8	The development must be maintained in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.	At all times
	General service	
1.9	Provide an on-site waste water treatment or effluent disposal system that is compliant with the relevant Australian standards and the Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments</i> .	At all times
	Perimeter security fence	
1.10	Permeable security fencing is to be provided around the perimeter of the subject site. <i>Note: A koala exclusion panel (smooth unclimbable plastic strip) is to be integrated into the fencing around the property facility to exclude koalas from entering the compound.</i>	Prior to commencement of use
	Visual amenity	
1.11	Any graffiti on buildings, structures or fence on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council. Buildings and structures are constructed of robust materials that are graffiti resistant.	At all times
	Landscape buffer area	
1.12	Provide and maintain a 1 metre wide (unless small reductions are required for necessary infrastructure) landscape buffer area along the southern site boundary. <i>Note: Vegetation used should be of local native vegetation species.</i>	At all time
	Bushfire hazard	
1.13	Provide either:	Prior to commencement of

	<ul style="list-style-type: none"> a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire- fighting purposes at all times (minimum pressure and flow in 10 litres a second at 200kPa); or an accessible on-site dam or tank with fire- fighting fittings, or a swimming pool of not less than 40,000 litres 	use
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
No	Condition	Timing
	Engineering	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
	Building above Flood Level	
2.3	<p>The current Defined Flood Event (DFW) for Lot 157 on CSH2273 is 119.32m AHD and the following must be achieved:</p> <ul style="list-style-type: none"> Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE. All hazardous, noxious material, or chemicals are located and stored above the DFE. Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in the flood water. Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock). 	At all times
	Vehicle Access	
2.4	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
2.5	The Applicant is to construct a vehicle access hardstand area in general accordance with RMA Engineers drawing A-DWG-TLI-003, Linville WTP Treatment Process Upgrade Floor	Prior to Commence of Use

	Plan, and dated 29-03-19 revision D.	
	External Lighting	
2.6	<p>External lighting shall be provided to ensure safety of the users of the development by:</p> <ul style="list-style-type: none"> • Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i> • The use of vandal resistant lighting in public or publicly accessible areas. <p><i>Note: All lighting provided for safety and security purposes must also consider its impact on surrounding land uses and in accordance with the Outdoor Lighting Impact Mitigation Conditions must be designed, sited, installed and tested to comply with Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</i></p>	Prior to commencement of use
2.7	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any sensitive receptor outside the boundaries of the development site.	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. 	At all times
2.9	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
SCHEDULE 3 – Environmental Assessment Manager		
No.	Condition	Timing
3.1	<p>All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained –</p> <ul style="list-style-type: none"> ▪ In a serviceable condition; and ▪ In a state of good repair and efficient action; ▪ In a clean, sanitary condition; ▪ Free of accumulated disused materials; and ▪ Free of vermin and pest infestations. 	At all times

3.2	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	Before the change happens
3.3	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	Before the change happens
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times
3.5	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	Before the Certificate of Classification for the building work is issued
3.6	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 or environmental harm beyond the boundaries of the development site.	At all times
3.7	All general waste produced as part of the operation must be disposed of through either: <ol style="list-style-type: none"> a. The number of standard waste services as determined by Council; or b. A private agreement with a licensed waste disposal contractor through an exemption granted by Council. 	At all times
	Noise	
3.8	The approval holder must ensure that regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained.	At all times

3.9	<p>The emission of noise from the water treatment facility must not result in levels greater than those specified in the Noise Schedule.</p> <p>Noise schedule Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$</p> <ul style="list-style-type: none"> a. Background noise level plus 5 dB(A) 7am to 6pm; b. Background noise level plus 5 dB(A) 6 pm to 10 pm; c. Background noise level plus 3 dB(A) 10 pm to 7 am. <p>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$</p> <ul style="list-style-type: none"> a. Background noise level plus 10 dB(A) 7 am to 6 pm; b. Background noise level plus 10 dB(A) 6 pm to 10 pm; c. Background noise level plus 8 dB(A) 10 pm to 7 am. <p>Component noise must be limited such that the adjusted A-weighted equivalent continuous noise level, $LA_{eq, adj}$, 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 plus 3 dB(A) from 7 am to 6 pm; b. The background noise level plus 3 dB(A) from 6 pm to 10 pm; c. The background noise level plus 0 dB(A) from 10 pm to 7 am. 	At all times
3.10	When requested by Council, an acoustic assessment must be undertaken to investigate any non-vexatious or frivolous complaint caused by noise emissions from operations at the premises. Such monitoring and assessment must be undertaken within a reasonable and practicable timeframe nominated by the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.	At all times
3.11	Ensure the installation of all mechanical plant and equipment (e.g. mechanical ventilation, any treatment system etc.) is adequately noise-attenuated and is in accordance with the criteria of the relevant noise level.	At all times
SCHEDULE 4 – ADVICE		
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. Any additional structures proposed may require their own planning approval and will be assessed on its own merits.
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> .
All building work is to comply with the provisions contained in the <i>Building Act</i> ; the <i>Building Regulation</i> , the <i>Building Code of Australia</i> , the <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> .
Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.
It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.
The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants
All due diligence and reasonable precautionary measures are to be undertaken before 'any activity' may harm Aboriginal Cultural Heritage on the site.
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be

undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the Environmental Protection Act 1994.

A register of contaminated land sites is maintained by the Queensland State government. As Council is not the custodian of the State Contaminated Site Register, it is recommended that persons interested in this information to contact the relevant State department on 13Q GOV (137 468) or email WLCA@ehp.qld.gov.au, or alternatively search the register at <https://www.qld.gov.au/environment/pollution/management/contaminated-land/registers/search-registers>.

Attachments for the Decision Notice include:

- Cover Sheet, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.00, Drawing Number: A-DWG-TLI-001, Revision F, Dated 5 June 2019.
- Locality and Site Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.01, Drawing Number: A-DWG-TLI-002, Revision F, Dated 5 June 2019.
- Floor Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A001.00, Drawing Number: A-DWG-TLI-003, Revision H, Dated 29 March 2019.
- Roof Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.00, Drawing Number: A-DWG-TLI-004, Revision F, Dated 5 June 2019.
- Building Elevations – Sheet 1, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.01, Drawing Number: A-DWG-TLI-005, Revision F, Dated 5 June 2019.
- Engineering Code Assessment Report (incorporating Stormwater Management Report), Prepared by TB at RMA Engineers, Reference number: 13619, Revision 3, Dated 29 March 2019.

Resolution	Moved – Cr Whalley	Seconded – Cr Brieschke
<p>“THAT Council approve the Development Application No 18490 for a Material Change of Use for a Development Permit for an upgrade to an existing Utility Installation (Linville Water Treatment Plant) on land described as Lot 157 on CSH2273 and situated at 84 Wells Street, Linville subject to the requirements and conditions contained in the Schedules and Attachments.</p> <p>THAT Council's report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the <i>Planning Act 2016</i>.</p>		

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Cover Sheet, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.00, Drawing Number: A-DWG-TLI-001, Revision F, Dated 5 June 2019.	

	<p>Locality and Site Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A000.01, Drawing Number: A-DWG-TLI-002, Revision F, Dated 5 June 2019.</p> <p>Floor Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A001.00, Drawing Number: A-DWG-TLI-003, Revision H, Dated 29 March 2019.</p> <p>Roof Plan, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.00, Drawing Number: A-DWG-TLI-004, Revision F Dated 5 June 2019.</p> <p>Building Elevations – Sheet 1, Drawn and Prepared by TDB at RMA Engineers, Project Number: 13619, RMA Drawing Number: S-A002.01, Drawing Number: A-DWG-TLI-005, Revision F, Dated 5 June 2019.</p> <p>Engineering Code Assessment Report (incorporating Stormwater Management Report), Prepared by TB at RMA Engineers, Reference number: 13619, Revision 3, Dated 29 March 2019.</p>	
1.2	Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	<p>The approved Material Change of Use of this site is for upgrading the existing Utility installation (Water Treatment Plant).</p> <p><i>Note:</i> This Development Approval does not imply or comprise an approval for any uses other than that listed in Condition 1.5.</p>	At all times
1.6	If required, building works and plumbing and drainage works approvals must be gained.	Before the commencement of use
1.7	Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a Building Works approval.	At all times

1.8	The development must be maintained in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.	At all times
	General service	
1.9	Provide an on-site waste water treatment or effluent disposal system that is compliant with the relevant Australian standards and the Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments</i> .	At all times
	Perimeter security fence	
1.10	Permeable security fencing is to be provided around the perimeter of the subject site. <i>Note: A koala exclusion panel (smooth unclimbable plastic strip) is to be integrated into the fencing around the property facility to exclude koalas from entering the compound.</i>	Prior to commencement of use
	Visual amenity	
1.11	Any graffiti on buildings, structures or fence on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council. Buildings and structures are constructed of robust materials that are graffiti resistant.	At all times
	Landscape buffer area	
1.12	Provide and maintain a 1 metre wide (unless small reductions are required for necessary infrastructure) landscape buffer area along the southern site boundary. <i>Note: Vegetation used should be of local native vegetation species.</i>	At all time
	Bushfire hazard	
1.13	Provide either: <ul style="list-style-type: none">a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire- fighting purposes at all times (minimum pressure and flow in 10 litres a second at 200kPa); oran accessible on-site dam or tank with fire- fighting fittings, or a swimming pool of not less than 40,000 litres	Prior to commencement of use
SCHEDULE 2 – Engineering		
<i>Assessment Manager</i>		
No	Condition	Timing
	Engineering	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times

