



**Minutes of Ordinary Meeting
Held Wednesday 28 August 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 R Holmes	(Acting Chief Executive Officer)
Mr S Mow	(Works Manager)
Mr M McGoldrick	(Director Corporate and Community Services)
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 / Executive Assistant)
Mr B Weier	(Communications and Marketing Manager/)

CONTENTS

Action under section 130 of the Local Government Regulation 2012	52	Investment Policy qualifying local banks	53
APPENDIX A	78	Items for reports for future meetings	77
Appendix B	83	Kilcoy racecourse development project - report on unforeseen factors with potential cost implications	54
Business arising out of minutes of previous meeting	3	Leave of Absence	3
Closure of Meeting	77	Matters of Public Interest	3
Community Assistance Grants – Somerset Excellence Bursary 2019 – 2020 – Annette Dunstan	71	Mayor and Councillor Reports.....	73
Community Assistance Grants 2019 – 20 – Esk Country Golf Club Inc.....	69	Mayor Graeme Lehmann - Mayor's report	74
Confirmation of Minutes	3	Meetings authorised by Council	73
Conflict of Interest	4	Opening of Meeting.....	3
Consideration of notified motions	77	RADF - Regional Arts Development Fund Committee Meeting – 19 August 2019	57
Cr Brieschke - Matters of public interest..	4	Receipt of Petition.....	77
Cr Choat - Matters of public interest.....	3	Reception of notices of motion for next meeting.....	77
Cr Dan Hall - Councillor report	74	Somerset Condensery Gallery Advisory Committee Meeting Report - 19 August 2019	72
Cr Gaedtke - Councillor report	73	Somerset Libraries Officer's report July 2019	61
Cr Gaedtke - Matters of public interest....	3	Somerset Region Neighbourhood Centre Service Report for the period 1 July – 31 July 2019	58
Cr Helen Brieschke - Councillor report ..	74	Sport and Recreation report – 21 August 2019	65
Cr Ogg - Matters of public interest.....	3	Staff Service Presentation - Mr Bruce Small	77
Cr Sean Choat - Councillor report	73	State Penalty Enforcements Registry (SPER) Codes	55
Cr Whalley - Declaration of conflict of interest.....	34	Temporary Entertainment Event – Bottletree Hotel Bull Ride	46
Development Application No 17333 - 1490 Brisbane Valley Highway, Fernvale.....	5	Tourism Advisory Committee Meeting Report - 13 August 2019.....	71
Development Application No 18732 - 1073 Glamorgan Vale Road, Glamorgan Vale	35		
Economic Development Committee Meeting - 13 August 2019.....	4		
Fernvale Hall and Col Powell Park Overall Management Committee – Meeting Report for Meeting held 13 August 2019	56		
Institute of Public Works Engineering Australasia, Queensland (IPWEAQ) ..	68		

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 the Minutes of the Ordinary Meeting held 14 August 2019 as circulated to all Members of Council be confirmed”.

Carried

Vote - Unanimous

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Cr Gaedtke - Matters of public interest**

31 August Apex Biggest Ever Blokes Lunch - Grand Hotel
2 September Women's Health Expo - Kilcoy Hospital
7 September Bush Breakfast - Toogoolawah
7 September Mayoral Gala Charity Ball
7 September Kilcoy State School P and C Assn Show and Shine
7 September The Spirit of Somerset Community Auction
7 September Bush Breakfast - St Andrews Anglican Guild Members Toogoolawah
8 September Esk Community Choir Men's Choir - Toogoolawah

Cr Ogg - Matters of public interest

Cr Ogg noted his attendance at the Lowood Truck Show last weekend, noting it was a great show with 150 trucks on show.

Cr Choat - Matters of public interest

Cr Choat noted that this week (26 - 30 August 2019) is National Skills Week, where recognition is given to the trades and vocational callings. Apprenticeships and traineeships offer opportunities to young people but also mature people seeking skills for a new career.

Somerset Regional Council should be proud that we support the engagement of apprentices and trainees both school-based and full-time.

I wish all our apprentices and trainees all the best for their studies and future careers.

Cr Brieschke - Matters of public interest

- Thurs 5 Sept Planting will be carried out at the 'Koala Café' area adjacent to Toogoolawah pool, commencing around 9am.
Esk Show Society AGM 7pm, Bryden Hall, Esk Showgrounds.
- Sat 6 Sept St Andrew's Anglican Guild 'Bush Breakfast', 7.30am in the church grounds.
Breakfast - \$15, markets, entertainment and church tour.
Fernvale Junction, 4pm at the Fernvale Sports Centre.
Mayoral Gala Charity Ball, 6pm, Somerset Civic Centre.
- Sun 7 Sept BV Bulls Junior Rugby League Presentations and break up Esk Choir performance of 'The Terrific Tenors', 2pm Alexandra Hall, Toogoolawah.
- Tues 10 Sept 'The Arts' Senior Production, Toogoolawah High School, 7pm.
Kilcoy Hospital Auxiliary Association AGM, 7pm.

Conflict of Interest

No declarations of conflict of interest in the following agenda items were notified at this time.

Subject:	Economic Development Committee Meeting - 13 August 2019
File Ref:	Community Services - Meetings 2016-2020 Somerset Economic Development Plan Committee
Action Officer:	DPAD

Background/Summary

The meeting of the Committee was held on the 13 August 2019.

Attachments

The draft minutes of the Meeting.

Recommendation

THAT Council receive the draft minutes of the Somerset Economic Development Committee meeting held on the 13 August 2019 and the contents noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Ogg

"THAT Council receive the draft minutes of the Somerset Economic Development Committee meeting held on the 13 August 2019 and the contents noted.

THAT Council requests both World Trail and Xplor4 to reaffirm their quotes from July 2018 and that Council delegates to the Chief Executive Officer the authority to engage the firm to commence the assessment and report back to Council accordingly."

Carried

Vote - Unanimous

Subject:	Development Application No 17333 - Application for a Development Permit for a Material Change of Use for the Intensification of an existing Short-term accommodation
File No:	DA17333
Action Officer:	PO-RC
Assessment No:	00832-00000-000

1.0 APPLICATION SUMMARY

Subject Land

Location	1490 Brisbane Valley Highway, Fernvale
Real Property Description	Lot 10 on SP180657
Area	0.3980 hectares
Current land use	Existing Short-term accommodation, Hotel and Shop

Somerset Region Planning Scheme Version Two

Zone	Centre
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SEQ Regional Plan

Land Use Category	Urban Footprint
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Application

Proposed Development	Intensification of existing Short-term accommodation (eight motel units)
Category of Assessment	Code
Applicant/s	Housing 101 Pty. Ltd
Applicants contact details	C/- Reel Planning Pty Ltd Attn: David Zanker PO Box 2088 Milton QLD 4064 david@reelplanning.com

Date application received	4 December 2017
Date properly made	14 December 2017

Referral Agencies

Concurrence Agency	The State Assessment and Referral Agency acting on behalf of the Department of State Development, Manufacturing, Infrastructure and Planning for the following trigger: Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 – State transport corridors and future State transport corridors
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Public Notification	Not required
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RECOMMENDED DECISION

Approve the Development Application No 17333 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The proposal is to intensify the existing Short-term accommodation (Fernvale Motel) on-site. The site is currently improved by the Hotel, the drive through bottle shop and an eight unit

motel. The proposed site, floor and elevation plans are provided at Attachments 1, 2, 3 and 4.

The applicant has proposed an additional eight units to be constructed at the rear of the site, parallel to the north-eastern rear boundary. No changes are proposed to the other existing uses on-site.

The extension has a proposed setback of approximately 4m from the nearest side (north-western) boundary and 4m from the rear boundary. The new units will be hidden from view from the Brisbane Valley Highway as they are located behind the existing Hotel. The extension will be constructed with similar materials and style to the existing motel structure and will be single storey, having a wall height of 2.4m

The total gross floor area (GFA) of the proposed extension is 84.27m². Each individual motel room has a GFA of 10.53m² and accommodates a bed, shower and amenity facilities. The overall site cover of all proposed and existing structures on-site will be approximately 33% of the site. Each unit will be provided with a dedicated car parking space. The extension will also include a covered passageway similar to the existing motel.

Current access to the site from the Brisbane Valley Highway (a State-controlled road) will be retained and used. As part of the proposed extension, the current car parking arrangement will be formalised.

3.0 SITE DETAILS AND SURROUNDING USES

The site is rectangular in shape, currently improved by the existing motel, liquor store and hotel. The boundaries are defined by the Brisbane Valley Highway to the south-west, and adjoining neighbouring properties to the remaining direction. The site has a gentle slope downwards in a north-easterly direction. The site is located in the commercial area of Fernvale and is not known to be prone to flood, slip, subsidence or erosion.

Predominately, the surrounding land uses are commercial, recreational and general residential in nature. The Old Fernvale Bakery is located north-west of the site and the Fernvale Memorial Park located opposite side of the Brisbane Valley Highway. Allotments immediately adjoining the subject site to the south-east are currently vacant and are located in the Centre zone. It is anticipated that commercial activities will be developed on these allotments in the future. The allotment to the rear is also vacant and is zoned as General residential.

4.0 STATE ASSESSMENT

4.1 Vegetation Management Act 1999

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

4.2 Environmental Protection Act 1994

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

4.3 Planning Regulation 2017

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 the site being 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

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

5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Centre zone code	Yes	Alternative solutions provided for PO2, PO4, PO5, PO7, PO8 and PO9
Short-term accommodation code	Yes	Alternative solutions provided for PO2, PO3, PO4, PO6, PO9, PO11, PO13 and PO14
Services, works and infrastructure code	Yes	Alternative solution provided for PO10
Transport, access and parking code	Yes	Alternative solutions provided for PO3, PO5 and PO16

Centre zone code

Performance outcome	Acceptable outcome												
Building setbacks													
PO2 Building setbacks: <ul style="list-style-type: none"> (a) contribute to the establishment of a continuous 'main street' character; (b) assist in the provision of active frontages and the engagement of development with the public realm; (c) facilitate the establishment of awnings on main streets; (d) do not detract from the amenity of <i>adjoining premises</i>, in terms of privacy, access to natural light, and ventilation; and (e) provide for the efficient use of the site. 	AO2.1 New buildings and structures are built to the <i>primary street frontage</i> boundary of the site, including the following main streets: <table border="1"> <thead> <tr> <th>Centre</th><th>Main street/s</th></tr> </thead> <tbody> <tr> <td>Esk</td><td>Ipswich Street</td></tr> <tr> <td>Fernvale</td><td>Brisbane Valley Hwy Main Street</td></tr> <tr> <td>Kilcoy</td><td>Hope Street Mary Street William Street</td></tr> <tr> <td>Lowood</td><td>Main Street Railway Street</td></tr> <tr> <td>Toogoolawah</td><td>Cressbrook Street</td></tr> </tbody> </table>	Centre	Main street/s	Esk	Ipswich Street	Fernvale	Brisbane Valley Hwy Main Street	Kilcoy	Hope Street Mary Street William Street	Lowood	Main Street Railway Street	Toogoolawah	Cressbrook Street
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Performance Outcome Assessment

The proposed development is for the intensification of the existing Short-term accommodation use on-site. The proposed extension will be located to the rear of the site, away from the primary street frontage boundary.

The existing hotel is currently constructed to the primary street frontage of the site will be retained. No building works have been proposed for this existing use.

Centre design													
PO4 Development contributes to an attractive, vibrant and well-designed town centre where:	AO4.6 Vehicle crossovers are provided as follows: <ul style="list-style-type: none"> (a) common access is established with <i>adjoining premises</i> via access easements; or (b) access is taken from a minor street or rear lane; or (c) a single crossover is provided that is at least 3 metres from a crossover located on an <i>adjoining premise</i>. 												
<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 minimised. 													
Performance Outcome Assessment													
The applicant has proposed utilising the existing access point from the State controlled road. No new access points are proposed as part of this application.													
By utilising the existing access point, it is considered the conflict between pedestrians and vehicles will be minimised.													
Awnings													
PO5 The main street/s of each town centre are provided with continuous awnings. <p>Awnings contribute to a human scale streetscape character, and promote pedestrian movement, comfort and safety.</p>	AO5 Awnings are provided to the following main streets: <table border="1"> <thead> <tr> <th>Centre</th><th>Main street/s</th></tr> </thead> <tbody> <tr> <td>Esk</td><td>Ipswich Street</td></tr> <tr> <td>Fernvale</td><td>Brisbane Valley Hwy Main Street</td></tr> <tr> <td>Kilcoy</td><td>Hope Street Mary Street William Street</td></tr> <tr> <td>Lowood</td><td>Main Street Railway Street</td></tr> <tr> <td>Toogoolawah</td><td>Cressbrook Street</td></tr> </tbody> </table>	Centre	Main street/s	Esk	Ipswich Street	Fernvale	Brisbane Valley Hwy Main Street	Kilcoy	Hope Street Mary Street William Street	Lowood	Main Street Railway Street	Toogoolawah	Cressbrook Street
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Performance Outcome Assessment													
The proposed extension is located at the rear of the subject site. The existing hotel/bar building located on the primary street frontage currently does not provide awnings over the adjoining pedestrian path. The applicant has not proposed any building works or extension to the existing hotel building and awnings have not been proposed.													
Amenity													
PO7 The design, location and operation of development does not result in any undue	AO7 No acceptable outcome provided.												