2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
	Building above Flood Level	
2.3	<p>The current Defined Flood Event (DFE) for Lot 157 on CSH2273 is 119.32m AHD and the following must be achieved:</p> <ul style="list-style-type: none"> Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE. All hazardous, noxious material, or chemicals are located and stored above the DFE. Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in the flood water. Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock). 	At all times
	Vehicle Access	
2.4	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
2.5	The Applicant is to construct a vehicle access hardstand area in general accordance with RMA Engineers drawing A-DWG-TLI-003, Linville WTP Treatment Process Upgrade Floor Plan, and dated 29-03-19 revision D.	Prior to Commence of Use
	External Lighting	
2.6	<p>External lighting shall be provided to ensure safety of the users of the development by:</p> <ul style="list-style-type: none"> Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i> The use of vandal resistant lighting in public or publicly accessible areas. <p><i>Note: All lighting provided for safety and security purposes must also consider its impact on surrounding land uses and in accordance with the Outdoor Lighting Impact Mitigation Conditions must be designed, sited, installed and tested to comply with Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.</i></p>	Prior to commencement of use

2.7	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any sensitive receptor outside the boundaries of the development site.	At all times
	Erosion and Sediment Control	
2.8	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times
2.9	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
SCHEDULE 3 – Environmental <i>Assessment Manager</i>		
No.	Condition	Timing
3.1	All buildings, structures, fittings, fixtures and grounds forming part of this development approval must be maintained – <ul style="list-style-type: none"> ▪ In a serviceable condition; and ▪ In a state of good repair and efficient action; ▪ In a clean, sanitary condition; ▪ Free of accumulated disused materials; and ▪ Free of vermin and pest infestations. 	At all times
3.2	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	Before the change happens
3.3	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	Before the change happens
3.4	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 	At all times

	<p>development approval to burn or be burnt or buried at or on the development site; nor</p> <ul style="list-style-type: none"> Stockpile any waste on the development site. 	
3.5	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	Before the Certificate of Classification for the building work is issued
3.6	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 or environmental harm beyond the boundaries of the development site.	At all times
3.7	<p>All general waste produced as part of the operation must be disposed of through either:</p> <ol style="list-style-type: none"> The number of standard waste services as determined by Council; or A private agreement with a licensed waste disposal contractor through an exemption granted by Council. 	At all times
	Noise	
3.8	The approval holder must ensure that regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained.	At all times
3.9	<p>The emission of noise from the water treatment facility must not result in levels greater than those specified in the Noise Schedule.</p> <p>Noise schedule</p> <p>Noise Level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$</p> <ol style="list-style-type: none"> Background noise level plus 5 dB(A) 7am to 6pm; Background noise level plus 5 dB(A) 6 pm to 10 pm; Background noise level plus 3 dB(A) 10 pm to 7 am. <p>Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{(Amax\ adj, T)}$</p> <ol style="list-style-type: none"> Background noise level plus 10 dB(A) 7 am to 6 pm; Background noise level plus 10 dB(A) 6 pm to 10 pm; Background noise level plus 8 dB(A) 10 pm to 7 am. 	At all times

	<p>Component noise must be limited such that the adjusted A-weighted equivalent continuous noise level, LAeq, adj, 15 min when measured at any affected noise sensitive place must not exceed:</p> <p>g. The background noise level plus 3 dB(A) from 7 am to 6 pm;</p> <p>h. The background noise level plus 3 dB(A) from 6 pm to 10 pm;</p> <p>i. The background noise level plus 0 dB(A) from 10 pm to 7 am.</p>	
3.10	When requested by Council, an acoustic assessment must be undertaken to investigate any non-vexatious or frivolous complaint caused by noise emissions from operations at the premises. Such monitoring and assessment must be undertaken within a reasonable and practicable timeframe nominated by the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.	At all times
3.11	Ensure the installation of all mechanical plant and equipment (e.g. mechanical ventilation, any treatment system etc.) is adequately noise-attenuated and is in accordance with the criteria of the relevant noise level.	At all times

SCHEDULE 4 – ADVICE

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

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

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

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

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

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

Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.
This development approval is for the proposed development. Any additional structures proposed may require their own planning approval and will be assessed on its own merits.
This approval has effect in accordance with the provisions of section 71 of the Planning Act 2016 . <i>[A copy of section 71 will be enclosed with the Decision Notice].</i>
All building work is to comply with the provisions contained in the <i>Building Act; the Building Regulation, the Building Code of Australia, the Queensland Development Code and relevant Australian Standards.</i>
Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.
It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.
The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants
All due diligence and reasonable precautionary measures are to be undertaken before 'any activity' may harm Aboriginal Cultural Heritage on the site.
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the Environmental Protection Act 1994.
A register of contaminated land sites is maintained by the Queensland State government. As Council is not the custodian of the State Contaminated Site Register, it is recommended that persons interested in this information to contact the relevant State department on 13Q GOV (137 468) or email WLCA@ehp.qld.gov.au , or alternatively search the register at https://www.qld.gov.au/environment/pollution/management/contaminated-land/registers/search-registers . "
<i>Carried</i>
<i>Vote - Unanimous</i>

Subject:	Financial reports 1 July 2018 to 27 June 2019
File Ref:	Monthly financial statements
Action Officer:	DFIN

Background/Summary

Financial reports

Financial reports for the period 1 July 2018 to 27 June 2019 are attached detailing the progress that has been made in relation to Council's budget as per section 204 of the Local Government Regulation 2012. A list of payments is also provided as previously requested.

Grants

- On 15 April 2019, Council lodged a funding application under the Natural Disaster Resilience Program for renewing Burtons Bridge. Council received advice on 27 June 2019 that this application had been successful for funding of \$89,382.50.
- Council is awaiting confirmation of tender exemption as part of its successful applications for the Australian Government's competitive Bridges Renewal Program for the replacement of Neuendorf Road Bridge and Tetzlauffs Lane Bridge.
- Council is awaiting confirmation of acceptance of project management plans lodged in respect of its eight successful funding applications for rooftop solar projects under the Queensland Government's competitive Local Government Grants and Subsidies Program (LGGSP) before these projects can commence.
- Council officers are preparing for a future funding application under the Heavy Vehicle Safety and Productivity Program for upgrading Lowood Minden Road

Investments

Council resolved on 26 June 2019 to endorse the entering into of an agreement for a second credit facility with Queensland Urban Utilities (QUU) of \$30 million for a period of up to ten years and the seeking of relevant approvals. Council is currently awaiting a QUU Board decision on this matter.

Cash investments at 27 June 2019 are detailed in an attachment to this report.

Growth

Rateable property data provides an indication of regional growth. The number of rateable properties has changed as follows to the date of this report:

<i>Date</i>	<i>Number of rateable properties</i>	<i>Change in rateable properties</i>
30 June 2017	11,672	0.84%
30 June 2018	11,757	0.73%
27 June 2019	11,744	-0.11%

Rates

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

- \$1.69 million – 31 December 2018
- \$1.93 million – 27 June 2019 (on 1,192 properties)

Council issued 22 notices of intention to sell land for overdue rates or charges totalling \$186,178 on 15 May 2019.

Six of the 22 sale actions have ceased following full payment leaving 16 sale actions current as at 27 June 2019 with \$124,563 remaining outstanding.

Road maintenance detail

Councillors have previously requested additional information about road maintenance:

	<i>Rural</i> (\$000's)	<i>Urban</i> (\$000's)	<i>Total</i> (\$000's)
Bitumen road maintenance	604	122	726
Gravel road maintenance	1,785	17	1,802
Roadside drainage	495	165	660
Culvert maintenance	6	-	6
Vegetation maintenance	309	302	611
Traffic furniture	149	67	216
Linemarking	8	22	30
Total actual year to date	3,356	695	4,051
Expected pro-rata budget year to date	4,017	695	4,712

Council's 30 most costly road segments for bitumen, gravel or culvert maintenance were:

Esk Crows Nest (gravel) Ch26120-Ch34090	\$92,366
Fulham Rd Cressbrook (bitumen) Ch0-Ch2130	\$56,322
Kavanaghs Rd Buaraba (gravel) Ch0-Ch2840	\$50,660
Gregors Creek Rd (bitumen) Ch3120-Ch4950	\$46,426
Fulham Rd Cressbrook (bitumen) Ch2130-Ch4900	\$40,725
Muckerts La (gravel) Ch1370-Ch2780	\$40,637
Monsildale Rd (gravel) Ch12000-Ch19100	\$38,128
Banks Ck England Ck Rd (gravel) Ch0-Ch2900	\$34,842
Banks Creek Rd (gravel) Ch4670-Ch12870	\$34,707
Cressbrook Cab (gravel) Ch8280-Ch13860	\$32,792
E Summervilles Rd (gravel) Ch770-Ch2850	\$32,212
Fulham Rd Cressbrook (bitumen) Ch4900-Ch6500	\$31,087
Pohlmans Range Rd (gravel) Ch0-Ch2980	\$31,009
Zischkes Rd (gravel) Ch20-Ch2300	\$30,981
Kimballa Rd (gravel) Ch0-Ch5680	\$30,719
Ann St Esk (bitumen) Ch240-Ch430	\$29,199
Louisavale Rd (gravel) Ch5010-Ch5810	\$29,139
Yielo Rd (gravel) Ch0-Ch5100	\$29,039
Cowah Rd (gravel) Ch0-Ch3990	\$28,289
Gregors Creek Rd (bitumen) Ch4950-Ch5530	\$26,670
Langtons La (gravel) Ch3210-Ch5050	\$26,017
Falls Rd (gravel) Ch0-Ch2530	\$25,706
Sim Jue Creek Rd (gravel) Ch520-Ch4840	\$24,976
Yabba Rd (gravel) Ch0-Ch3330	\$24,692
Banks Creek Rd (gravel) Ch3300-Ch4670	\$24,501
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) Ch460-Ch3370	\$23,231
Westvale Rd (gravel) Ch1340-Ch13550	\$23,022
Subtotal	\$1,009,329

Attachments

Financial reports and payment listings
Letter from Minister for State Development, Manufacturing, Infrastructure and Planning dated 24 June 2019

Recommendation

THAT Council receive the financial reports for 1 July 2018 to 27 June 2019 including payments presented for the period 3 June 2019 to 27 June 2019 totalling \$28,797,372.47 and that the contents be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Ogg

“THAT Council receive the financial reports for 1 July 2018 to 27 June 2019 including payments presented for the period 3 June 2019 to 27 June 2019 totalling \$28,797,372.47 and that the contents be noted.”

Carried*Vote - Unanimous*

Subject: Class rebate of rates - differential general rating category 204
File Ref: Rates - rate payments - rebates
Action Officer: DFIN

Background/Summary

On 26 June 2019, Councillors indicated a desire to effectively defer the commencement date of rating category 204 (banked development land renewable energy facilities) until 1 January 2020 through the application of a class concession.

Attachments

Nil

Recommendation

THAT Council grant a class concession under s122(1)(b) of the Local Government Regulation 2012 for hardship reasons where the class of ratepayers is identified as the owners of properties that meet the criteria of differential general rating category 204 as at the time of the rating categorisation decision for the period 1 July 2019 to 31 December 2019 and where the concession is identified as a partial rebate of general rates for the period 1 July 2019 to 31 December 2019 calculated as the difference in the gross general rates applicable for differential general rating category 204 and the gross general rates that would have applied if a material change of use development permit had not been issued allowing for the use of the land in whole or in part for a renewable energy facility.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Ogg

“THAT Council grant a class concession under s122(1)(b) of the Local Government Regulation 2012 for hardship reasons where the class of ratepayers is identified as the owners of properties that meet the criteria of differential general rating category 204 as at the time of the rating categorisation decision for the period 1 July 2019 to 31 December 2019 and where the concession is identified as a partial rebate of general

rates for the period 1 July 2019 to 31 December 2019 calculated as the difference in the gross general rates applicable for differential general rating category 204 and the gross general rates that would have applied if a material change of use development permit had not been issued allowing for the use of the land in whole or in part for a renewable energy facility."

Carried

Vote - Unanimous

Subject:	Annual valuation consultation
File Ref:	Rates – Shire valuations
Action Officer:	DFIN

Background/Summary

The Valuer-General has sent a letter requesting Council's opinion as to whether an "annual" valuation of rateable land in Somerset should be undertaken effective 30 June 2020. Council pays the State Government more than \$110,000 per annum in compulsory annual valuation levies whether or not an annual valuation is performed.

A State government land revaluation for Somerset was undertaken effective 30 June 2019. It is considered that if annual valuations were conducted every year then this might help to moderate changes in official State land values. Council rates, State Government land tax and State Government land rentals are based on the official State land valuations.

Attachments

Letter from the Department of Natural Resources Mines and Energy of 21 June 2019

Recommendation

THAT Council advise the Valuer-General that Council requests an annual revaluation in order to moderate future changes to valuations, because there may be a community benefit in property owners receiving updated information about official property values and because Council pays for an annual revaluation.

Resolution

Moved – Cr Whalley

Seconded – Cr Hall

"THAT Council advise the Valuer-General that Council requests an annual revaluation in order to moderate future changes to valuations, because there may be a community benefit in property owners receiving updated information about official property values and because Council pays for an annual revaluation."

Carried

Vote - Unanimous

Subject:	Renewal of Lester Kropp Bridge on Neurum Road
File Ref:	Grants – programs – bridges renewal program round 5
Action Officer:	DFIN

Background/Summary

Lester Kropp Bridge is a single lane precast concrete bridge over the Stanley River on Neurum

Road, Villeneuve.

An extract from a level two structure inspection report for Lester Kropp Bridge by consulting engineers Instrada is attached which confirms that “overall the structure is in very poor condition, with severe defects ... that may reduce the strength, capacity and serviceable life of the bridge.”

Three of the four piles supporting Lester Kropp Bridge are in poor condition and one is in very poor condition. The bridge is potentially several decades old and probably pre-dates modern construction methods.

Officers seek to commence planning work including obtaining a level three inspection report, costings, concept designs and land acquisition plans to support funding applications under a variety of potential funding programs including round 5 of the bridges renewal program.

A traffic count taken 400 metres east of Lester Kropp Bridge confirmed average daily traffic movements at that point of 653 including 14.4% heavy vehicles in 2010.

Council engineers consider that the replacement bridge would be a two-lane structure instead of the current single lane.

Attachments

Level two inspection report

Recommendation

THAT Council endorse planning and potential land acquisition associated with the replacement of Lester Kropp Bridge on Neurum Road with a two-lane reinforced concrete bridge with a 100 year design life and make an appropriate allocation at budget review.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Ogg

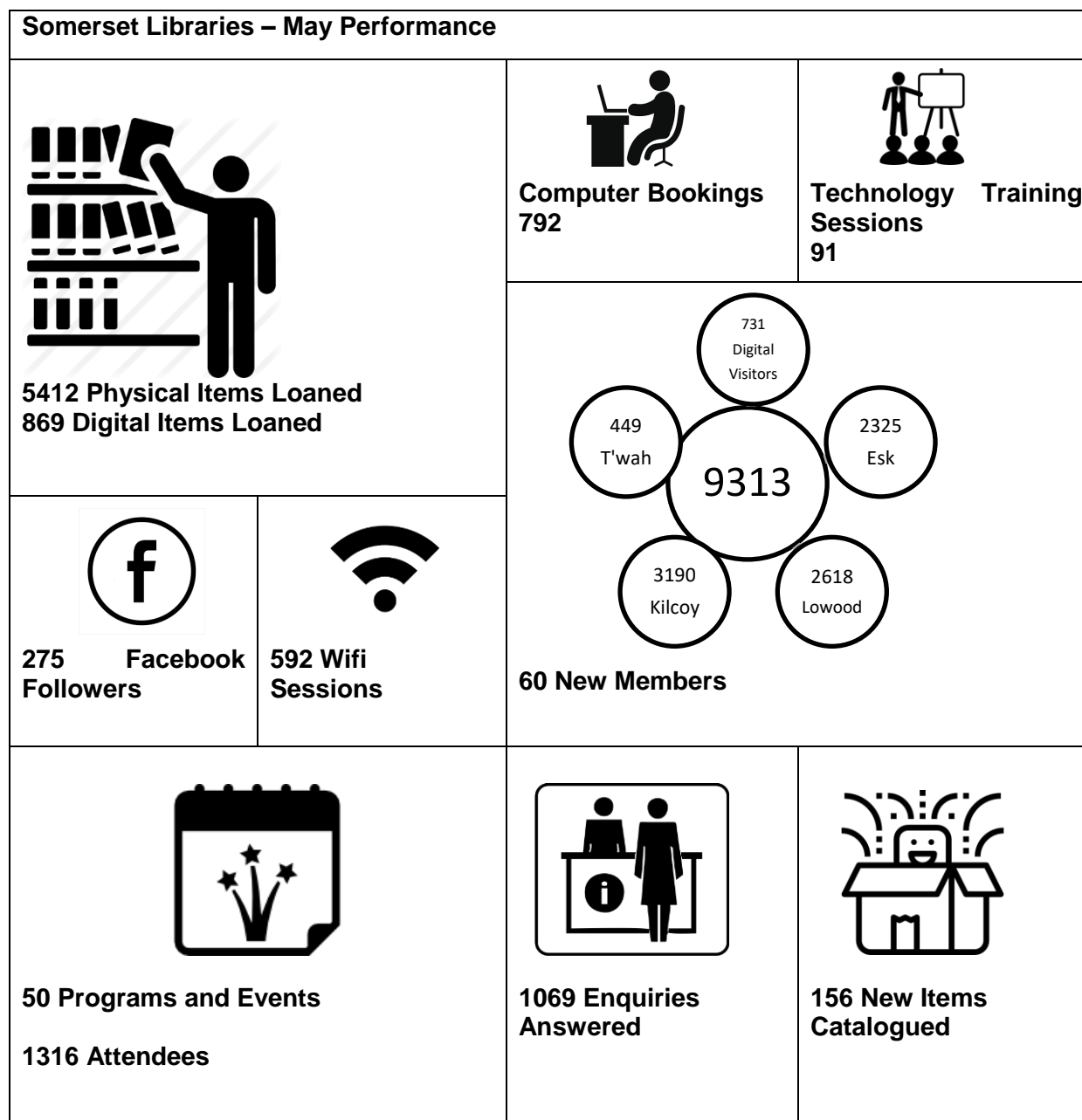
"THAT Council endorse planning and potential land acquisition associated with the replacement of Lester Kropp Bridge on Neurum Road with a two-lane reinforced concrete bridge with a 100 year design life and make an appropriate allocation at budget review."

Carried

Vote - Unanimous

Subject:	Somerset Libraries Officer's report May 2019
File Ref:	Officer's Report
Action Officer:	(RL) Regional Librarian

Background/Summary



Highlights

National Simultaneous storytime

Somerset Library staff were out and about this National Simultaneous Storytime with 68 customers attending events across the region.

National Simultaneous Storytime (NSS) is held annually by the Australian Library and Information Association (ALIA). Every year a picture book, written and illustrated by an Australian author and illustrator, is read simultaneously in libraries, schools, pre-schools,

childcare centres, family homes, bookshops and many other places around the country.

Now in its 19th successful year, it is a colourful, vibrant, fun event that aims to promote the value of reading and literacy, using an Australian children's book that explores age-appropriate themes, and addresses key learning areas of the National Curriculum for Foundation to Year 6.

By facilitating NSS Somerset Libraries aims to:

- promote the value of reading and literacy,
- promote the value and fun of books,
- promote an Australian writer and publisher,
- promote storytime activities in public libraries and communities around the country,
- and provide opportunities to involve parents, grandparents, the media and others to participate in and enjoy the occasion.

Outreach

Library staff were in attendance for Library and Information Week at two state schools this year. Reaching 360 children in total at Kilcoy State school and Mount Kilcoy State school, staff read stories at the school assembly and chatted with students about all things libraries.

Staff also attended a morning tea at Glenwood in Lowood where staff discussed the variety of items that can be borrowed by residents and the range of events and activities held at Lowood Library.