<p>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>P08 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) lighting; (e) advertising devices; (f) visual amenity; (g) privacy; (h) odour; or (i) emissions. 	<p>AO8 No acceptable outcome provided.</p>
<p>P09 <i>Development</i> involving a residential activity ensures that an appropriate level of residential amenity and privacy is achieved.</p>	<p>AO9 No acceptable outcome provided.</p>
<p>Performance Outcome Assessment</p> <p>The hours of operation will be of a similar to typical Short-term accommodation developments. The nature of the proposed intensification use remains as residential and will not impair on the amenity of the adjoining residential uses to the north of the site.</p> <p>The development is not expected to generate dust, odour or airborne emissions. Lighting and noise is typically residential in nature and will not impact upon the adjoining sites.</p> <p>The development will not incorporate any additional signage or create a public health and safety concern. Traffic generation will be slightly increased due to the intensification of the existing use, however, it is unlikely to impact upon the present and future uses of the Centre zone adjoining the subject site. The site to the north-east is unlikely to be impacted given access and vehicle movements are not proposed along the north-eastern boundary.</p> <p>The impacts of overlooking to adjoining site and visual amenity of the development is considered minimal as the extension is single storey and provides a minimum setback of 4m from the rear boundary.</p> <p>Conditions have been included requiring the provision of landscaping along the north-eastern (rear) boundary and south-eastern (side) boundary of the site to protect the privacy</p>	

and amenity of the occupants. A condition has also been included requiring the construction of an 1.8m high solid screen fence along the length of the existing Motel on the south-eastern boundary. Any external lightings have also been conditioned to not cause nuisance to adjoining lots. Any new advertising devices will also be regulated under the relevant Local Law as a development condition.

Short-term accommodation code

Performance outcome	Acceptable outcome
PO2 The use is small-scale and maintains the character and amenity of the local area.	AO2.1 The accommodation units are setback at least 50 metres from a <i>dwelling</i> .
PO3 The building, including orientation of windows, is designed to ensure the use does not intrude on the privacy of other visitors/guests.	AO3.1 No windows have direct views into adjoining residential buildings or other accommodation units/rooms.

Performance Outcome Assessment

There is a current residential subdivision approval on the lot adjacent to the north-east of the subject site and a Dwelling house located 20m to the north of the site.

The development is a low-scale intensification of the existing use on-site in a commercial area. The use is considered to maintain the existing character and amenity of the locality and community's expectation of the site.

A condition has been included requiring the provision of landscaping along the north-eastern (rear) boundary and the south-eastern (side) boundary of the site to protect the privacy and amenity of the occupants of the accommodation units and adjoining properties.

PO4 The use must provide a reasonable level of convenience for guests.	AO4.1 Each accommodation unit is to be provided with a minimum potable water supply of 20,000 litres.
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Performance Outcome Assessment

The development will be connected to reticulated water supply. The applicant has also proposed a 30,000 litre tank on-site for rainwater detention and can be used to provide as a water supply for guests.

Conditions have been included requiring the development to be connected to the reticulated water supply network and the provision of a 30,000 litre tank for rainwater detention.

Character and intensity

PO6 The <i>site</i> size, frontage width, density and <i>site cover</i> . (a) contributes to a streetscape appearance that is compatible with the emerging or existing character of the locality; and (b) does not result in	AO6.4 Where for a self-contained accommodation unit, the density does not exceed 1 accommodation unit per 250 square metres of <i>site</i> area.
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overdevelopment of the <i>site</i> .	
Performance Outcome Assessment	
Overall, 16 units (eight existing and eight proposed) are proposed to be accommodated on the site. This represents a density of 1 unit per 248m ² .	
The development is considered to not have a detrimental impact upon the streetscape or character or the locality due to the low nature and design of the built form, and being located behind the existing hotel.	
Each unit has access to open space in the hotel on-site. The development is not considered to be overdevelopment of the site. The existing hotel will remain in the front of the site and no building works or alterations to the existing building have been proposed. The development will not alter the existing streetscape appearance of the subject site.	
The overall site cover of the development is 33%.	
Privacy and amenity	
PO9 Outdoor recreation areas do not create a nuisance or impact on the amenity of adjoining <i>sensitive land uses</i> .	AO9.1 Outdoor recreation areas are positioned as far as practical from adjoining <i>sensitive land uses</i> .
Performance Outcome Assessment	
An outdoor recreation space is located at the rear of proposed development. Together with associated fencing and landscaping, the impacts upon adjoining sites will be minimised.	
Conditions have been including requiring the provision of landscaping along the north-eastern (rear) boundary of the site.	
Streetscape appearance	
PO11 The frontage of the <i>site</i> is landscaped to enhance the streetscape appearance in an urban zone.	AO11.1 In an <i>urban area</i> a minimum 3 metre wide landscape strip is provided to the street frontage of the <i>site</i> .
Performance Outcome Assessment	
The proposed development maintains the existing streetscape appearance of the site as no alteration to the existing hotel has been proposed.	
The hotel is currently constructed to the front boundary of the site.	
Open space	
PO13 The <i>development</i> provides sufficient common open space on the <i>site</i> , which provides adequate and useable recreational areas required to service the needs of guests.	AO13.1 The <i>development</i> provides open space for common guest recreation purposes at the following rates: (a) 10 square metres for each <i>habitable room</i> within a self-contained accommodation unit; and (b) 10 square metres for every 10 square metres, or part thereof, of

	the area provided for accommodation that is not self contained.
Performance Outcome Assessment	
The site is currently improved by a hotel which provides common guest recreation area that exceeds 80m ² . In addition, the site is across the road from the Fernvale Memorial Park which contain facilities providing further recreational opportunities.	
Accommodation that is self contained	
PO14 Self contained accommodation is provided with appropriate levels of private amenities commensurate with the number of rooms and needs of the visitors/ guests, but not limited to: (a) cooking facilities; and (b) laundry and clothes drying.	AO14.1 No acceptable outcome provided.
Performance Outcome Assessment	
Whilst the development does not provide cooking and laundry facilities, the subject site is located close proximity to the Fernvale commercial area and public amenities such as laundry services, bakery and cafes / restaurants are available within short walking distances.	

Services, works and infrastructure code

Performance outcome	Acceptable outcome
Stormwater quantity	
PO10 Drainage and stormwater management systems: (a) are designed and constructed to ensure all lots are free draining; (b) do not adversely impact on the flooding or drainage performance of downstream properties; (c) direct stormwater to a point of lawful discharge; (d) protect the design flood immunity levels of infrastructure and other <i>development</i> ; (e) provide security of tenure for rights to convey and/or discharge stormwater through easements; and (f) protects the downstream built or natural environment.	AO10.1 No acceptable outcome provided.
Performance Outcome Assessment	
A revised Stormwater Management Report has been prepared and accompanies the development application. Council's Operations Department has reviewed the report and is	

satisfied with the proposed stormwater management. The report will be included as an approved document.

Transport, access and parking code

<i>Performance outcome</i>	<i>Acceptable outcome</i>
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>AO3.2 The service vehicle complies with Table 8.3.6.3.B – Minimum loading vehicle requirements.</p> <p>AND</p> <p>AO3.3 The service vehicle is able to enter and leave the <i>site</i> in forward gear.</p> <p>AND</p> <p>AO3.4 Service vehicles stand entirely within the <i>site</i> while unloading / loading.</p>
Performance Outcome Assessment	
<p>The proposed extension will formalise 26 car parking spaces on the site for the proposed motel, exceeding the requirements of 21.6 spaces by the Transport, access and parking code. In addition, the proposed use further formalises an additional 11 spaces which in total provides 37 spaces throughout the site.</p> <p>All parking spaces will have a width of 2.5m as required by Council's Design Standards.</p> <p>The existing use on-site can continue to operate and will have an improved formalised car parking configuration on the subject site. The proposed use will not have any implications upon the existing car parking on-site and on-street car parking will also be available on the Brisbane Valley Highway.</p> <p>The extension to the existing use does not considered to have an impact upon the road network.</p>	
Site access	
<p>PO5 Vehicular access points are positioned along the frontage where they do not impact on the safety, capacity and operation of the existing <i>road</i> network having regard to:</p> <ul style="list-style-type: none"> (a) the amount and type of vehicular traffic; 	<p>AO5.2 Direct access is not provided to an arterial or higher order <i>road</i>.</p>

(b) the type of use and traffic generation;	
(c) the current and future on-street parking arrangements;	
(d) proximity to intersections; and	
(e) available sight distances.	
Performance Outcome Assessment	
The site has a single frontage to the Brisbane Valley Highway, a state controlled road.	
The proposed extension use will maintain the existing access point and does not have any increased impacts upon site distances, street parking or proximity to intersections.	
As required by the <i>Planning Regulation 2017</i> , the application was referred to the State. The State has since reviewed the application and has approved the application with conditions.	
Active transport	
PO16 <i>Development contributes to an active transport movement network incorporating pedestrian pathways and cycleways.</i>	AO16.1 No acceptable outcome provided
Performance Outcome Assessment	
Established footpaths and dedicated access points to the site will be maintained.	
At the present, there is a mixed of full width and 1.5m width footpath along the frontage of the development. As the development fronts onto the Brisbane Valley Highway and is located in the Centre zone of Fernvale, pursuant to Council's Design Standards, the footpath requirement is full width. Therefore, a condition has been included requiring the installation of full width footpath along the frontage of the site.	

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. For the purpose of the Infrastructure Charges Notice, the proposed development is defined as Accommodation (Short term).

6.2 Roads

The proposed development is not considered to unreasonably burden upon local transport networks. There is associated infrastructure charge for the development within the region.

6.3 Stormwater/Drainage

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

As the subject land is located within the Urban Footprint, Stormwater Network Infrastructure Charges is applicable for the development of this type in the Region.

6.4 Parks and Open Space

There is no associated infrastructure charge for development of this type within the region.

6.5 Infrastructure charges

An Infrastructure Charges Notice for contribution towards the Stormwater network has been prepared. A draft Notice is provided at Attachment 6.

6.6 Water Supply and Sewage

The subject site is serviced by the reticulated water supply and sewage networks. Condition has been included stating that the proposed development will be required to obtain any necessary water connection approval from the relevant authority.

6.7 Environment

The proposed development will not result in environmental degradation.

6.8 Heritage

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

7.0 STATE AGENCY REFERRALS

7.1 Concurrence Agency

The State Assessment and Referral Agency on behalf of the Department of State Development, Manufacturing, Infrastructure and Planning, as a concurrence agency has assessed the impact of the proposed development on the State Controlled Road Network and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. The Referral Agency Response reference as 1712-3099SRA and dated 8 February 2018 has been referred as Attachment 5 and Schedule 4 of the recommended conditions.

8.0 CONCLUSION

The proposed development is for the intensification to the existing Short-term accommodation use on-site. The site is currently improved by the Fernvale Hotel Motel and the development represents an orderly growth and meets the community expectations of the locality and subject site. The proposed development has been assessed against the relevant assessment benchmarks and complies with the acceptable outcomes of the relevant codes. Where the development has not, the applicant has provided alternative solution to comply with the relevant performance outcomes. Development conditions are included in the Decision Notice requiring the development to be carried out generally in accordance with, or are included to mitigate any impacts the development may create to the surrounding existing and future land uses.

9.0 ATTACHMENTS

1. Cover Sheet and General Notes, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 000 and 001, Issue C, Dated 1 November 2017.
2. Site Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 101, Issue C, Dated 1 November 2017.
3. Ground Floor Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 201, Issue C, Dated 1 November 2017.
4. Elevations, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 301, Issue C, Dated 1 November 2017.
5. The State Assessment and Referral Agency Decision Notice.
6. Draft Infrastructure Charges Notice.