Under 8's day

Library staff attended three Under 8's days across the region in Esk, Toogoolawah and Kilcoy during the month of May. Staff delivered stories, and library information to students and families and contacted 475 children via this outreach initiative.

Upcoming Events and activities

Author talk – Andrew Holt – Kilcoy Library, Monday 1 July
STEAM WEEK – Chemical Reactions – Lowood Library
STEAM WEEK – Play with a Sphero
STEAM WEEK – Earthquake resistance
STEAM WEEK – Geometric Whirls
STEAM WEEK – Dinosaur Theme Park
Ukulele workshop, Kilcoy Library, 2 July
Ukulele workshop, Esk Library, 2 July
Ukulele workshop, Lowood Library, 2 July
Make you own snow globe, Toogoolawah Library, 4 July
Tinker Lab: Invent your own scrap-bot, All branches
NBN in your community, Kilcoy Library, Thursday 11 July
NBN in your community, Toogoolawah Library, Thursday 18 July
NBN in your community, Esk Library, Thursday 25 July

Esk show

This year the library service had its own stand at the Esk show, a first for Somerset Libraries. Staff, funded through the Tech Savvy for Seniors grant and First Five Forever program spent the day promoting library services and events to both locals and visitors to the area.

Providing outreach services, programs and events outside of Somerset Libraries is often a very effective and successful way to spread the 'library' message and connect non-library

users with the library service.

Staff spoke with 124 people throughout the day. Nine First 5 Forever postcards were given out through the day. Families were encouraged to take the postcard into their local Somerset Libraries Branch to receive a free First 5 Forever Book Pack.

New databases

Somerset Libraries has recently acquired a suite of new databases:

Haynes Manuals AllAccess is a library of manuals covering a vast range of car and motorcycle makes and models, with up-to-date content including common repairs, routine maintenance and servicing procedures.

Somerset Libraries is now able to offer free access to hundreds of online car and motorcycle manuals through its subscription to Haynes AllAccess Manuals. Library members will be able to access the manuals from home using their library card number.

A-Z World Press databases

A to Z World Culture

A to Z World Culture provides detailed cultural and social information for 175 countries, and a wealth of reference information about the nations of the world. It includes information about demographics, climate, culture and travel.

A to Z World Food

With the A to Z World Food database, you can now explore food culture and traditional recipes from around the world. It is the only food database that contains more than 6,000 traditional recipes from 174 countries of the world, in all course categories: appetisers, soups, salads, breads, main courses, side dishes, desserts, and beverages. You can also learn about national and regional cuisines, typical daily meals, dining etiquette, and surprising food trivia.

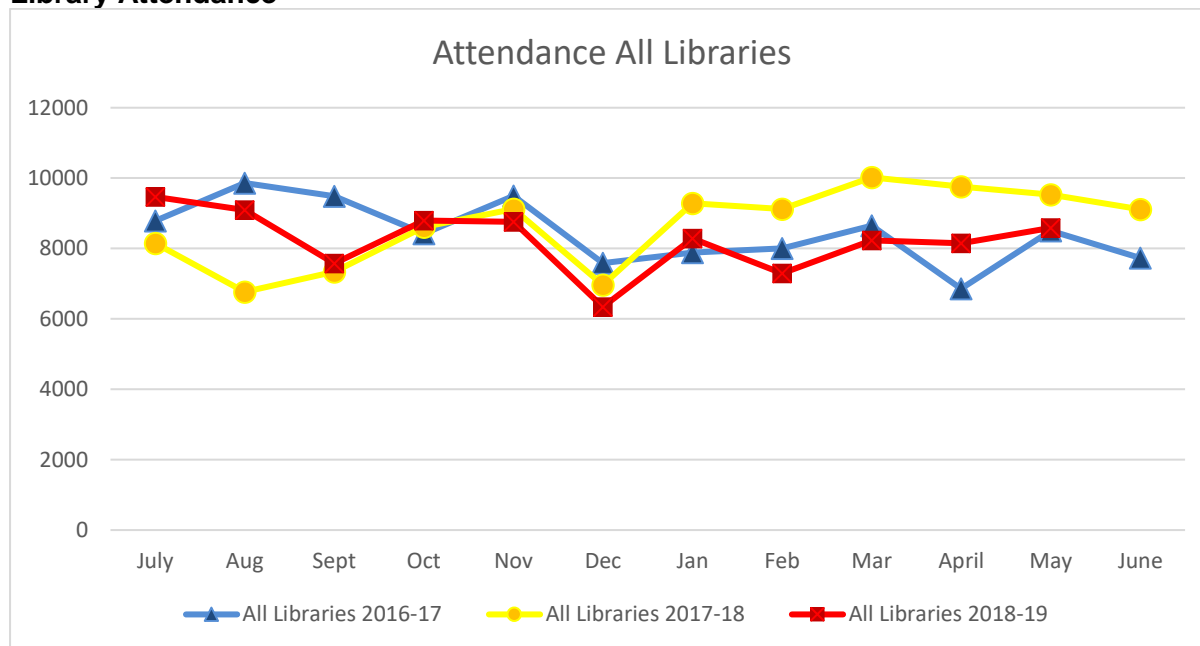
A to Z World Travel

As you're planning your next journey, make sure to take a look at A to Z World Travel for information about your destination. Regularly updated with information about numerous travel destinations, A to Z World Travel is the place to start planning your trip!

A to Z Maps Online

One of the world's largest online collections of maps (more than 100,000) including modern maps, antique maps, Holy Land maps, and many more.

Library Attendance



Attachments

Nil

Recommendation

THAT Council receive the *Somerset Libraries Officer Report for May 2019* and that the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Gaedtke

"THAT Council receive the *Somerset Libraries Officer Report for May 2019* and that the contents be noted."

Carried

Vote - Unanimous

Subject:	Adoption of increased fees relating to the <i>Right to Information Act 2009</i>
File Ref:	Information Management - Right to Information - Consultation
Action Officer:	DCORP

Background/Summary

Fees relating to applications made pursuant to the *Right to Information Act 2009* are determined by the Right to Information Regulation 2009 and are subject to annual review.

On 24 June 2019, Council was advised by the Department of State Development, Manufacturing, Infrastructure and Planning that pursuant to the Justice Legislation (Fees) Amendment Regulation 2019, the following fees will increase:

Right to Information Access Application fee	- from \$49.70 to \$50.80
Processing charge	- from \$7.70 to \$7.85

These revised fees are effective from 1 July 2019.

No change has been made to the copying charge.

Attachments

Annexure "A" - Copy Part 45, sections 103 and 104 of the Justice Legislation (Fees) Amendment Regulation 2019

Recommendation

THAT Council adopt increases in the following fees regarding applications made pursuant to the *Right to Information Act*, as set out in the Justice Legislation (Fees) Amendment Regulation 2019:

RTI Access Application fee - \$50.80

Processing charge - \$ 7.85

FURTHER THAT the above fees are effective from 1 July 2019.

Resolution

Moved – Cr Whalley

Seconded – Cr Ogg

"THAT Council adopt increases in the following fees regarding applications made pursuant to the *Right to Information Act*, as set out in the Justice Legislation (Fees) Amendment Regulation 2019:

RTI Access Application fee - \$50.80

Processing charge - \$ 7.85

FURTHER THAT the above fees are effective from 1 July 2019."

Vote - Unanimous

Carried

Subject:	Council – proposed grazing lease to Kenneth Kuhn - 5311 D'Aguilar Highway, Woolmar
File Ref:	1111744, 1111998, 1112587, 1112591, 1111744, 116349,
Action Officer:	DCORP

Background/Summary

Council owns Lot 8 on CP CG3953 ("Parcel") which was recently transferred from the State, having previously been leased to Mr Kenneth Joseph Kuhn for over 60 years for grazing purposes.

Mr Kuhn contacted Council on 17 April 2019 seeking to lease that property from Council, again, for grazing cattle, as the property is adjacent to his freehold property and his cattle graze on both properties - accessed by a crossing under the D'Aguilar Highway.

Council subsequently obtained legal advice from King and Company and also obtained a valuation of the parcel from a registered Valuer, which determined a fair and market value annual rental for the Property at \$950.00 (exclusive of GST).

The matter was then put to the Ordinary Meeting of Council on 29 May 2019 with the following resolution:

Resolution

Moved – Cr Whalley

Seconded – Cr Hall

"THAT Council seek legal advice on utilising the exemption within the Local Government Regulation 2012 S236 to lease Lot 8 CG 3953 to the applicant or alternatively offer to the applicant a Licence that requires renewal each year."

Carried

On 4 June 2019 Council wrote to Mr Kuhn outlining the terms of the proposed lease of the Parcel, at an annual rental of \$950, based on the Valuer's Rental Assessment. On 20 June 2019 Mr Kuhn responded to that letter, advising that he agreed with all terms of the lease as outlined in Council's letter of 4 June, excepting for the rental, which he believed was unacceptable as it was considerably higher than he had previously been charged by the Queensland Government for his tenure of over 60 years. He made a counter offer of annual rental in the sum of between \$200 and \$300.

At the Council Workshop held on 26 June 2019 it was discussed and agreed that the Valuer's Rental Assessment was probably excessive and in the circumstances that Council should respond to Mr Kuhn with a revised rental of \$250 per annum, subject to acceptance of all terms and conditions set out in Council's letter of 4 June 2019.

As regards the term of the lease, Council resolved on 29 May 2019 to change the term from a fixed period of 30 years to an initial term of 10 years with two option periods each of ten years. However, a lease of land which Council owns as trustee, cannot contain options. Therefore, the lease has been prepared for a fixed term of 30 years with the ability for Council, at the beginning of the eleventh year of the term, to terminate the Lease by notice to the Lessee with termination three months thereafter. A copy of the relevant Clause from the Lease is as follows:

16.2 Termination by Trustee

- (1) The Trustee may at any time during the Term after the expiry of the tenth Lease Year give the Trustee a notice of termination of this Trustee Lease.
- (2) If the Trustee gives a notice of termination pursuant to Clause 16.2(1), this Trustee Lease terminates on the day 3 months after the date of giving of the notice.

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QUEENSLAND LAND REGISTRY
Land Title Act 1994, Land Act 1994 and Water Act 2000

SCHEDULE

Form 20 Version 2
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Title Reference: 49014387

- (3) The Trustee shall refund to the Trustee Lessee any rent paid for the period after this Trustee Lease terminates.
- (4) The Trustee Lessee must promptly execute and return to the Trustee a surrender of this Trustee Lease in Registerable form.

The above clause is contained in the draft Lease forwarded to Mr Kuhn with Council's letter dated

4 June 2019.

As is standard practice, when a Lessee dies, the Lease is transferred to the Lessee's executors or beneficiaries, provided (in this case) that the consent of Council and the Minister are given.

Attachments

Nil

Recommendation

THAT Council advise Mr Kuhn of its acceptance of his counter-offer of annual rental of \$250 (exclusive of GST and with an annual rental review to CPI as set out in Clause 4.1 of the draft Lease) for the lease of Lot 8 on Crown Plan CG3953, D'Aguilar Highway, Woolmar subject to the terms and conditions set out in Council's letter of 4 June 2019.

Resolution

Moved – Cr Hall

Seconded – Cr Brieschke

"THAT Council advise Mr Kuhn of its acceptance of his counter-offer of annual rental of \$250 (exclusive of GST and with an annual rental review to CPI as set out in Clause 4.1 of the draft Lease) for the lease of Lot 8 on Crown Plan CG3953, D'Aguilar Highway, Woolmar subject to the terms and conditions set out in Council's letter of 4 June 2019."

Carried

Vote - Unanimous

Subject:	Insurance Renewal - Property, Vehicle Breakdown, Personal Accident and Marine Hull
File Ref:	SRC - Risk Management - Registration - Doc Id 1123240
Action Officer:	DCORP

Background/Summary

Council have recently renewed membership of the Local Government Mutual Liability Pool in order that Council may be covered for Public Liability Insurance. This scheme offers Council \$600 million in Public Liability Insurance coverage for Council the excess for this cover is the first \$7,500.

Council have recently renewed membership of the Local Government Workcare Scheme. This scheme covers all costs that council may incur where a worker is injured at work or while attending or participating in a workplace activity. There are requirements that Council must have in place a Workplace Health and Safety system and Officer and compliance with certain other conditions. This compliance is tested each year by way of questionnaire. Council's premium is calculated using a per centage that takes the compliance into account and is applied against the Salaries and Wages for the Council. Unfortunately, Council's rate is higher than the scheme average and higher than the norm for a Council of our size. This seems to relate to how Council deals with the travel component of any work cover claim.

Council are about to renew all the insurance coverage for property, personal accident, equipment breakdown and Marine Hull. The premium last year for all the insurances was \$370,964.35 and for 2019/20 it is \$392,086.31. Of the \$21,121.96 increase in premium \$18,380.85 is related to an increase in Property Insurance(a 6.7% increase in premium). The value of the assets insured has not increased the insured is \$72.551 million. The increase is related to "hardening in the re-insurance market" which is related to global events that have

affected insurance premiums. To ameliorate increases in insurance premiums Council have previously removed cover for Flood events and increased the Excess to \$100,000 (this excess relates to any event). The next step in reducing premiums if that becomes necessary would be to remove buildings from cover.

Jardine Lloyd Thomson the scheme manager have been purchased by Marsh. Marsh is one of the largest insurance companies in Australia. This purchase does not affect the scheme management.

Attachments

Attachment 1 – LGM Assets Membership Report

Recommendation

THAT the report on insurance be noted and that Council renew coverage with LG Assets.

Resolution

Moved – Cr Choat

Seconded – Cr Whalley

"THAT the report on insurance be noted and that Council renew coverage with LG Assets."

Carried

Vote - Unanimous

Subject:	TMR Response Town Entry Treatments and Speed Limit Review
File Ref:	Roads - design and construction - roads
Action Officer:	DOPER (Andrew Johnson)

Background/Summary

At Council meeting on 10 April 2019 the following decision was carried.

THAT Council writes to the North Coast Department of Transport and Main Roads (copy to State MP's) seeking the following:

1. *That TMR undertakes a speed limit review on Forest Hill Fernvale Road on the eastern and western approaches to Lowood township.*
2. *That TMR provides status on the proposed works on the Brisbane Valley Highway within Fernvale and any anticipated delivery timeframes.*
3. *Council reconfirms its desire to have the posted speed limit along the Brisbane Valley Highway within Fernvale township reduced to 50km/hr.*
4. *Council requests TMR to install TETs on the Brisbane Valley Highway to assist with alerting motorists to the change in road environment as they enter Fernvale.*

Council has received a response letter from Mr Neil Scales, Director General, Department of Transport and Main Roads on behalf of the Honourable Mark Bailey MP. The response letter advises:

- That TMR will undertake a speed review of Forest Hill Fernvale Road;
- The Queensland Government has allocated \$1.56 million to upgrade the Brisbane

Valley Highway in the Fernvale Township;

- After the completion of works, the speed limit in Fernvale Township will be reduced from 60 km/h to 50 km/h with town entry treatments at the start and end of the 50 km/hr limit;
- Design works starting in 2019/20, with construction in 2020/21.

Attachments

- Letter sent to North Coast Department of Transport and Main Roads (copy to State MP's) – 29 April 2019
- Response letter from Mr Neil Scales, Director General, Department of Transport and Main Roads. – 13 June 2019

Recommendation

THAT Council receive Department of Transport and Main Roads' response about Town Entry Treatments and Speed Limit Review and the contents noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

"THAT Council receive Department of Transport and Main Roads' response about Town Entry Treatments and Speed Limit Review and the contents noted."

Carried

Vote - Unanimous

Subject: Operations Report for June 2019
File Ref: Governance - Reporting - Officer Reports
Action Officer: CSSA (Debbie Chandler)

Background/Summary – Technical Design Team (Michael Kinion)

This team has finalised the detailed designs for the 2018-2019 capital works program and has prepared the folders and systems for the 2019-20 capital works budget. They have provided support to the construction crews on the roadworks at the construction of Walter and Park Streets, Lowood, the shared path in Toogoolawah, Gregors Creek Road and have provided support for the construction of Marumbah Creek, Charlies Gully and Burnett Inn Creek Bridges.

The Technical Design team continue to set out traffic counters within the region to maintain our current information and have undertaken gravel surveys for the end of financial year reporting and have updated the asset register with the latest information following completion of works and inspections.

Counters on the Brisbane Valley Rail Trail have recorded the following in 2019:

FERNVALE	<i>Pedestrians</i>	<i>Cyclists</i>	<i>Horses</i>	<i>Total</i>
Jan-Mar-19	3783	2992	269	7044
Apr-June-19	5111	5016	310	10437
July-Sept-19				
Oct-Dec-19				
			Total	17481

ESK	<i>Pedestrians</i>	<i>Cyclists</i>	<i>Horses</i>	<i>Total</i>
Jan-Mar-19	4059	1008	242	5309
Apr-June-19	6008	1370	135	7513
July-Sept-19				
Oct-Dec-19				
			Total	12822

Permit	June-19	June-18
Property Searches	66	72
Land access Permit	69	51
Property Access Applications	5	1
National Heavy Vehicle Regulator Permits – TMR Dwellings	11	14
National Heavy Vehicle Regulator Permits – TMR Other	4	11
National Heavy Vehicle Regulator Permits – Portal	3	0

Background/Summary – Works Department (Rob Bouchier)

Weather Conditions:

Weather is continuing to be fine some minor disruption to works due to showers.

Gary Eastell - Foreman:

Northern Maintenance Crew (Nigel Valentine)

Crew has completed underground drainage in George Street, Toogoolawah. Along with Stabilising works in Esk, Redbank Street, Middle Street and Ipswich Street, works will be ongoing on Brisbane Valley Highway over the next week.

Excavator crew (Dave Bandit)

There have been four burials during June. This crew has been working on underground drainage in George Street, Toogoolawah along with illegal dump site clean ups and small CSR maintenance jobs.

Landfill (Rob Hester)

Waste operations are continuing as normal at Esk Landfill. New weighbridge preparations are now complete.

Wayne Kohler - Foreman:

Southern Maintenance Crew (Thomas Varney)

This crew has completed maintenance works on Prenzlau Road shoulders, Drapers Road, By Road, Lloyds Road, Warren Road, Hills and Holts Road and are currently working on E Summervilles Road.

Esk Concrete Crew (Ron Ratcliff)

This crew is continuing with Walters Street and Park Street underground drainage and kerb works. This work has been slow and very complex due to many underground services conflicting with the new drainage however most of the pipes have now been placed along with most of the lintels. We have also had the crew assisting with other works as needed.

Doug Freeman - Foreman:

Kilcoy 1 Grader Crew (Stuart Gardner)

This crew is continuing with the reconstruction project on Gregors Creek Road.

Kilcoy 2 Grader Crew (Acting Peter Cobbin)

This crew has almost completed maintenance work on Kilcoy Murgon Road for TMR under

the RMPC.

Bob Peters – Foreman:

Bitumen Crews

This crew has been continuing with TMR RMPC works on D'Aguilar Highway, Brisbane Valley Highway and Wivenhoe Somerset Road pavement repairs. Our HD 45 trucks continue to be busy repairing potholes over the TMR and Council networks along with sealing new works and QUU repairs as required.

Bruce Zinn - Foreman:

Bridge Crew: (Chris Wheeler)

This crew is continuing with construction of the two replacement culverts on Buaraba Creek Road.

Kilcoy Concrete Crew: (Kerry Kubler)

This crew is continuing with concrete pours at Charlies Gully on Western Branch Road.

Lyle Crawford – Senior Foreman:

Repair Crew 1: (Jim Walker)

This crew is continuing with various customer service requests including ongoing maintenance of signs, other work includes placing pipes on the reconstruction work at Gregors Creek Road.