RECOMMENDED DECISION

THAT Council approve the Development Permit for a Material Change of Use for the intensification of Short term accommodation described as Lot 10 on SP180657 and situated at 1490 Brisbane Valley Highway, Fernvale subject to the requirements and conditions contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Cover Sheet and General Notes, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 000 and 001, Issue C, Dated 1 November 2017.	
	Site Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 101, Issue C, Dated 1 November 2017.	
	Ground Floor Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 201, Issue C, Dated 1 November 2017.	
	Elevations, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 301, Issue C, Dated 1 November 2017.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme Version Two, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	Obtain relevant building approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.6	The Material Change of Use approval of this site is for the purpose of intensification of the Short term accommodation, and may include any ancillary activities, where these activities remain incidental to and necessarily associated with the approved accommodation activity of all time.	At all times
1.7	Building works and plumbing and drainage works approvals must be obtained.	Before the commencement of

		use
	General Services	
1.8	Connect the development to reticulated water supply and sewer networks, underground electricity supply and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to the development.	Before the commencement of use
1.9	The applicant must provide written evidence (eg Connection certificate) from each particular service provider stating either that the development has been connected to applicable service, is available at the standard connection, or has a current supply agreement.	Before the commencement of use
1.10	All drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Before the commencement of use
	Building designs	
1.11	<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
	Access for people with disabilities	
1.12	Access must be provided for people with disabilities in accordance with <i>Australian Standard AS1428:1: Design for Access and Mobility</i> by means of an unimpeded continuous path of travel from any adjacent roadway, adjoining public open space and from any disabled access car parking bay, to all parts of the development that are normally open to the public.	At all times
	Visual amenity	
1.13	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
1.14	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
1.15	All fixed mechanical plant must be contained within the building	At all times

	or visually screened to all street frontages, public viewing locations and adjoining premises.	
1.16	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	
1.17	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	Acoustic amenity	
1.18	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
1.19	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
1.20	All plants and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
	Advertising device	
1.21	Signage / Advertising devices are to comply with the relevant <i>Subordinate Local Law No 1.4 - Installation of Advertising Devices</i> .	At all times
	Landscape	
1.22	Landscaping is to be provided and maintained along the North-eastern (rear) boundary of the site. Landscaping is to be provided and maintained along the length of the existing Motel for the South-eastern (side) boundary of the site.	At all times
1.23	Landscaping incorporates local endemic and drought tolerant vegetative species.	At all times
	Rainwater detention	
1.24	Provide and install a 30,000 litre rainwater tank on-site.	At all times
	Screen Fencing	
1.25	A minimum 1.8m high solid screen fence must be erected along the length of the existing Motel along the South-eastern (side) boundary of the site (common boundary with Lot 2 on RP28843). All cost associated with meeting the fencing requirements listed within this Development Approval must be	At all times

	borne by the developer.	
	Pedestrian connectivity to adjoining premises may be provided, subject to Council's approval.	
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No.	Condition	Timing
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	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As part of Operational Works
General Services		
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Before the change happens
2.5	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.	Before the change happens
2.6	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
2.7	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual and Standard Drawings</i> .	At all times
Earthworks		
2.8	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.9	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot	At all times

	be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	
	Footpaths	
2.10	Provide a concrete full width footpath, for the full frontage of the site of the development. The concrete is to be coloured, stencilled, or approved other.	As part of Operational Works
	Vehicle access	
2.11	All vehicular access for the allotment shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Commencement of use
2.12	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
2.13	All vehicles shall enter and leave the site in a forward gear.	At all times
2.14	All manoeuvring areas shall enable access to a single-unit truck / bus based on a 12.5 metre Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works
	Car and Bicycle Parking	
2.15	Provide on-site car parking for thirty-seven (37) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.16	Provide secure bicycle parking and associated support facilities for a minimum of four (4) bicycles in accordance with AS2890.	As part of Operational Works
2.17	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, asphalt, or bitumen in accordance with Australian Standards.	As part of Operational Works
2.18	The car parking within the premises must be maintained exclusively for the ancillary use of the development. The parking must not be made available to the general public and there must not be signage erected on or in the vicinity of the site advertising the availability of car parking to the general public.	At all times
	Refuse storage area	
2.19	Refuse bin storage areas must be provided on the premises within a building, outbuilding or other enclosed structure so that it is screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use

2.20	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	As part of Operational Works
	Visual and General Amenity	
2.21	Any graffiti within the proposed development must be removed immediately.	At all times
2.22	All plant and air conditioning is to be visually screened from the street.	At all times
	Indoor and Outdoor Lighting	
2.23	<p>Install and maintain a suitable system of security lighting to operate from dusk to dawn within all areas where the public may gain access, including car parking areas, building entrances and vegetated areas.</p> <p>Ensure that all external lighting is in accordance with Australian Standard - AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause nuisance to nearby residents or passing motorists.</p> <p>Ensure lighting over publicly accessible pathways covered by permanent awnings is in accordance with Australian Standard - AS/NZS 1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</p> <p>Lighting must be maintained by the owner of the building in a safe and good working order.</p>	Prior to Commencement of use and At all times
2.24	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances / exits of the building/s. • Throughout car parking areas. 	At all times
2.25	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare 	At all times

	plumes.	
	Stormwater	
2.26	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.27	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.28	Stormwater Drainage shall be constructed in general accordance with Residential Development 1490 Brisbane Valley Highway, Fernvale Stormwater Management Plan, prepared by Michael Bale and Associates, R001-G19095 revision 1 and dated 10/07/2019.	As part of Operational Works
2.29	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.30	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	At all times
	Erosion and Sediment Control	
2.31	<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
2.32	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times
2.33	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times

SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No.	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor • Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor • Stockpile any waste on the development site. 	At all times
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> • Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or • Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
SCHEDULE 4 – REFERRAL AGENCY		
State Assessment and Referral Agency on behalf of Department of State Development, Manufacturing, Infrastructure and Planning		
<i>Concurrence Agency Response</i>		
<i>Agency Response: Approved with Conditions</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 State Assessment and Referral Agency on behalf of 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 8 February 2018 and referenced as 1712-3099 SRA.		
Concurrence Agency response will be attached to Council's Decision Notice for DA17333.		

SCHEDULE 5 – ADVICE*Assessment Manager*

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

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

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

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

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

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

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

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

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

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

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

All building work is to comply with the provisions contained in the *Building Act*; the *Building Regulation*, the *Building Code of Australia*, the *Queensland Development Code* and relevant *Australian Standards*.

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

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

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

Attachments for the Decision Notice include:

- Cover Sheet and General Notes, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 000 and 001, Issue C, Dated 1 November 2017.
- Site Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 101, Issue C, Dated 1 November 2017.
- Ground Floor Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 201, Issue C, Dated 1 November 2017.
- Elevations, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 301, Issue C, Dated 1 November 2017.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council approve the Development Permit for a Material Change of Use for the intensification of Short term accommodation described as Lot 10 on SP180657 and situated at 1490 Brisbane Valley Highway, Fernvale subject to the requirements and conditions contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Cover Sheet and General Notes, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 000 and 001, Issue C, Dated 1 November 2017.	
	Site Plan, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 101, Issue C, Dated 1 November 2017.	
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	Elevations, Drawn and Prepared by DB at Daniel Blake Designs, Job No: ID8738, Sheet No: 301, Issue C, Dated 1 November 2017.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme Version Two, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase

1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	Obtain relevant building approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.6	The Material Change of Use approval of this site is for the purpose of intensification of the Short term accommodation, and may include any ancillary activities, where these activities remain incidental to and necessarily associated with the approved accommodation activity of all time.	At all times
1.7	Building works and plumbing and drainage works approvals must be obtained.	Before the commencement of use
	General Services	
1.8	Connect the development to reticulated water supply and sewer networks, underground electricity supply and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to the development.	Before the commencement of use
1.9	The applicant must provide written evidence (eg. Connection certificate) from each particular service provider stating either that the development has been connected to applicable service, is available at the standard connection, or has a current supply agreement.	Before the commencement of use
1.10	All drawings must be co-ordinated with the civil engineering design details, to ensure that service clashes are avoided.	Before the commencement of use
	Building designs	
1.11	<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

	Access for people with disabilities	
1.12	Access must be provided for people with disabilities in accordance with <i>Australian Standard AS1428:1: Design for Access and Mobility</i> by means of an unimpeded continuous path of travel from any adjacent roadway, adjoining public open space and from any disabled access car parking bay, to all parts of the development that are normally open to the public.	At all times
	Visual amenity	
1.13	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
1.14	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
1.15	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
1.16	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	
1.17	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	Acoustic amenity	
1.18	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
1.19	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
1.20	All plants and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
	Advertising device	
1.21	Signage / Advertising devices are to comply with the relevant <i>Subordinate Local Law No 1.4 - Installation of Advertising Devices</i> .	At all times
	Landscape	
1.22	Landscaping is to be provided and maintained along the North-eastern (rear) boundary of the site.	At all times

	Landscaping is to be provided and maintained along the length of the existing Motel for the South-eastern (side) boundary of the site.	
1.23	Landscaping incorporates local endemic and drought tolerant vegetative species.	At all times
	Rainwater detention	
1.24	Provide and install a 30,000 litre rainwater tank on-site.	At all times
	Screen Fencing	
1.25	A minimum 1.8m high solid screen fence must be erected along the length of the existing Motel along the South-eastern (side) boundary of the site (common boundary with Lot 2 on RP28843). All cost associated with meeting the fencing requirements listed within this Development Approval must be borne by the developer. Pedestrian connectivity to adjoining premises may be provided, subject to Council's approval.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No.	Condition	Timing
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	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As part of Operational Works
	General Services	
2.4	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Before the change happens
2.5	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from	Before the change happens

	compliance with these conditions whether carried out by Council, or otherwise.	
2.6	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
2.7	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	At all times
	Earthworks	
2.8	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
2.9	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times
	Footpaths	
2.10	Provide a concrete full width footpath, for the full frontage of the site of the development. The concrete is to be coloured, stencilled, or approved other.	As part of Operational Works
	Vehicle access	
2.11	All vehicular access for the allotment shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Development Manual</i> and <i>Standard Drawings</i> .	Prior to Commencement of use
2.12	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
2.13	All vehicles shall enter and leave the site in a forward gear.	At all times
2.14	All manoeuvring areas shall enable access to a single-unit truck / bus based on a 12.5 meter Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works
	Car and Bicycle Parking	
2.15	Provide on-site car parking for thirty-seven (37) vehicles, including two (2) spaces for disabled persons in accordance with Council Planning Scheme. All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with <i>AS2890</i> and <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.16	Provide secure bicycle parking and associated support facilities	As part of

	for a minimum of four (4) bicycles in accordance with AS2890.	Operational Works
2.17	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, asphalt, or bitumen in accordance with Australian Standards.	As part of Operational Works
2.18	The car parking within the premises must be maintained exclusively for the ancillary use of the development. The parking must not be made available to the general public and there must not be signage erected on or in the vicinity of the site advertising the availability of car parking to the general public.	At all times
	Refuse storage area	
2.19	Refuse bin storage areas must be provided on the premises within a building, outbuilding or other enclosed structure so that it is screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use
2.20	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	As part of Operational Works
	Visual and General Amenity	
2.21	Any graffiti within the proposed development must be removed immediately.	At all times
2.22	All plant and air conditioning is to be visually screened from the street.	At all times
	Indoor and Outdoor Lighting	
2.23	<p>Install and maintain a suitable system of security lighting to operate from dusk to dawn within all areas where the public may gain access, including car parking areas, building entrances and vegetated areas.</p> <p>Ensure that all external lighting is in accordance with Australian Standard - AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause nuisance to nearby residents or passing motorists.</p> <p>Ensure lighting over publicly accessible pathways covered by permanent awnings is in accordance with Australian Standard - AS/NZS 1158.3.1 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.</p> <p>Lighting must be maintained by the owner of the building in a safe and good working order.</p>	Prior to Commencement of use and At all times
2.24	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> The entries and exits of the approved building. 	At all times

	<ul style="list-style-type: none"> The pathways between the parking areas and the entrances / exits of the building/s. Throughout car parking areas. 	
2.25	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> Not causing nuisance by way of light spill or glare at adjacent properties and roadways. Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. Directing lighting onto the subject land and away from neighbouring properties. Using shrouding devices to preclude light overspill onto surrounding properties where necessary. Not operating lighting that uses sodium lights or flare plumes. 	At all times
	Stormwater	
2.26	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.27	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.28	Stormwater Drainage shall be constructed in general accordance with Residential Development 1490 Brisbane Valley Highway, Fernvale Stormwater Management Plan, prepared by Michael Bale and Associates, R001-G19095 revision 1 and dated 10/07/2019.	As part of Operational Works
2.29	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.30	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	At all times
	Erosion and Sediment Control	
2.31	<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

2.32	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times
2.33	Where vegetation is removed, the vegetation waste shall be disposed of by: i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times
SCHEDULE 3 – ENVIRONMENTAL <i>Assessment Manager</i>		
No.	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> Burn or bury waste generated in association with this development approval at or on the development site; nor Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor Stockpile any waste on the development site. 	At all times
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase

SCHEDULE 4 – REFERRAL AGENCY**State Assessment and Referral Agency on behalf of Department of State Development, Manufacturing, Infrastructure and Planning***Concurrence Agency Response**Agency Response: Approved with Conditions*

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 State Assessment and Referral Agency on behalf of 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 8 February 2018 and referenced as 1712-3099 SRA.

Concurrence Agency response will be attached to Council's Decision Notice for DA17333.

SCHEDULE 5 – ADVICE*Assessment Manager*

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

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

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

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

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

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

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

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

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

<i>amended) and the 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. Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.
Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval.
All building work is to comply with the provisions contained in the <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.
All Operational Work is to comply with relevant codes for design and construction.
The development approval is for the approved development only. Any additional structures proposed may require their own planning approval and will be assessed on their own merits."
<u><i>Carried</i></u>
<i>Vote - Unanimous</i>

**Cr Whalley - Declaration of conflict of interest
Development Application No 18732**

I declare that I have a conflict of interest in this matter (as defined by the *Local Government Act 2009*, section 175D) as follows -

I have a personal relationship / friendship with the applicant who I know personally.

I have determined that this personal interest is not of sufficient significance that it will lead me to making 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 area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining Councillors must now determine, pursuant to section 175E(4) of the *Local Government Act 2009* -

- (a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether -
 - (i) I must leave the meeting while this matter is discussed or voted on; or
 - (ii) I may participate in the meeting in relation to the matter including by voting on the matter.

Resolution

Moved – Cr Hall

Seconded - Cr Choat

"THAT Council resolve that Cr Whalley does not have a real or perceived conflict of interest in the following matter and may participate in the meeting in relation to the matter, including by voting on the matter."

Carried

Vote - Unanimous

Subject:	Development Application No 18732 - Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling)
File No:	DA18732
Assessment No:	34842-00000-000
Action Officer:	SP

1.0 APPLICATION SUMMARY**Subject Land**

Location	1073 Glamorgan Vale Road, Glamorgan Vale
Real Property Description	Lot 98 CH3113
Area	15.3781ha
Current land use	Dwelling house, Caretaker's residence and dog kennel and cattery
Easements and Encumbrances	A RP168081 – Access Easement

Somerset Region Planning Scheme Version Three

Zone	Rural zone
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Shaping SEQ: SEQ Regional Plan 2017

Land Use Category	Regional Landscape and Rural Production Area
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Application

Proposed development	Dwelling House (Secondary Dwelling)
Level of Assessment	Code
Applicant/s	Lyngold Pty Ltd C/- Diane Kerr and Associates
Applicants contact details	19 Frobisher Street SPRINGWOOD QLD 4127
Date application received	4 July 2019
Date properly made	4 July 2019

Referral Agencies

Concurrence Agencies	Nil
Advice Agencies	Nil
Third Party Advice Agencies	Nil

RECOMMENDED DECISION

Approve the Development Application No 18732 subject to the requirements and conditions contained in the Schedules and Attachments.

2.0 PROPOSAL

The application is seeking approval for a secondary dwelling on the subject property located at 1073 Glamorgan Vale, Glamorgan Vale. The secondary dwelling was established on the subject land in 2011 without the relevant approvals being sought. An extension was added to the dwelling in October 2018.

The secondary dwelling is located about 223m from the road frontage and gains access via an existing driveway within the access easement. The secondary dwelling is occupied by relatives of the landowner.

The secondary dwelling contains a bedroom, kitchen, laundry and living room and encompasses a gross floor area of about 74m².

3.0 SITE DETAILS AND SURROUNDING LAND USES

The subject land is located within a rural area and is bounded by Glamorgan Vale Road to the west and to the remaining directions rural properties. The land directly to the north is currently vacant while the land to the east and south contain dwelling houses and associated outbuildings.

4.0 STATE ASSESSMENT

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

4.1. STATE PLANNING POLICY

Since the Somerset Region Planning Scheme came into effect the State Planning Policy (SPP) has been updated. While the current planning scheme isn't necessarily consistent with the SPP, the components relevant to the subject land have not been altered as part of the amended SPP.

4.2. VEGETATION MANAGEMENT ACT 1999

The site contains limited stands of high value regrowth vegetation that is an endangered regional ecosystem according to the Department of Natural Resources, Mines and Energy Mapping. The vegetation is not proposed to be impacted by the secondary dwelling.

5.0 COUNCIL ASSESSMENT

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

5.1 Strategic Framework

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

5.2 Code Compliance Summary

Applicable Code	Performance Outcome Compliance	Acceptable Outcome compliance
Rural zone code	Yes	PO8
Dwelling house code	Yes	PO7
Transport, access and parking code	Yes	Not required

Applicable Overlay Code	Performance Outcome Compliance	Is Alternative Solution Provided?
Air transport overlay	Yes	PO2
Biodiversity overlay	Yes	
Bushfire hazard overlay	Yes	Not required

The proposed development complies with all the relevant performance outcomes of the above codes, however the following alternative solutions are provided.

Rural zone code

Amenity	
PO8 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) lighting; (e) advertising devices; (f) visual amenity; (g) privacy; (h) odour; or (i) emissions. 	AO8 No acceptable outcome provided.
Alternative Solution	
The subject land contains an existing animal keeping facility. As this application is for a secondary dwelling only, it is not reasonable for this application to remedy any outstanding negative environmental impacts.	

Dwelling house code

Amenity	
PO7 <i>Secondary dwellings:</i> <ul style="list-style-type: none"> (a) are designed and sited to maintain local character and amenity; (b) are visually compatible with the existing <i>dwelling house</i>; and (c) are located in proximity to the principal <i>dwelling</i>. 	AO7.2 In the Rural zone, the <i>secondary dwelling</i> is located a minimum of 15 metres from any side or rear boundary.
Comment	
The nearest boundary is the north-western boundary. The secondary dwelling is setback a distance of 9.4m. Given the size of the subject land and the distance the secondary dwelling is setback from the Glamorgan Vale Road, it is considered that the local character and amenity of the area is not impacted.	

Air Transport Overlay Code

Noise and amenity	
PO2 <i>Sensitive land uses</i> either:	AO2.1 <i>Sensitive land uses</i> are not located on

<p>(a) avoid airport noise sensitive areas; or</p> <p>(b) are sited, designed and constructed to mitigate noise nuisance to acceptable standards.</p> <p><i>Note - Sensitive land uses must achieve compliance with AS2021-2000 Acoustics- Aircraft noise intrusion- Building siting and construction.</i></p>	<p>land identified subject to the <i>RAAF Amberley Air Base 20—25 ANEF contour</i> as identified on the Air transport overlay map OM-001.</p>
Comment	
<p>The subject land is impacted by the 20-25ANEF contour. The location of the secondary dwelling is currently outside the contour areas. Notwithstanding this, the 20-25ANEF contour has recently been amended and the secondary dwelling location is now contained within the area. Given residents of the secondary dwelling are relatives of the land owner, there is an expectation that the impacts of the 20-25ANEF contour are already known to the landowners.</p>	
<p>If approved a condition will be included requiring compliance with the relevant acoustic standards to ensure the building is appropriately incorporates acoustic treatments.</p>	

Biodiversity Overlay Code

Koalas	
<p>PO14</p> <p><i>Development</i> is sufficiently setback and minimises impacts on koalas, koala habitat values, and koala habitat connectivity and employs measures to manage impacts on koala biodiversity values.</p> <p><i>Note - Koalas are listed as vulnerable under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Referral under the EPBC is required for certain actions.</i></p> <p><i>Note - Where a suitably qualified person demonstrates that the mapped koala habitat values attributed to the site are not present on the site the above performance outcome may not apply (subject to Council discretion).</i></p>	<p>Where for Material Change of Use AO14.3</p> <p>A minimum setback of 50 metres is provided between <i>buildings</i> and <i>structures</i> and areas mapped as bushland koala habitat on Biodiversity overlay maps OM-003c-d.</p> <p>Where within the Rural zone or Rural residential zone AO14.6</p> <p>Where within the Rural zone or Rural residential zone the minimum setbacks identified in AO14.3 to AO14.5 are taken to be 100 metres.</p>
Comment	
<p>The location of the secondary dwelling appears to be within mapped secondary koala habitat. The proposal does not involve any removal of vegetation. If approved, conditions will be included requiring inclusion of vegetation that is suitable for koalas as part of any future landscaping.</p>	

6.0 OTHER PLANNING CONSIDERATIONS

Trunk Infrastructure and Services

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

6.1 Water Supply and Sewerage

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

The subject land is not located within an area serviced by a reticulated sewerage network, and so a condition will be included requiring the installation of an onsite sewerage treatment system.

6.2 Stormwater/Drainage

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

6.3 Transport Network

The proposed development is not considered to unreasonably burden upon local transport networks. There are associated infrastructure charge for dwellings of this type within the region and as such a draft infrastructure charges notice is attached.

6.4 Parks and Open Space Network

The subject land is not within Council's parks and open space network, and as such there are not infrastructure charges applicable for this network.

6.5 Services

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

6.6 Infrastructure Charges

Infrastructure charges are applicable for the Transport Network and as such a draft infrastructure charges notice has been prepared.

6.7 Environment

The proposed development will not result in environmental degradation.

7.8 Heritage

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

8.0 STATE AGENCY REFERRALS**Concurrence Agencies**

There are no Concurrence Agencies relating to this application.

Advice Agencies

There are no Advice Agencies relating to this application.

9.0 CONCLUSION

The application is seeking a retrospective approval for a secondary dwelling that has been established on the subject land since around 2011. Secondary dwellings within the rural area are an appropriate land use and the development has demonstrated compliance with the Somerset Region Planning Scheme and in this instance, it is recommended that an approval be issued.

RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 98 CH3113 and situated at 1073 Glamorgan Vale Road, Glamorgan Vale subject to the requirements and conditions contained in the Schedules and Attachments.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Site Plan Secondary Dwelling – SK01 A – dated 27 June 2019	
	Floor Plan Secondary Dwelling – SK02 A – dated 27 June 2019	
	Secondary Dwelling Elevations – SK03 A – dated 27 June 2019	
	Secondary Dwelling Carport – SK04 A – 27 June 2019	
1.2	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of use.
1.3	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.4	Provide a minimum storage capacity of 45,000-litre rain water tank supply capable of capturing roof run-off and connected to service all domestic water consumption needs of the “Secondary Dwelling”.	Prior to commencement of the use
1.5	On-site effluent disposal is to be compliant with the relevant standards	Prior to commencement of the use
1.6	The secondary dwelling is to achieve Compliance with AS2021-2000 Acoustics- Aircraft noise intrusion- Building siting and construction.	As part of Building application and then at all times
1.7	Confirmation from a suitably qualified person is to be provided to Council demonstrating that Compliance with AS2021-2000 Acoustics- Aircraft noise intrusion- Building siting and construction has been achieved.	Prior to issuing of final building certificate
1.8	The secondary dwelling is only to be occupied by a relative of the primary household.	At all times

1.9	Any landscaping provided on site is to incorporate koala habitat vegetation.	At all times
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Vehicular Access	
2.1	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
	Stormwater	
2.2	Ensure stormwater drainage is directed to a lawful point of discharge.	At all times
2.3	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	Erosion and Sediment Control	
2.4	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times
SCHEDULE 3 – ENVIRONMENTAL		
<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.	Before the change happens
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor 	At all times

	<ul style="list-style-type: none"> ▪ Stockpile any waste on the development site. 	
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase
SCHEDULE 4 – ADVISORY NOTES <i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the Planning Act 2016 , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.		
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.		
Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.		
A legible copy of this development approval package is to be available on the premises, at all times, during construction.		
Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land, before the change happens.		
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</i>		

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*).