Repair Crew 2: (Steve Nutley Ganger)

This crew is continuing to work in conjunction with repair crew one to complete projects mentioned above.

Department of Transport and Main Roads (TMR) Works

Council is presently working on the following projects on behalf of TMR.

- Forest Hill Fernvale Road pavement rehabilitation. Completed up to final seal stage.
- Guardrail project on Brisbane Valley Highway and Wivenhoe Somerset Road. Completed.

Council has engaged specialist subcontractors to assist with delivery of the above works as required.

Council has recently received letters of acceptance for the following TMR projects:

- Brisbane Valley Highway, batter protection near Fernvale. Council Officers have called quotations from suitable sub-contractors to assist with the delivery of this project. Quotations have closed and construction timelines will be better known once a successful sub-contractor is appointed.
- D'Aguilar Highway (Mary Street) pavement rehabilitation. Council Officers have met with TMR Officers to discuss public consultation for this project. TMR will be leading the consultation process and will provide further information shortly.

Works carried out by Contractors

A&M Civil has completed the Forest Hill Fernvale shared footpath project, Esk Crows Nest Road is also finished and the shared footpath works in Toogoolawah is continuing. CPM has completed works on Sandy Creek Bridge on Pine Mountain Road and opened to the public, with rectification works on the approaches still to be done. Ark Construction have been provided possession of site for Yellow Gully Bridge on Atkinson Dam Road and work has

commenced with the construction of a side track and removal of existing bridge. All projects are progressing to agreed timeframes.

Charlene Meehan – Parks and Garden Coordinator:

Esk Gardeners:

The Esk crew is undertaking mowing, garden and tree maintenance activities. Crew has commenced taking annual leave during off-peak period.

Esk and Lowood Mowing Crew:

The mowing crew are undertaking rail trail maintenance activities in preparation for the Fernvale to Lowood fun run. Crew has commenced taking annual leave during off-peak period.

Kilcoy Mowing Crew and Gardeners

The Kilcoy crew is undertaking mowing, park facility and tree maintenance activities. Crew has commenced taking annual leave during off-peak period.

SRC Slasher Operators:

Slasher operators are undertaking flail mowing. Crew has commenced taken annual leave during off-peak period.

Town Stewards:

The town stewards are undertaking their normal duties. Stewards have commenced taking annual leave during off-peak period.

Peter Heath – Workshop Foreman:

Mechanics:

This month we have had the usual repairs, service and maintenance of Council fleet.

P.685 McConnel Flail motor developed an oil leak on the cutter head drive motor, hydraulic motor was remove, rebuilt with new seals and installed back onto mower head, Flail is back in service. Two repairs carried out on IWS trucks. Two new lease vehicles have been delivered. Monthly check and start test on emergency gensets were carried out at Esk Office, Fernvale Futures and Kilcoy Depot. Completed quarterly trailer inspections on all council trailers and SES trailers.

Welding Crew:

Carried out various repairs to Council assets in and around parks, gardens and buildings around the region. Fabricate and galvanize fish baffles for Burnett Inn and Charlies Gully bridge job. Replace damaged bar gate at Jensens Swamp Park. Install ARC fencing on pedestrian bridge on Prospect Street, Lowood. Fabricate and install new replacement picnic table and seats at Condamine Drive, Fernvale, also install two temporary security camera poles same location. Install previously fabricated single loop bike in Lowood and Fernvale. Carried out various repairs to council plant.

Hire Plant:

- Council has been using hired rollers, excavators and water trucks as required.
- Colas are undertaking various sprayed sealing operations.
- A&M Civil have provided stabilising equipment as required.

Reflect Info:

- TMR – RMPC has 1905 defects with 553 accomplishments completed.

- Local Roads has 1756 defects recorded with 1451 accomplishments.
- Somerset Bridges has 202 completed inspections

Background/Summary – Customer Service Requests (Debbie Chandler)

Council received 343 customer service requests for the month of June 2019. A copy of the report is attached for your information.

Month	No of CSR's received	For comparison month	No of CSR's received
Jul-18	377	Jul-17	539
Aug-18	365	Aug-17	595
Sept-18	410	Sept-17	456
Oct-18	389	Oct-17	458
Nov-18	357	Nov-17	547
Dec-18	258	Dec-17	421
Jan-19	365	Jan-18	536
Feb-19	392	Feb-18	585
Mar-19	403	Mar-18	533
Apr-19	359	Apr-18	451
May-19	380	May-18	483
June-19	343	June-18	409

The top five requests received from customers during the month of June 2019:

- Facilities maintenance - 37
- Roads/bridges/drainage - gravel roads - 25
- Livestock wandering at large - 23
- Roads/bridges/drainage - vegetation - 21
- Roads/bridges/drainage - bitumen roads - 18

Attachment

Customer service request report for month of June 2019.

Recommendation

THAT Council receive the Operations Report for June 2019 and that the contents be noted.

Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

"THAT Council receive the Operations Report for June 2019 and that the contents be noted."

Vote - Unanimous

Carried

Subject:	Community Assistance Grants – Somerset Excellence Bursary 2018 – 2019 – Renee Retschlag – Doc Id 1121042
File Ref:	Community Relations – Sponsorships – Somerset Excellence Bursaries
Action Officer:	CCSO

Background/Summary

Council has received an application for financial assistance from Renee Retschlag from Kilcoy. Renee has been selected as a member of the Australian Women's Wood Chopping Team and has been invited to attend the international relay events at the Royal Adelaide Show being held in Adelaide from 31 August to 2 September 2019.

This is the first occasion that Renee has applied for a bursary. Renee has competed at the Royal Shows in Melbourne, Sydney, Brisbane and Adelaide and local shows throughout Queensland. She also placed second in the Australian Women's Stihl Timbersports competition for the last two years.

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 bursary of \$500 to Renee Retschlag, who has been invited to attend the international relay events at the Royal Adelaide Show being held in Adelaide from 31 August to 2 September 2019.

Resolution

Moved – Cr Choat

Seconded – Cr Gaedtke

"THAT Council approve the application as summarised in this report and grant a National Level Sporting Excellence bursary of \$500 to Renee Retschlag, who has been invited to attend the international relay events at the Royal Adelaide Show being held in Adelaide from 31 August to 2 September 2019."

Carried

Vote - Unanimous

Subject:	Community Assistance Grants 2018 – 19 – Esk Hospital Auxiliary Inc – Doc Id 1121139
File Ref:	Community Relations – Sponsorships – Donations
Action Officer:	CCSO

Background/Summary

To assist with the costs associated with the provision of a palliative care garden

Amount requested:	\$3,393.20
Total cost of project:	\$5,493.20
Amount recommended to be granted:	\$3,393.20

Assessor's Summary

The applicant has requested in writing that this application be considered by Council outside of the specified funding rounds. The Esk Hospital provides care for the community of Esk and a large portion of the Brisbane Valley.

Correspondence has been received from Esk Hospital Auxiliary Inc seeking funding for the provision of a palliative care garden for those patients in "end of life care".

The applicant states that the garden will allow a space away from the hospital setting where a family can gather in a garden setting and bring pets which the patient may have.

The applicant also stated that as gardens are a conducive space for well being the garden would also be available for use by other patients in the hospital.

There is presently a Council owned / maintained garden on the corner of Wattle and Highland Street, which requires some updating. If approved, the palliative care garden would be directly opposite the Council garden giving potential for both to complement the other.

The group has received a grant previously.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be recommended for funding and \$3,393.20 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with provision of a palliative care garden.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

"THAT the application as summarised in this report be recommended for funding and \$3,393.20 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with provision of a palliative care garden."

Carried

Vote - Unanimous

Subject:	Community Assistance Grants - Somerset Excellence Bursary 2018 - 2019 - Helena Armstrong-Ravula - Doc Id 1121838 and Doc id 1122873
File Ref:	Community Relations - Sponsorships - Somerset Excellence Bursaries
Action Officer:	CCSO

Background/Summary

Council has received an application for financial assistance from Stephen Armstrong-Ravula on behalf of Helena Armstrong-Ravula from Fernvale. Helena has been selected as a member of the Queensland School Sport 10-11 years Netball Team and has been invited to attend the Queensland School Sport 10-11 years Netball Invitational Carnival being held in Toowoomba from 17-18 August 2019.

As she also been selected as a member of the Queensland School Sport 10-12 years Track and Field Team and has been invited to attend the Queensland School Sport 10-12 years Track and Field State Championships being held in Brisbane from 15-16 August 2019 she has also applied for a bursary for this event.

This is the first occasion that Helena has applied for a bursary. Helena has been a representative on school netball teams and was age champion at School and district level for track and field.

These applications are considered as part of the Community Assistance Grant Policy which provides for a payment of \$100 for Regional Level representation. As these events are being held so close together in date but are different events it is suggested that Helena be eligible for two Regional Level grants of \$100.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant two Regional Level Sporting Excellence bursary of \$100 to Helena Armstrong-Ravula who has been invited to attend the Queensland School Sport 10-11 years Netball Invitational Carnival being held in Toowoomba from 17-18 August 2019 and the Queensland School Sport 10-12 years Track and Field State Championships being held in Brisbane from 15-16 August 2019.

Resolution

Moved – Cr Whalley

Seconded – Cr Hall

"THAT Council approve the application as summarised in this report and grant two Regional Level Sporting Excellence bursary of \$100 to Helena Armstrong-Ravula who has been invited to attend the Queensland School Sport 10-11 years Netball Invitational Carnival being held in Toowoomba from 17-18 August 2019 and the Queensland School Sport 10-12 years Track and Field State Championships being held in Brisbane from 15-16 August 2019."

Carried

Vote - Unanimous

Subject:	Tourism and Promotions Report - June 2019
File Ref:	Tourism - Promotions
Action Officer:	CMM

The following is the June 2019 summary of activities for Somerset visitor information centres.