Attachments for the Decision Notice include:

- Site Plan Secondary Dwelling – SK01 A – dated 27 June 2019
- Floor Plan Secondary Dwelling – SK02 A – dated 27 June 2019
- Secondary Dwelling Elevations – SK03 A – dated 27 June 2019
- Secondary Dwelling Carport – SK04 A – 27 June 2019

Resolution

Moved – Cr Choat

Seconded – Cr Ogg

“THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 98 CH3113 and situated at 1073 Glamorgan Vale Road, Glamorgan Vale subject to the requirements and conditions contained in the Schedules and Attachments.

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	Secondary Dwelling Elevations – SK03 A – dated 27 June 2019	
	Secondary Dwelling Carport – SK04 A – 27 June 2019	
1.2	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of use.
1.3	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.4	Provide a minimum storage capacity of 45,000-litre rain water tank supply capable of capturing roof run-off and connected to service all domestic water consumption needs of the “Secondary Dwelling”.	Prior to commencement of the use
1.5	On-site effluent disposal is to be compliant with the relevant standards	Prior to commencement of the use
1.6	The secondary dwelling is to achieve Compliance with	As part of Building

	AS2021-2000 Acoustics- Aircraft noise intrusion- Building siting and construction.	application and then at all times
1.7	Confirmation from a suitably quailed person is to be provided to Council demonstrating that Compliance with AS2021-2000 Acoustics- Aircraft noise intrusion- Building siting and construction has been achieved.	Prior to issuing of final building certificate
1.8	The secondary dwelling is only to be occupied by a relative of the primary household.	At all times
1.9	Any landscaping provided on site is to incorporate koala habitat vegetation.	At all times

SCHEDULE 2 – ENGINEERING*Assessment Manager*

No	Condition	Timing
	Vehicular Access	
2.1	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
	Stormwater	
2.2	Ensure stormwater drainage is directed to a lawful point of discharge.	At all times
2.3	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	Erosion and Sediment Control	
2.4	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times

SCHEDULE 3 – ENVIRONMENTAL*Assessment Manager*

No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional	Before the change happens

	Council unless otherwise authorised by Council.	
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 – ADVISORY NOTES

Assessment Manager

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

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

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

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

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

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.

Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.

A legible copy of this development approval package is to be available on the premises, at all times, during construction.

Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land, before the change happens.

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*)."

Carried

Vote - Unanimous

Subject:	Temporary Entertainment Event - Bottletree Hotel Bull Ride
File:	Environmental Management - Reports - Environmental Health Reports
Action Officer:	EHO-DB

Background/Summary

Council has received a temporary entertainment event application from Glanvale Pty Ltd to hold a bull ride. The event is proposed for Friday 30 August 2019 in the car park of the Bottletree Hotel, 664 Glamorgan Vale Road, Glamorgan Vale. The event is proposed to be operated from 5pm until 12am.

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

Assessment of Application

Under section 9 of *Local Law No. 1 (Administration) 2011*, Council may grant an approval for an application for a temporary entertainment event only if it is satisfied that:

Criteria – LL, section 9(1)(a)	If the prescribed activity requires a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme - the separate approval has been granted; and
Officer Comment	<p>The applicant is required to apply to the Office of Liquor and Gaming Regulation to extend the liquor licence for the hotel. Council would require the applicant to provide a copy of the liquor licence prior to the event.</p> <p>Council's planning and development section has advised that no development approval is required for the proposed event.</p>
Criteria – LL, section 9(1)(b)	The proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer Comment	The applicant has provided an event management plan for the event detailing provisions for public safety and environmental harm.

Criteria – LL, section 9(1)(c)	If the prescribed activity is the commercial use of a local government controlled area or road - the grant of the approval is consistent with the objective of the local government of restriction of the commercial use of local government controlled areas and roads, where such activities are permitted, in recognition of the fact that the activities may otherwise enjoy an unfair commercial advantage over competitive activities conducted from fixed premises in the local government area for which rates and other charges are paid, and to which planning and other regulatory legislation applies;
Officer Comment	Not applicable.
Criteria – LL, section 9(1)(d)	The proposed operation and management of the prescribed activity would be consistent with any additional criteria prescribed for the activity under a subordinate local law for this paragraph; and
Officer Comment	<i>Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011</i> prescribes criteria for the proposed activity. An assessment against that criterion is provided below.
Criteria – LL, section 9(1)(e)	The grant of the approval would be consistent with the purpose of any relevant local law; and
Officer Comment	The approval would be generally consistent with Council's Local Laws.
Criteria – LL, section 9(1)(f)	If the application relates to trust land - the grant of the approval would be consistent with the terms and conditions of the trust; and
Officer Comment	The event will be held on freehold land.
Criteria – LL, section 9(1)(g)	If the application relates to a prescribed activity mentioned in section 5(b) - the grant of the approval would be consistent with any requirements or criteria specified in the relevant <i>Local Government Act</i> in relation to the approval.
Officer Comment	Not applicable.
Criteria – SLL, section 4(1)	The design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
Officer Comment	The applicant has provided an event management plan for the event detailing provisions for public safety. The rodeo is a National Rodeo Association sanctioned event to be operated by contractor Jones Boys Holdings.
Criteria – SLL, section 4(2)	Entertainment provided at the place must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.

Officer Comment	It is unlikely that the event will unreasonably detract for the amenity of the area.
Criteria – SLL, section 4(3)	Entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood.
Officer Comment	The applicant has provided an event management plan for the event detailing provisions for public safety and environmental harm. Noise from the activity will be regulated by the Office of Liquor and Gaming Regulation and environmental nuisance can be appropriately conditioned if the event is approved.
Criteria – SLL, section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer Comment	A satisfactory number of toilets and sanitary conveniences are proposed for the event and can be appropriately conditioned.
Criteria – SLL, section 4(5)	Adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event.
Officer Comment	An adequate number of waste bins are proposed for the event and must be serviced by an appropriately licensed waste transporter.
Criteria – SLL, section 4(6)	Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
Officer Comment	The applicant has provided a traffic management plan. Council's Operations Department has advised that no issues in relation to traffic have been experienced regarding previous bull ride events held at the site.

Discussion

Council has not received the following:

- A copy of a liquor licence to cover the event.

The applicant has advised that the outstanding items will be provided to Council prior to the event. Provision of these items would also be required as part of the conditions of approval.

Considering the history of limited complaints regarding the operation of similar events at this site over the past few years, it is considered appropriate to recommend approval of the application subject to the applicant addressing the outstanding matters and the final approval of the Chief Executive Officer.

Attachment

Traffic Management Plan relating to the event.

Recommendation

Temporary Entertainment Event – Bottletree Hotel Bull Ride

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must provide Somerset Regional Council with a copy of a liquor licence that covers the event by no later than 29 August 2019.
1.2	The approval holder must, by no later than 29 August 2019 provide Somerset Regional Council with a copy of a public liability insurance certificate of currency for a minimum of \$20 million dollars and must note Somerset Regional Council as an interested party.
1.3	The approval holder must operate the event in accordance with the traffic management plan produced by Aaction Traffic on 19 February 2017 and amended on 19 August 2019.
1.4	<p>The approval holder must:</p> <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.5	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.6	The temporary entertainment event is limited to the operation of a bull ride on Lot 1 SP271740 and parking on Lot 3 RP814369, between the hours of 5pm on Friday 30 August 2019 and 12am on Saturday 31 August 2019. Overnight camping is to be provided on Lot 12 RP226795 from Friday 30 August 2019 to Saturday 31 August 2019.
1.7	<p>The approval holder must provide the following number of toilets and sanitary conveniences:</p> <p>Event location:</p> <p>Males: 4 toilets, 8 urinals and 3 hand basins.</p> <p>Females: 13 toilets and 3 hand basins.</p> <p>Unisex: 1 disabled toilet</p> <p>Camp ground:</p> <p>Unisex: 2 toilets and 2 hand basins</p>
1.8	The approval holder must provide at least 10 x 240L waste bins that are to be serviced by an appropriately licensed waste contractor.
1.9	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the business.
1.10	The permit holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.

	"Losses" include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.
1.11	The temporary entertainment event must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.12	The approval holder must implement appropriate dust mitigation measures to ensure the temporary entertainment event does not cause a dust nuisance to surrounding sensitive receptors.
1.13	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.14	The approval holder must provide appropriate lighting in all areas of the temporary entertainment event including the proposed parking area on Lot 3 RP814369 and camping area on Lot 12 RP226795 to ensure the safety of the public.
1.15	All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times: <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.16	Ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.
1.17	The temporary entertainment event is limited to the hours of 5pm until 12am commencing on Friday 30 August 2019. Music provided as part of the event must cease at no later than 11pm.
1.18	The approval holder must conduct an 'emu parade' of the parking and residential streets around the event site to remove any accumulated litter the day following the event.

Resolution

Moved – Cr Hall

Seconded – Cr Brieschke

"THAT Council approve the Temporary Entertainment Event - Bottletree Hotel Bull Ride to be held on Friday 30 August 2019 with the following conditions -

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must provide Somerset Regional Council with a copy of a liquor licence that covers the event by no later than 29 August 2019.
1.2	The approval holder must, by no later than 29 August 2019 provide Somerset Regional Council with a copy of a public liability insurance certificate of currency for a minimum

	of \$10 million dollars and must note Somerset Regional Council as an interested party.
1.3	The approval holder must operate the event in accordance with the traffic management plan produced by Aaction Traffic on 19 February 2017 and amended on 19 August 2019.
1.4	<p>The approval holder must:</p> <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.5	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.6	The temporary entertainment event is limited to the operation of a bull ride on Lot 1 SP271740 and parking on Lot 3 RP814369, between the hours of 5pm on Friday 30 August 2019 and 12am on Saturday 31 August 2019. Overnight camping is to be provided on Lot 12 RP226795 from Friday 30 August 2019 to Saturday 31 August 2019.
1.7	<p>The approval holder must provide the following number of toilets and sanitary conveniences:</p> <p>Event location:</p> <p>Males: 4 toilets, 8 urinals and 3 hand basins. Females: 13 toilets and 3 hand basins. Unisex: 1 disabled toilet</p> <p>Camp ground:</p> <p>Unisex: 2 toilets and 2 hand basins</p>
1.8	The approval holder must provide at least 10 x 240L waste bins that are to be serviced by an appropriately licensed waste contractor.
1.9	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$10,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the business.
1.10	<p>The permit holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>“Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>

1.11	The temporary entertainment event must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.12	The approval holder must implement appropriate dust mitigation measures to ensure the temporary entertainment event does not cause a dust nuisance to surrounding sensitive receptors.
1.13	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.14	The approval holder must provide appropriate lighting in all areas of the temporary entertainment event including the proposed parking area on Lot 3 RP814369 and camping area on Lot 12 RP226795 to ensure the safety of the public.
1.15	<p>All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times:</p> <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.16	Ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.
1.17	The temporary entertainment event is limited to the hours of 5pm until 12am commencing on Friday 30 August 2019. Music provided as part of the event must cease at no later than 11pm.
1.18	<p>The approval holder must conduct an 'emu parade' of the parking and residential streets around the event site to remove any accumulated litter the day following the event."</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>

Subject:	Action under section 130 of the Local Government Regulation 2012
File Ref:	Rates and government valuations - rate payments - FY2020
Action Officer:	DFIN

Background/Summary

It is recommended that Council use section 130 of the Local Government Regulation 2012 to potentially save administrative costs in respect of rate payments received on 2 and 3 October 2019. The due date to show on rate notices that issue on 20 August 2019 is 1 October 2019.

The regulation says:

130(7) The local government may, by resolution, change the discount period to end on a later day (the new discount day).

130(8) However, if the discount period is changed under subsection (7), the local government

must also, by resolution, change the due date for payment to a later day that is no earlier than the new discount day.

Attachments

Nil

Recommendation

THAT Council, under subsections 130 (7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 3 October 2019.

Resolution

Moved – Cr Brieschke

Seconded – Cr Ogg

“THAT Council, under subsections 130 (7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 3 October 2019.”

Carried

Vote - Unanimous

Subject:	Investment Policy qualifying local banks
File Ref:	Financial management - investments - loans - 2019 - 2020 - investments
Action Officer:	DFIN

Background/Summary

Lowood and Fernvale Community Bank branch of Bendigo Bank has written requesting that additional matters be considered for when Bendigo Bank submits an offer for Council's upcoming qualifying local banks quarantined investment as follows:

(extracted from Council's Investment Policy)

The following overall investment limits apply for the forthcoming financial year:	
Long Term Rating (Standard and Poor's) or equivalent	Total Limit
QIC/QTC Pooled Cash Management Fund	100% of the available funds less \$1 million preserved for qualifying local banks
A+(plus) rated products at A+(plus) rated financial institutions or better	95% of the available funds less \$1 million preserved for qualifying local banks
BBB+ (plus) rated products at BBB+(plus) rated qualifying local banks or better (defined below)	\$1 million

'Qualifying Local Banks'

In order to qualify for investment, qualifying local banks must meet the following criteria to the satisfaction of the Chief Executive Officer:

- Qualifying local banks must operate a branch which is open for at least 20 hours per week within the Somerset Regional Council area;

- Qualifying local banks must provide a benefit to the community, outside of standard financial institution services within the Somerset Regional Council area; and
- Be able to provide competitive term deposit rates that rival those able to be obtained from better rated institutions.

Bendigo Bank won the quarantined investment for two years up until 8 November 2018.

National Australia Bank (NAB) has held the qualifying local bank investment since that time (at 2.75%). Publicly quoted six-month term deposit rates for Bendigo and NAB are both around 1.6% per annum currently.

The Bendigo branch is requesting that community based and “council partnership” spending be considered in deciding future qualifying local bank investments.

As above, it is noted that “providing a benefit to the (Somerset) community outside of standard financial institution services” is already part of the local investment decision process.

It is considered that ANZ (who sponsored a pool shade shelter), NAB (who sponsor Auskick at local schools) and Bendigo Bank (who have sponsored various events as outlined) are qualifying local banks under the definition.

It is noted that the Mayoral Gala Charity Ball is a charity event run by Somerset Regional Council and the proceeds of the ball have benefited the victims of fire in our community in the past.

Attachments

Email from Lowood and Fernvale Community Bank of 3 August 2019
Investment policy 2019/2020

Recommendation

THAT Council receive the report about investment policy qualifying local banks of August 2019 and that the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“THAT Council receive the report about investment policy qualifying local banks of August 2019 and that the contents be noted.”

Carried

Vote - Unanimous

Subject:	Kilcoy racecourse development project - report on unforeseen factors with potential cost implications
File Ref:	Grants - programs - building our regions round 4
Action Officer:	DFIN

Background/Summary

Council wrote to Kilcoy Race Club (KRC) on 25 June 2019 (copy attached) requesting information about various types of work potentially conducted by KRC at the racecourse

showground complex. This letter followed the uncovering of unforeseen factors affecting the Kilcoy Racecourse Development project which will have cost implications.

A letter from Graham Richardson Associates Architects of 20 August 2019 is attached outlining six of these unforeseen matters. These include apparently recent electrical works in the roof/ ceiling area of the betting ring (items 5 and 6) which require rectification "in the interests of future safety and compliance".

It is recommended that the current team involved with the Kilcoy Racecourse Development be endorsed to conduct rectification works of the matters listed in the letter of 20 August 2019 notwithstanding that the matters are likely to be medium sized contractual arrangements.

The rectification works require the input of electrical, structural and hydraulic engineers.

Attachments

Letter to Council from Graham Richardson of 20 August 2019
Letter from Council to Kilcoy Race Club of 25 June 2019

Recommendation

THAT Council resolves that because of the nature of the services that are sought as outlined in the letter by Graham Richardson Associates to Council of 20 August 2019 and the status of the current Kilcoy Racecourse Development project, it would be impractical or disadvantageous for the local government to invite quotes to carry out the rectification works and that Graham Richardson Associates and Daniel Banditt Constructions as contractors for Kilcoy Racecourse Development be endorsed as suppliers of those services.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

"THAT Council resolves that because of the nature of the services that are sought as outlined in the letter by Graham Richardson Associates to Council of 20 August 2019 and the status of the current Kilcoy Racecourse Development project, it would be impractical or disadvantageous for the local government to invite quotes to carry out the rectification works and that Graham Richardson Associates and Daniel Banditt Constructions as contractors for Kilcoy Racecourse Development be endorsed as suppliers of those services."

Carried

Vote - Unanimous

Subject:	State Penalty Enforcements Registry (SPER) Codes
File Ref:	Laws and enforcement - infringements - State Penalties Enforcements Registry SPER
Action Officer:	CCSO

Background/Summary

A review of Council's State Penalty Enforcements Registry (SPER) Codes has been undertaken for the Plumbing and Drainage Act 2018, with reference to the State Penalties Enforcement Regulation 2014. This Regulation includes infringement notice offences and fines for nominated laws that can be enforced by Council.

As a range of further offences for which Council may issue infringement notice offences and

finances have been created via the legislation, it is recommended that Council endorse changes to the State Penalty Enforcements Registry (SPER) to create the offences listed in Attachment A and amend or remove the offences listed in appendix B.

Council are unable to take enforcement action until a SPER Code for the particular offence is registered with the State Penalties Enforcement Registry.

Attachments

Appendix A – Offence Codes to be Created

Appendix B – Offence Codes to be amended or removed

Recommendation

THAT Council endorse changes to the State Penalty Enforcements Registry (SPER) to create the offences listed in Appendix A and remove or amend the offences listed in Appendix B.

Resolution

Moved – Cr Choat

Seconded – Cr Hall

"THAT Council endorse changes to the State Penalty Enforcements Registry (SPER) to create the offences listed in Appendix A to these Minutes and remove or amend the offences listed in Appendix B to these Minutes."

Carried

Vote - Unanimous

Subject:	Fernvale Hall and Col Powell Park Overall Management Committee - Meeting Report for Meeting held 13 August 2019
File Ref:	Community services - meetings - 2016 - 2020 - Fernvale Hall and Col Powell Park Overall Management Committee
Action Officer:	CCSO

Background/Summary

The quarterly meeting of the Committee was held on Tuesday, 13 August 2019.

Attachments

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

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Fernvale Hall and Col Powell Park Reserve Overall Management Committee held on Tuesday, 13 August 2019 and that the contents be noted.

Resolution

Moved – Cr Hall

Seconded – Cr Ogg

"THAT Council receive the meeting report for the quarterly meeting of the Fernvale Hall and Col Powell Park Reserve Overall Management Committee held on Tuesday, 13 August 2019 and that the contents be noted."

Carried

Vote - Unanimous

Subject:	RADF - Regional Arts Development Fund Committee Meeting – 19 August 2019
File Ref:	2019 - 2020 - RADF
Action Officer:	CCSO

Background/Summary

The Regional Arts Development Funding Committee met on Monday, 19 August 2019 to discuss miscellaneous items of business. The meeting report from the meeting is attached.

Attachments

Attachment 1 - Meeting Report for RADF Meeting of 19 August 2019

Recommendation

THAT Council receive the meeting report for the RADF Committee meeting held on Monday, 19 August 2019.

THAT -

- (a) Council approve an amount of \$2,676.56 for the Somerset Regional Council project "Charlotte's Web".
- (b) Council approve an amount of \$2,200 for the Somerset Regional Council project "Sense of Somerset 2.0".
- (c) Council approve the following RADF Funding Round Dates for 2019/2020 –

RADF Round Stage one closes Proposal Snapshot	Stage one decisions advised	RADF Round Stage two closes Projects shortlisted	RADF Committee Assessment Meeting Date at 3pm
Friday, 11 October 2019	Friday, 25 October 2019	Friday, 1 November 2019	Monday, 18 November 2019
Friday, 10 January 2020	Friday, 24 January 2020	Friday, 7 February 2020	Monday, 17 February 2020
Friday, 17 April 2020	Friday, 24 April 2020	Friday, 8 May 2020	Monday, 18 May 2020
Friday, 10 July 2020	Friday, 18 July 2020	Friday, 7 August 2020	Monday, 17 August 2020

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

"THAT Council receive the meeting report for the RADF Committee meeting held on Monday, 19 August 2019.

	<p>THAT -</p> <p>(a) Council approve an amount of \$2,676.56 for the Somerset Regional Council project “Charlotte’s Web”.</p> <p>(b) Council approve an amount of \$2,200 for the Somerset Regional Council project “Sense of Somerset 2.0”.</p> <p>(c) Council approve the following RADF Funding Round Dates for 2019/2020 –</p>		
RADF Round Stage one closes Proposal Snapshot	Stage one decisions advised	RADF Round Stage two closes Projects shortlisted	RADF Committee Assessment Meeting Date at 3pm
Friday, 11 October 2019	Friday, 25 October 2019	Friday, 1 November 2019	Monday, 18 November 2019
Friday, 10 January 2020	Friday, 24 January 2020	Friday, 7 February 2020	Monday, 17 February 2020
Friday, 17 April 2020	Friday, 24 April 2020	Friday, 8 May 2020	Monday, 18 May 2020
Friday, 10 July 2020	Friday, 18 July 2020	Friday, 7 August 2020	Monday, 17 August 2020
Vote - Unanimous			<u>Carried</u>

Subject:	Somerset Region Neighbourhood Centre Service Report for the period 1 July – 31 July 2019
File Ref:	Community services - service provision - Community Development
Action Officer:	CDC

Background/Summary

Activities throughout the month included:

- Toogoolawah Community Connection Point continues to host The Thursday Club, Toogoolawah Playgroup, Toogoolawah Women’s Group and Toogoolawah Rag Ruggers. The Toogoolawah Mothers’ Group has disbanded due to low numbers.
- Attended Kilcoy High School Success Day Expo
- Attended Esk Men’s Shed Sod Turning Activity

Meetings/attendances throughout the month:

- Attended the Lowood Youth Mental Health and Wellbeing project meeting
- Coordinated the Brisbane Valley and Kilcoy Interagency Meetings
- Attended the Child Protection Week Committee Meeting
- Attended Corporate Services meeting
- Attended Lowood High School Support Services Meeting
- Attended West Moreton Hospital and Health Region community reference group
- Attended Ipswich Local Level Alliance meeting
- Attended Ipswich and West Moreton Seniors Network Group
- Attended meeting with new service proposed for Lockyer/Somerset
- Participated in disaster management preparedness activity

Future Planned/Proposed Events and activities:

- Regional Seniors Event – August – Esk
- Child Protection Week Symposium and Gala Ball – September – Ipswich (committee member)
- Kilcoy Hospital Women's Health Week Expo and Movie Night
- Teddy Bears Picnic – October – Fernvale

Somerset Region Neighbourhood Centre Service usage

Events/Activities

<i>Group/event name</i>	<i>Date</i>	<i>Location</i>	<i>Topic</i>	<i>Number attendees</i>	<i>Number new attendees</i>
Thursday Club	4 July	Toogoolawah	Mosaics	9	0
	11 July			11	5
	18 July			16	2
	25 July			17	0
Toogoolawah Women's Group	10 July	Toogoolawah Community Connection Point	CPR Awareness Out There Cycling	22	0
	24 July			22	0

Information and referrals

<i>Referring centre/role</i>	<i>Total number of people assisted</i>	<i>Any trends (including topic and location)</i>	<i>How enquirers heard about the service</i>
Esk Community Connection Point	0		
CDC	18	Impact of drought (2) Harlin, Coominya Health (4) Esk Transport (3) Lowood, Kilcoy, Esk Mental Health (1) Esk Social Isolation (2) Esk Emergency relief (2)	Via Council 12 Via agency 3 Direct 3

		Esk, Toogoolawah Aged service (1) Esk Elder Abuse (1) Fernvale Legal (1) Esk Community engagement (1) Lowood	
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This report represents the first month of funding delivered under the Department of Communities service contract for the position of the community development coordinator, as the Somerset Region Support Service. The new five year funding contract commenced from 1 July 2019 and has a new requirement of providing annual regional profile reports on issues impacting the region, including what is currently being undertaken and what could be done to improve the situation.

The following have been identified as issues:

- Lack of transport options and difficulty in accessing services
- Lack of affordable and/or suitable housing, particularly for older persons including single females over 55 years
- Alcohol and Other Drugs and the impact on families
- Social isolation, particularly for seniors
- Youth homelessness
- Youth mental health
- Disengaged youth
- Aged/disabled friendly communities
- Insufficient aged care facilities
- Cultural diversity and integration in Kilcoy
- Lack of suitable/affordable spaces for service providers and programs

Attachments

Nil

Recommendation

THAT Council receive the Somerset Region Support Service Report for the month of July 2019 and that the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Choat






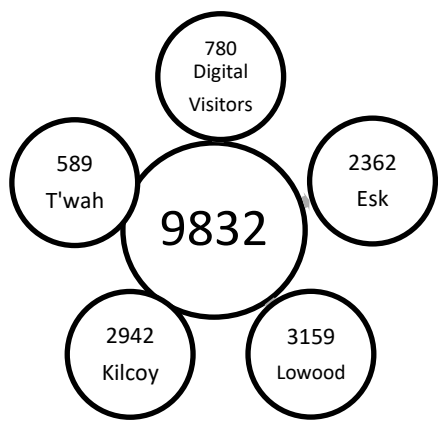

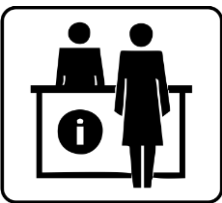

“THAT Council receive the Somerset Region Support Service Report for the month of July 2019 and that the contents be noted.”