Statistics

	Somerset	Brisbane	Other SEQ	Rest of state	Interstate	International	Total
Esk VIC	80	142	122	35	189	29	581
Kilcoy VIC	66	114	155	48	188	14	585
Fernvale VIC	135	161	76	28	44	10	454

SRAG / TVIC	228	98	96	36	37	21	516
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Motivators

	First	Second	Third
Esk	Maps and directions	Glen Rock Gallery	Tourist drives
Kilcoy	Maps and directions	Camping and caravanning	Environmental centre
Fernvale	Maps and directions	Brisbane Valley Rail Trail	Outdoor activities
SRAG / TVIC	Art Beat Festival	SRAG	Heritage

Merchandise

	First	Second	Third	Total value
Esk	Postcard	Water bottle	Stubby cooler	\$44
Kilcoy	Magnet	Water bottle/sticker	Postcard	\$24
Fernvale	Postcard	Waterbottle/stubby cooler/sticker	-	\$15
SRAG / TVIC	Postcard	-	-	\$2

Volunteers

	Active	Non-active	Total	Resignations	New
Esk	10	3	13	0	1
Kilcoy	11	1	12	0	0
Fernvale	19	2	21	0	0
SRAG / TVIC	9	4	13	0	0
	49	10	59	0	1

Volunteer acknowledgement and engagement

Volunteers attended the Greater Brisbane visitor information centre volunteer familiarisation tour on Friday, 14 June in the Moreton Bay region. This famil was organised by Moreton Bay Region Industry Tourism (MBRIT) and included a visit to Sandstone Point Big 4 Holiday Park, where volunteers meet 25 tourism operators from the Moreton Bay region and toured the park's facilities before heading to the Sandstone Point Hotel for three training sessions from Visit Queensland, Abbey Museum and MBRIT's social media manager. The next volunteer famil is scheduled for Thursday, 5 December.

Room bookings

	Number	Total value
Esk VIC	1	\$0
Kilcoy VIC	10	\$587
Fernvale VIC	25	\$2,346

SRAG and TVIC	0	\$0
Fernvale Community Hall	16	\$1,884
Fernvale Showgrounds	5	\$1,254

Somerset Regional Art Gallery – The Condensery

The *Wanderlust* exhibition is presented by Flying Arts Alliance Inc. This touring exhibition is compiled from the 2018 Queensland Regional Art Awards and sees artists embracing the spirit of adventure to discover something unique about Queensland. The exhibition started on Thursday, 23 May and will finish on Sunday, 14 July.

One group tour booking occurred on Friday, 21 June at the gallery. Twenty guests from the Buick Pre-War Car Club Group stopped at the gallery and enjoyed a tour of the exhibition along with a speech provided by the council officer on the history of the building. A group of 12 international students who were hiking the Brisbane Valley Rail Trail also visited the gallery in June, and although they did not book, the officer provided a talk to the group on the history of the building.

Glen Rock Art Gallery (Esk Visitor Information Centre)

Exhibitions coordinated by SASI include guest artists Jodie Wade (Friday, 31 May to Wednesday, 26 June) and Linda Taylor (Friday, 28 June to Wednesday, 24 July).

Events

Reel Wivenhoe Classic: Planning for the Reel Wivenhoe Classic in August continues as per the event brief. Twenty teams have registered, and tourism continues to work with Fishing Freshwater on event applications and promotional collateral.

Somerset Rail Trail Fun Run or Ride: The annual Somerset Rail Trail Fun Run or Ride will be held on Sunday, 14 July. Planning for this event is underway. The tourism team is assisting with event promotion, social media management, graphic design collateral and assisting with the festival component of the event.

Mayoral Gala Charity Ball: The annual Mayoral Gala Charity Ball will be held at Somerset Civic Centre on Saturday, 7 September from 6pm to midnight. Council adopted Casino Royale as this year's theme. Sponsorship proposals were developed and distributed to contacts. Officers are preparing all other event elements including catering, MC, live band, entertainment, sound and lighting, décor, auctions, raffles and other venue related arrangements. Ticket sales are open and advertising has commenced.

Somerset Art Beat Festival: The inaugural Somerset Art Beat Festival was held on Saturday, 1 June from 12pm to 4pm at Somerset Regional Art Gallery – The Condensery at Toogoolawah. The festival celebrating art included live music, dance-based performances and art stalls and provided the platform to officially open the Flying Arts Alliance Inc. touring exhibition *Wanderlust*. More than 300 people attended the festival throughout the day, with 204 visiting the gallery itself. In total, two art groups, five artists, one school, four bands, two solo musicians and four dance groups participated in the event. Two Somerset non-for-profit community groups and one Somerset-based business provided the food and beverage stalls for the event.

Somerset Seniors Week Regional Event: The regional event will be held on Friday, 23 August at Somerset Civic Centre. Tourism will continue to assist the Community Development Officer with services such as planning, quote sourcing, design and implementation of

promotional collateral.

Kilcoy VIC children's activity – Koala Kapers: After the success of the children's activity held at the Kilcoy Visitor Information Centre over the April school holidays, another activity will be held on Monday, 8 July as part of the school holiday program.

Somerset Garden Competition: Competition planning and design of event promotional collateral has started. Entries open on Monday, 29 July and close at 5pm on Wednesday, 2 October. The competition features two major elements – the garden competition and open gardens. Major categories are Best Rural, Best Urban and Best Business/Community Group Garden. Major category gardens will also be included in bonus categories at the discretion of the judges based on the suitability of the gardens. Bonus categories are available pending sponsors – Water Wise Garden, Native Garden, Edible Garden and Children's Garden. Tourism promoted the event at the Esk Garden and Lifestyle Fair on Saturday, 15 June and at other tourism events.

Promotions

Creating online content for free listings with the Australian Tourism Data Warehouse (ATDW) is ongoing. This will increase the 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. Events are updated on the Experience Somerset website. Graphic design and promotional material and merchandise to support events is created by the tourism team on an ongoing basis.

Trade shows

Queensland Caravanning, Camping and Touring Supershow: Council officers attended the 2019 Queensland Caravanning, Camping and Touring Supershow held at the Brisbane RNA Showgrounds from Wednesday, 5 June to Monday, 10 June. Somerset operators were invited to attend the expo with Esk Caravan Park and Pterodactyl Helicopters taking up the free offer, along with two tourism volunteers assisting on the stand. The six-day expo attracted 40,529 visitors, with more than 2,000 Somerset promotional bags distributed.

Outdoor Adventure and Motoring Expo: Council has secured a site at the Queensland Outdoor Adventure and Motoring Expo to be held at the Toowoomba Showground from Friday, 2 August to Sunday, 4 August. Somerset operators have been contacted to express their interest in attending the expo and providing a discount or offer for show visitors.

Engagement

The fifteenth monthly tourism newsletter was emailed on Monday, 10 June to 1,504 people.

Database	New subscribers	Unsubscribed	Opened	Clicks	Total subscribers
Visitors	0	8	487	51	1,359
Council	0	0	23	4	138

Most popular story: Winter wine time

Newsletter content is sourced and produced by the tourism team. Each VISO is responsible for writing a minimum of one article on a Somerset attraction or event. These articles are also published on the Experience Somerset website.

Social media

Facebook:

- Experience Somerset: 2,187 likes (+23 on previous month)
- Somerset Regional Art Gallery – The Condensery: 494 (+7)
- Somerset Rail Trail Fun Run: 1,306 (+112)
- Reel Wivenhoe Classic: 773 (+22)

Instagram:

- Experience Somerset: 795 (+22)

Experience Somerset website

Pages views: 5,536

	First	Second	Third
Top locations	Brisbane (2,466)	Sydney (225)	Queensland (159)

Most popular pages: Events, Coronation Hall, Esk Garden and Lifestyle Fair.

Other:

- Final logo files for the tourism branding element have been supplied by the designer.
- All four visitor information centres will participate in the upcoming driver reviver campaign.
- Officers are preparing a series of Experience Somerset flyers (or fact sheets). These are currently under development.
- A council officer attended the Brisbane Lord Mayor's tourism summit on Wednesday, 5 June. Out there Cycling owner Josie Sheehan was invited to speak about her business to the 200 attendees.

Attachments

Nil

Recommendations

THAT Council receive the Tourism and Promotions Report for the month of June 2019 and that the contents be noted.

Resolution

Moved – Cr Whalley

Seconded – Cr Choat

"THAT Council receive the Tourism and Promotions Report for the month of June 2019 and that the contents be noted."

Carried

Vote - Unanimous

Confidential Agenda Items

Closed Session

In accordance with Section 275 of the *Local Government Regulation 2012* Council may close a Council meeting. Section 275 reads A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss -

- (c) the local government's budget; or
- (e) contracts proposed to be made by it.

Council moved into a closed session to discuss the following confidential agenda item -

- Kilcoy Swimming Pool Tiling Repairs

Resolution

Moved – Cr Choat

Seconded – Cr Ogg

“THAT Council move into a closed session at 9.35am to discuss the local government's budget, or contracts proposed to be made by Council, or other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Carried

Vote - Unanimous

Declaration of Perceived Conflict of Interest by Cr Gaedtke

I declare that I have a perceived conflict of interest in Agenda Item Number 26 Confidential Agenda *Tender for the Indoor Sports Facilities – Tender Nos 1130 – Fernvale, 1136 – Kilcoy and 1137 Toogoolawah, and Tenders for the Swimming Pools – Tender Nos 1132 – Lowood, 1135 – Esk, 1131 – Toogoolawah and 1133 – Kilcoy* the matter (as defined the *Local Government Act 2009*, section 175D and 175E) as follows:

I have a conflict of interest in Item 26 Confidential Agenda, because I am a financial member of the Kilcoy Indoor Sports Facility and I have had a social relationship with the tenderer Ms Jayne Mackenzie of Somerset Health and Fitness for a period of greater than 30 years.