Carried

Vote - Unanimous

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

Background/Summary

Somerset Libraries – July Performance					
 <p>5896 Physical Items Loaned 1281 Digital Items Accessed</p>		 <p>Computer Bookings 764.2</p>		 <p>Technology Training Sessions 308</p>	
 <p>328 Facebook Followers</p>		 <p>706 Wifi Sessions</p>		 <p>80 New Members</p>	
 <p>90 Programs and Events 565 Attendees</p>		 <p>1231 Enquiries Answered</p>		 <p>155 New Items Catalogued</p>	

School Holiday activities

These school holidays, 176 children and young adults participated in 11 free school holiday events across the regions library service.

From science workshops, author talks, craft events, and even ukulele workshops, there was something for all ages and all interests.

An important part of the Somerset Library service is welcoming children and young adults and planning things for them to do. It's important that children love the library from a young age

and that libraries run fun school holidays programs - these help us to create library lovers and foster that relationship as children get older.

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

Writer in Residence

The current writer in residence program at Esk Library is evidence that libraries can sit comfortably in that place between creator and consumer, fostering both individual and community exploration of the literary arts.

Currently in its fourth week, the residency is helping to demystify the writer and the writing life by bringing a 'real life' author to Somerset libraries and enabling community members and aspiring writers to meet someone who makes their living through writing.

For Somerset libraries, it has been an opportunity to celebrate the creative experience and actively support people who 'create'. The role of the library as a link between writer and reader is critical and really, who better than libraries to nurture and celebrate this role.

Donita Bundy is Writer in Residence at Esk Library from July to November 2019. Donita is also running a series of creative writing workshops across the Somerset region with workshops taking place in -

Fernvale

Week 1 – Saturday 20 July – 9am to 12pm
 Week 2 – Saturday 27 July – 9am to 12pm
 Week 3 – Saturday 3 August – 9am to 12pm
 Week 4 – Saturday 10 August – 9am to 12pm

Kilcoy

Week 1 – Saturday 24 August – 9am to 12pm
 Week 2 – Saturday 31 August – 9am to 12pm
 Week 3 – Saturday 7 September – 9am to 12pm
 Week 4 – Saturday 14 September – 9am to 12pm

Esk

Week 1 – Saturday 12 October – 9am to 12pm
 Week 2 – Saturday 19 October – 9am to 12pm
 Week 3 – Saturday 26 October – 9am to 12pm

Week 4 – Saturday 2 November – 9am to 12pm

Somerset Libraries – databases

Somerset Libraries eresources are an important component of the service collection, providing reliable, high quality content to information databases and materials that are otherwise not found on the web.

24/7 access to resources allows residents to navigate library opening hours and locations with staff on hand to help navigate an often-complex digital landscape.

Somerset libraries collects and subscribes to a wide range of digital resources, covering a range of subjects and information for learning, research and leisure.

Account	Unique visits	Notes
Beamafilm	99	
Haynes	11	<i>Subscribed June 2019</i>
Storybox	11	
Transparent Language	3	
World Trade Press	4	<i>Subscribed June 2019</i>
Ziptales	610	<i>June/July</i>
Total	738	

Libraries have long been a foundation for a literate society, and thus an important platform for democratic participation. Digital technologies have radically transformed processes of storing and distributing information and 'human stories'. Consequently, libraries are adapting to support new forms of literacy and a new kind of public sphere emerging in the wake of a digital culture.

For Queensland libraries, the effects of a digital culture are visible in statistics showing that membership figures remain steady even as the number of physical items circulated by libraries has declined (State Library of Queensland 2014b).

Library participation is increasingly being driven by a wide range of 'non-traditional' services, resources and activities that now form an integral part of the library's institutional function.

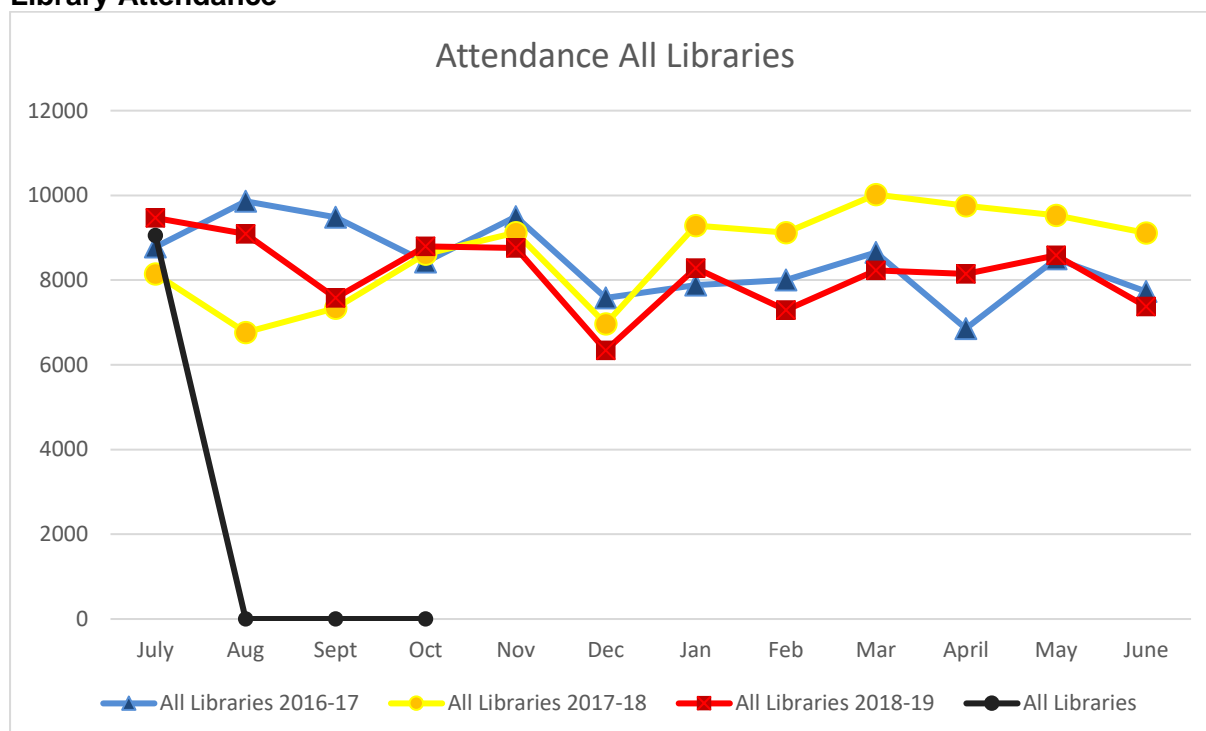
Upcoming Events and activities

Libraries offer more than just books - Somerset libraries run regular activities, clubs and events which include book groups, music and cultural events, talks and children's activities.

Tea, Cake and Technology; Esk Library – 1 August
Tea, Cake and Technology; Toogoolawah Library – 5 August
Supercharged – Abundant Energy for Life; Kilcoy Library, 13 August
Supercharged – Abundant Energy for Life; Lowood Library, 14 August
Supercharged – Abundant Energy for Life; Esk Library, 15 August
Superhero Games night; Lowood Library, 19 August
Pizza and movie night; Kilcoy Library, 21 August
C&K Kindergarten visit; Toogoolawah Library, 22 August
STEAM WEEK – Chemical Reactions – Kilcoy Library, 23 September
STEAM WEEK – Play with a Sphero – Kilcoy Library, 24 September
STEAM WEEK – Earthquake resistance – Kilcoy Library, 25 September
STEAM WEEK – Geometric Whirls – Kilcoy Library, 26 September
STEAM WEEK – Dinosaur Theme Park – Kilcoy Library, 27 September

Escape room – Lowood Library; 24 September
Escape room – Lowood Library; 26 September
Escape room – Lowood Library; 2 October
Escape room – Lowood Library; 3 October
Art and Craft Extraordinaire – Lowood Library; 25 September
Drama workshop – Kilcoy Library, 2 October
Drama workshop – Lowood Library, 3 October
Drama workshop – Esk Library, 4 October
Nature Wands – Esk Library, 23 September
Nature Wands - Lowood Library; 27 September
Nature Wands – Kilcoy Library; 30 September
Nature Wands -Toogoolawah Library; 4 October

Library Attendance



Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Whalley

Seconded – Cr Ogg

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

Carried

Vote - Unanimous

Subject:	Sport and Recreation report - 21 August 2019
File Ref:	Governance - Reporting - Officer Reports
Action Officer:	SRO

Background/Summary

The following report contains an overview of current activities of the Sport and Recreation Officer (SRO), an update of projects and future proposals as of 21 August 2019.

1. Executive Summary – Key Highlights for July 2019

Indoor Sport Centre patronage rates remained consistent with yearly trends for the month of July. The transition of a new venue manager into the Fernvale Indoor Sports Centre has commenced and will be pragmatically managed through the months of August and September. The Council and PCYC have established a working group to ensure open lines of communication between the parties and assist with ease of transition.

Aquatic facility and pool operations remain on track, with maintenance and capital works being pragmatically managed. Regular correspondence is being made between the Council and the venue manager, Somerset Leisure.

Planning for the September and October School Holidays has commenced. The SRO and Youth Engagement Officer drafted a survey for completion by parents and disseminated throughout the region. Results have been presented in this report.

The SRO has completed an updated draft of the Club Toolkit for local sport and recreation clubs. SRO to finalise and distribute to local clubs within the next month. The SRO has also completed an update of the Active and Healthy Directory, renaming it to the Sport and Recreation Directory.

SRO has begun planning a further Somerset Primary Schools cup for the schools based in the southern parts of the region (e.g. Minden, Fernvale, Lowood SS, Prenzlau) based on the successful format implemented in the central area. The Somerset Sports Cup, featuring High Schools from throughout the region is scheduled for Friday 23 August.

2. Indoor sport and gymnasium operations

Please note that the highlights are from the July sports facility reports.

Fernvale Indoor Sports Centre

- There were 1,717 attendees at the centre in July 2019.
- Gym memberships for July (198) were above figures recorded in the previous month (189) and on par with figures recorded during the same period last year (202).
- The indoor cricket competition grew from four to eight teams this season.
- Marketing initiatives included keeping the Facebook page updated with regular posts as well as other forms of social media including Instagram, a volunteering presence at the Somerset Rail Trail Fun Run or Ride and promotion of “Your Summer Body Made This Winter” program.
- There were no incidents recorded for the month of July.

Toogoolawah Community Gym

- Attendances in classes and general gym usage in July was 418, a record monthly

- attendance for the facility and significantly above the monthly average (no graph, first month of the financial year)
- The facility is retaining members though is at capacity with individuals increasingly travelling to Kilcoy to access the larger and more freely accessible facility.
- Jayne Mackenzie continues to advocate for a larger facility, which is supported by sustained membership and attendance.
- Internal marketing initiatives for July included -
 - promoting free passes for new enquiries, 'bring a friend' free events, and free parent passes;
 - promoting Kilcoy Army Cadets;
 - promoting reciprocal memberships with the Kilcoy Indoor Sports Centre; and
 - promotion of SRC activities and events.
- External marketing initiatives for July included -
 - Jayne Mackenzie's regular local newspaper column;
 - social media promotions;
 - donating to the local police fundraiser;
 - free passes distributed through local sporting club;
 - stories / adverts in local papers;
 - social media promotions; and
 - free pass promotions for local business.
- There were no incidents recorded for the month of July.

Kilcoy Indoor Sports Centre and Gym

- There were 1,737 attendees at the centre in July (no graph, first month of the financial year).
- Internal marketing initiatives for July included:
 - promoting council events;
 - display adverts;
 - promoting new initiatives (Army Cadets);
 - promotion of Kilcoy Yowie Park Run;
 - utilising new database function which sends birthday wishes to members;
 - promotion of fitness challenge; and
 - fundraising for member competing in the Australian wood chop final.
- External marketing initiatives for July included:
 - Jayne Mackenzie's weekly column for the local paper;
 - promotion of programs and events;
 - attending the Kilcoy SHS Expo;
 - attending local Chamber of Commerce meeting;
 - social media promotion; and
 - advertising in school newsletter.
- There were no incidents recorded for the month of July.

3. Swimming pool operations

The Esk Swimming Pool, Lowood Swimming Pool, Kilcoy Aquatic Centre and Toogoolawah

Swimming Pool are now closed for the season.