I have determined that this personal interest is not of sufficient significance that it will lead me to make a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

Resolution

Moved – Cr Choat

Seconded – Cr Whalley

“THAT Cr Gaedtke may remain in the meeting to discuss agenda item number 26 Confidential Agenda *Tender for the Indoor Sports Facilities – Tender Nos 1130 – Fernvale, 1136 – Kilcoy and 1137 Toogoolawah, and Tenders for the Swimming Pools – Tender Nos 1132 – Lowood, 1135 – Esk, 1131 – Toogoolawah and 1133 – Kilcoy.*”

Carried

Vote - Unanimous

Out of Closed Session

Resolution

Moved – Cr Whalley

Seconded – Cr Hall

“THAT Council move out of the closed session at 10.03am and that the meeting be once again open to the public.”

Carried

Vote - Unanimous

RADF cheque presentations

Kilcoy Art Society Inc

The Mayor presented a RADF cheque to Mr Brian Moore, Secretary of the Kilcoy Art Society Inc. Mr Moore advised that the workshop had been held, and it was booked out with a waiting list. It was very successful, and the Society has also acquired more members through this exercise. Mr Moore thanked Council for their ongoing support of the arts in the Somerset region.

Esk Cultural Festival Association

The Mayor presented a cheque to Mr John Preston from the Esk Cultural Festival Association. On behalf of the committee, Mr Preston thanked Council for the grant. By way of background, Mr Preston advised that the Association started the venture in late 2016 with a small core committee of 6 members, and have worked diligently over last couple of years through various grants etc. The Association wanted to go ahead with a festival that might attract a more national response, and noted that they have a lot of very good local cultural acts, as well as some standout acts like the Hillbilly Goats and Ms Denise Drysdale. Today's grant will help with promotion, with a strong marketing campaign starting next week.

Adjournment of meeting

The meeting adjourned at 10.09am for morning tea, resuming at 10.30am.

Subject:	Tenders for the Indoor Sports Facilities - Tender Nos 1130 - Fernvale, 1136 - Kilcoy and 1137 - Toogoolawah and Tenders for the Swimming Pools - Tender Nos 1132 - Lowood, 1135 - Esk, 1131 - Toogoolawah and 1133 - Kilcoy
File Ref:	Council Properties - Management and Leasing
Action Officer:	DCORP

Resolution

Moved – Cr Hall

Seconded – Cr Choat

“THAT Council award the tenders for the swimming Pools as follows:

- (1) Tender 1132 – Management of the Lowood Swimming Pool be awarded to Somerset Leisure for a period of three years commencing 1 September 2019 at the price submitted in the three-year option for \$438,900;

- (2) Tender 1133 – Management of the Kilcoy Aquatic Centre be awarded to Somerset Leisure for a period of three years commencing 1 September 2019 at the price submitted in the three-year option and taking the discount offered by the proponent and applying that discount to the amount Tendered for Kilcoy for a total of \$366,900;
- (3) Tender 1135 – Management of the Esk Swimming Pool be awarded to Somerset Leisure for a period of three years commencing 1 September 2019 at the price submitted in the three-year option for \$151,800;
- (4) Tender 1131 – Management of the Toogoolawah Swimming Pool be awarded to Somerset Leisure for a period of three years commencing 1 September 2019 at the price submitted in the three-year option for \$231,000;

FURTHER THAT:

- (5) Tender 1136 – Management of the Kilcoy Indoor Sports Centre be awarded to Somerset Health and Fitness for a period of five years commencing 1 September 2019 at the price submitted in the five-year option of \$424,747;
- (6) Tender 1137 – Management of the Toogoolawah Community Gymnasium be awarded to Somerset Health and Fitness for a period of three years commencing 1 September 2019 at the price submitted in the three year option for \$113,370; and
- (7) A decision regarding Tender 1130 – Management of the Fernvale Indoor Sports Centre be deferred.”

Carried

Vote - Unanimous

Closed Session

Resolution

Moved – Cr Choat

Seconded – Cr Whalley

“THAT Council move into a closed session at 10.35am to discuss the local government's budget, or contracts proposed to be made by Council, or other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Carried

Vote - Unanimous

Out of Closed Session

Resolution

Moved – Cr Whalley

Seconded – Cr Ogg

"THAT Council move out of the closed session at 10.51am and that the meeting be once again open to the public."

Carried

Vote - Unanimous

Subject:	Kilcoy Swimming Pool Tiling Repairs
File Ref:	SRC - Council Properties - Maintenance - Kilcoy Swimming Pool
Action Officer:	DCORP

Resolution

Moved – Cr Hall

Seconded – Cr Brieschke

"THAT in accordance with the Local Government Regulation S235(a) Council approve engaging Yowie Tiling to undertake the tile injection repairs to the Kilcoy Pools and amend the Budget for the cost of the repairs being \$116,050 as there is only one contractor available to Council to carry out the work within in the timeframe required by Council;

THAT Council engage Spring Pool Renovating to undertake the repairs to the Water Play Pool at \$15,635.

FURTHER THAT Council confirm the funding through a budget review 2019/20.

Carried

Vote - Unanimous

Subject:	Pakleppas Bridge Replacement
File Ref:	Corporate Management - Tendering-Quotations - 2019-2020
Action Officer:	WM (Stephen Mow)

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

"THAT in accordance with the Local Government Regulation 2012, Section 235, part (a) Council resolves to procure the design and construction of a bridge structure from Kay Associates Pty Ltd for the replacement of Pakleppas Bridge as the only known supplier offering the required bridge replacement solution for \$138,800 exclusive of GST."

Carried

Vote – Unanimous

Subject:	Media Report - June 2019
File Ref:	Community Relations - Media - Media Monitor Report
Action Officer:	CMM

Resolution Moved – Cr Whalley Seconded – Cr Ogg

“THAT Council receive the Media Report for the month of June 2019 and that the contents be noted.

Carried

Vote - Unanimous

Closed Session

CEO Probation / Performance Review

In relation to agenda item number 29, I move pursuant to section 275 of the *Local Government Regulation 2012*, that this meeting be closed to the public at 10.50am so that Councillors can discuss -

- (a) The appointment, dismissal or discipline of employees.

Resolution Moved – Cr Brieschke Seconded – Cr Ogg

“THAT Council move into a close session at 10.50am to discuss Agenda Item 29, *CEO Probation / Performance Review*.”

Carried

Vote - Unanimous

Out of Closed Session

Resolution Moved – Cr Brieschke Seconded – Cr Ogg

“THAT Council move out of the closed session at 11.55am, and that the meeting be once again open to the public.”

Carried

Vote - Unanimous

Notice of Resignation - Chief Executive Officer Jason Bradshaw

Mr Jason Bradshaw formally tendered his resignation as Chief Executive Officer of Somerset Regional Council, effective from close of business Friday 12 June 2019. The Chief Executive Officer thanked the Mayor and Councillors, Directors and staff for their support during his time with Council.

Meetings authorised by Council

Nil

Mayor and Councillor Reports**Cr Hall - Matters of Public Interest**

Cr Hall noted that the Foot and Mouth Workshop held on 3 June 2019 was brilliant and that he is looking forward to the next workshop. Congratulations to all staff involved for their great work.

Cr Brieschke - Matters of Public Interest

Cr Brieschke thanked the Lowood Lions and the Fernvale Lions for their welcome and changeover presentations, stating that it was good to see and hear how much these groups do during the year.

Cr Brieschke congratulated the Esk Men's Shed on their sod turning event last Saturday morning, noting it was great to see this project moving forward. Cr Brieschke also thanked the Council officers who assisted the Esk Men's Shed with obtaining their piece of land.

Cr Choat - Matters of Public Interest

Cr Choat referred to his written report below. Cr Choat also noted that he is looking forward to judging the Fashions On the Field along with his wife and daughter who will be attending the Esk Races with him on Saturday.

29/05/2019	Council General Meeting and Workshop - Council Chambers Esk
29/05/2019	Scouts Moreton Region AGM
30/05/2019	Pest Management Meeting
30/05/2019	Prenzlau 125 years Gala Dinner
01/06/2019	Kilcoy Lions Changeover Dinner
01/06/2019	Toogoolawah Show ball
03/06/2019	BV Neighbourhood Watch Meeting
08/06/2019	Toogoolawah Show Society Official Morning Tea
09/06/2019	MC Prenzlau Pride Car show
12/06/2019	Council General Meeting and Workshop – Council Chambers Esk
15/06/2019	Esk Garden and Lifestyle Show
15/06/2019	Lowood Show
15/06/2019	Travel to Canberra
16/06/2019	National General Assembly of local Government
17/06/2019	National General Assembly of local Government
18/06/2019	National General Assembly of local Government
19/06/2019	National General Assembly of local Government
25/06/2019	CEO Performance Appraisal Sessions
26/06/2019	Council General Meeting and Workshop – Council Chambers Esk
27/06/2019	LCAG Meeting
28/06/2019	Lions Lowood Changeover Dinner
30/06/2019	Lions of Fernvale Changeover Dinner

Cr Gaedtke - Matters of Public Interest

26 June	Kilcoy and District Progress Alliance monthly meeting
28 June	Two Galahs Gallery and Stepping Back in Time Grand Opening – Toogoolawah Two fresh and exciting new businesses opened their doors, good luck to Anne and Cathie
28 June	Lowood Lions Changeover – Lowood Showgrounds
30 June	Lions Club of Fernvale Changeover – Fernvale
02 July	Meeting – Esk
03 July	Somerset Dam and District Progress Assn monthly meeting
04 July	Brisbane Valley Heritage Trail monthly meeting – Esk
08 July	Community Meeting – Lowood-Brisbane Valley Rail Trail – West Moreton Landcare Group Inc.
08 July	Somerset Men's Shed - Lowood
09 July	Valley of the Lakes Garden Club monthly meeting – Esk
09 July	Toogoolawah Men's Shed

Resolution

Moved – Cr Choat

Seconded – Cr Ogg

“THAT Council receive the verbal and written reports of Crs Hall, Brieschke, Choat and Gaedtke and that the contents be noted.”

*Carried**Vote - Unanimous***Receipt of Petition**

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 12 noon.