Maintenance and capital works tasks are being pragmatically targeted.

SRO attended Royal Life Saving Society Queensland Aqua Futures Conference at BLK Performance Centre, Runaway Bay 16 – 18 August. SRO was able to liaise with a range of contacts regarding best practice pool operation and will apply a number of learnings to the upcoming 2019-2020 season.

4. Collaborate with local sport and recreation organisations in delivering activities and events that maximise facility use and provide access to opportunities and quality tuitions for residents, particularly young people

In planning for the September – October School Holiday Program SRO has liaised with local clubs and organisations to schedule activities within the region. Activities (TBC) include canoeing on the Brisbane River and Somerset Dam, a tennis clinic in Esk and gymnastics clinics at PCYC Ipswich.

5. Build effective working relationships with local schools to assist with the development of sporting pathways for students within the region

SRO attended School Principal's Cluster meeting for schools in the southern end of the region at Lowood SHS on 24 July. SRO proposed an additional Somerset Sports Cup for the primary schools in the area based on the current format held in Toogoolawah. The event would be held on the last day of Term 2 2020 at the Fernvale Sports Park, with Council to organise the venue, free transportation and first aid on the day. The principals agreed in principle to the event, with further discussion to occur.

SRO and YEO created and disseminated a survey regarding the Council's School Holiday program. Key results included:

1. The majority of respondents (74.1 per cent) had two or three children.
2. The top ranked activities parents and guardians would like to have incorporated into the program are excursions, recreational / outdoor activities, sporting activities and entertainment events.
3. The top forms of communications that parents would like Council to communicate with them are direct email, flyers and booklets, and the Council Facebook page.
4. 100 per cent of parents and guardians preferred weekday activities during the school holidays to weekend activities.
5. The majority of parents and guardians prefer all day (8am to 5pm) activities, followed by morning (7am to midday).
6. All parents and guardians responded that they are willing to pay for their children to access Council run events, with less than \$20 (48.15 per cent) and \$20 to \$40 (44.44 per cent) being the preferred amounts.
7. The majority of parents and guardians feel comfortable with their children travelling on a bus for more than one hour to attend a Council activity. 55.56 per cent of respondents agreed that they are comfortable and 25.93 per cent strongly agreed.

6. Provide current and best practice administration advice for local sport and recreation clubs

SRO has drafted an updated version of the Club Toolkit, to be published on the Council website and promoted to local clubs. The previous version was released in 2014.

SRO created an updated version of the Active and Healthy Directory and published as the 'Sport and Recreation Directory' on the Council website. SRO to finalise social media contacts for each club, before promoting through the local communities.

SRO has commenced planning for Club Workshops to be conducted in the second half of 2019. Initial workshops to focus on Communications and Succession Planning, before covering additional themes in the future. Workshops to be conducted in multiple areas.

7. Provide for the sporting and recreational needs of the local communities through each indoor sport centre and swimming pool

SRO liaising with stakeholders regarding the Toogoolawah Community Gym and Business Case for a new facility in Toogoolawah. SRO report is currently on track to be submitted to Council in October.

SRO has sort quotations for a Sport and Recreation Needs Analysis for Kilcoy and surrounding areas. Quotations were submitted on Monday 19 August. SRO to finalise successful quote.

SRO collaboratively working with PCYC (incoming venue manager) and Belgravia Leisure (exiting venue manager) regarding venue manager transition.

SRO assisting DCORP in drafting of a Master Plan for the Fernvale Sport Park.

8. Progressively implement Parkland Strategies and Recreation Framework as resources become available

Not applicable for reporting period.

Attachments

Nil

Recommendation

THAT Council receive the Sport and Recreation Report for the month of August 2019 and that the contents be noted.

Resolution

Moved – Cr Whalley

Seconded – Cr Gaedtke

"THAT Council receive the Sport and Recreation Report for the month of August 2019 and that the contents be noted."

Carried

Vote - Unanimous

Subject:	Institute of Public Works Engineering Australasia, Queensland (IPWEAQ)
File Ref:	Officer report
Action Officer:	DOPER

Background/Summary

The Institute of Public Works Engineering Australasia, Queensland (IPWEAQ) is the peak body representing those actively involved in the delivery of public works and services in Queensland.

IPWEAQ is a Not-for-Profit and a registered charity and their purpose is to enhance the quality of life for all Queensland communities by advancing the skills, knowledge and resources available to those involved in the planning and provision of public works and services.

Mr Andrew Johnson, Council Director Operations has recently been elected by members to the position of SWQ Branch President for the next two (2) years. The benefit of Andrew's position as an IPWEAQ Board member to Somerset Regional Council is that Andrew can ensure issues confronting Council are taken into consideration when the Board is considering the development of new engineering solutions.

As the SWQ Branch President, Andrew would be required to participate in the following IPWEAQ activities:

- four all-day board meetings each year held primarily in Brisbane and the Annual Conference (October each year)
- required to attend the annual SWQ Branch conference with the next event scheduled for 20-22 February 2020 in Stanthorpe.

Presently, on the assumption Council is willing to support, Andrew will be officially appointed as the SWQ Branch President at the IPWEAQ annual general meeting on the 25 October 2019.

Andrew has expressed his willingness to accept this voluntary role with IPWEAQ and will put in necessary effort to ensure his primary role with Somerset Regional Council is not compromised.

Attachments

Letter from Institute of Public Works Engineering Australasia, Queensland (IPWEAQ)

Recommendation

THAT Council supports Mr Andrew Johnson, Council Director Operations as the incoming SWQ Branch President to the Institute of Public Works Engineering Australasia, Queensland, with his two-year term to come into effect on the 25 October 2019.

Resolution

Moved – Cr Choat

Seconded – Cr Whalley

"THAT Council supports Mr Andrew Johnson, Council Director Operations as the incoming SWQ Branch President to the Institute of Public Works Engineering Australasia, Queensland, with his two-year term to come into effect on the 25 October 2019."

Carried

Vote - Unanimous

Subject:	Community Assistance Grants 2019 – 20 – Esk Country Golf Club Inc. – Doc Id 1128544
File Ref:	Community Relations – Sponsorships – Donations
Action Officer:	DHRCS

Background/Summary

To assist with the costs associated with prizes the Esk 1000 Golf Day.

Amount requested:	\$1000
Total cost of project:	\$2400
Amount recommended to be granted:	\$ 500

Assessor's Summary

The applicant has requested in writing that this application be considered by Council outside of the specified funding rounds due to the timelines of the event.

Esk Country Golf Club annually hosts a two-day event known as the Esk 1000. The event is a 36-hole competition and attracts players from clubs around the region with prizes given over the two days totalling \$1,000. The club would like to grow the event to the Esk 1000 with \$1,000 in prizes.

The golf club anticipates that this event will:

- Attract new members
- Increase community awareness of the club and its amenities and attractions
- Raise money for the club to maintain the course and machinery which is an ongoing concern.

The applicant states that all prizes and catering for the weekend will be purchased from local businesses and that benefits for the community include:

- Promoting golf as a sport for all ages and conditions
- People visiting for the weekend will visit local businesses and attractions
- Overall this event is aimed at promoting healthy and social benefits for the community.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be recommended for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with purchasing prizes for the Esk 1000 Golf Day.

Resolution

Moved – Cr Choat

Seconded – Cr Hall

"THAT the application as summarised in this report be recommended for funding and \$500 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with purchasing prizes for the Esk 1000 Golf Day."

Carried

Vote - Unanimous

Subject:	Community Assistance Grants – Somerset Excellence Bursary 2019 – 2020 – Annette Dunstan – Doc ID 1127429
File Ref:	Community Relations – Sponsorships – Somerset Excellence Bursaries
Action Officer:	CCSO

Background/Summary

Council has received an application for Somerset Excellence Bursaries as follows:

Applicant	Event	Venue and Date	Level
Annette Dunstan	2019 Australian Indoor Bias Bowls Championship	Mount Gambier Basketball Stadium, Mount Gambier 26-31 August 2019	State

This application is considered as part of the Community Assistance Grant Policy which provides funding of Somerset Excellence Bursaries at a Regional, State or National Level.

Attachments

Nil

Recommendation

THAT Council grant a Sporting Excellence Bursary to the following applicant:

Applicant	Event	Venue and Date	Level
Annette Dunstan	2019 Australian Indoor Bias Bowls Championship	Mount Gambier Basketball Stadium, Mount Gambier 26-31 August 2019	State

Resolution	Moved – Cr Choat Seconded – Cr Brieschke “THAT Council grant a Sporting Excellence Bursary to the following applicant:		
Applicant	Event	Venue and Date	Level
Annette Dunstan	2019 Australian Indoor Bias Bowls Championship	Mount Gambier Basketball Stadium, Mount Gambier 26-31 August 2019	State
Vote - Unanimous			<u>Carried</u>

Subject:	Tourism Advisory Committee Meeting Report - 13 August 2019
File Ref:	Tourism Advisory Committee
Action Officer:	CMM

Background/Summary

A meeting of the Somerset Regional Council Tourism Advisory Committee was held on Tuesday, 13 August 2019.

Attachments

Meeting Report Somerset Regional Council Tourism Advisory Committee

Recommendation

THAT Council receive the Tourism Advisory Committee Meeting Report for August 2019 and that the contents be noted.

THAT the Mayor and Chief Executive Officer communicate to Seqwater Somerset Regional Council's concerns regarding the future leasing opportunities of the Cormorant Bay Café.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Ogg

"THAT Council receive the Tourism Advisory Committee Meeting Report for August 2019 and that the contents be noted.

THAT the Mayor and Chief Executive Officer communicate to Seqwater Somerset Regional Council's concerns regarding the future leasing opportunities of the Cormorant Bay Café."

Carried

Vote - Unanimous

Subject:	Somerset Condensery Gallery Advisory Committee Meeting Report - 19 August 2019
File Ref:	2018-2020 - Condensery Gallery Advisory Committee
Action Officer:	TVISO

Background/Summary

A meeting of the Somerset Regional Council Condensery Gallery Advisory Committee was held on Monday, 19 August 2019.

Attachments

Meeting Report Somerset Regional Council Condensery Gallery Advisory Committee

Recommendation

THAT Council receive the Somerset Condensery Gallery Advisory Committee Meeting Report for August 2019 and that the contents be noted.

THAT Council approves the recommendation of inviting Somerset Art Society Inc. to utilise Somerset Regional Art Gallery – The Condensery as the venue for the next Somerset Art Awards to be held in 2021.

THAT Council approves the exhibition application *Canvas to Cloth* by Jodie Wade and Noela Lowien, to display at Somerset Regional Art Gallery – The Condensery during the year of 2021.

Resolution

Moved – Cr Brieschke

Seconded – Cr Gaedtke

"THAT Council receive the Somerset Condensery Gallery Advisory Committee Meeting Report for August 2019 and that the contents be noted.

THAT Council approves the recommendation of inviting Somerset Art Society Inc. to utilise Somerset Regional Art Gallery – The Condensery as the venue for the next Somerset Art Awards to be held in 2021.

THAT Council approves the exhibition application *Canvas to Cloth* by Jodie Wade and Noela Lowien, to display at Somerset Regional Art Gallery – The Condensery during the year of 2021."

Carried

Vote - Unanimous

Meetings authorised by Council

Nil

Mayor and Councillor Reports

Cr Gaedtke - Councillor report

- 15 August Trade and Investment Queensland and West Moreton Trade and Investment Meeting – Esk
- 15 August Jinibara People Aboriginal Corporation (JPAC) Meeting – Hazeldean.
An interesting meeting that lead to questions that will require a further meeting with Council's Town Planning staff.
- 20 August Sheep Station Creek Progress Association meeting – Kilcoy.
Nick Fredriksen advised that the Sheep Station Creek Progress Association has now been formed and registered. The group will work toward rebuilding the Sheep Station Creek school on the reserve where it was originally sited.
- 22 August Kilcoy Chamber of Commerce – AGM.
A lively meeting where future goals of the group were highlighted. The future aim is to form one regional chamber. A guest speaker from CCIQ gave an in-depth address on the structure and services of the parent organisation.
- 23 August Regional Seniors Event – Esk.
Another great event and acknowledgement must go to staff for organising this enjoyable outing for our seniors.
- 24 August Wall Walk – Somerset Dam.
A brilliant example of a local community group, Somerset Dam and District Progress Association working with Seqwater to provide a very well supported and informative weekend public event.
- 24 August Progresk and the Blue Tree project.
Congratulations to this active community group having completed two successful projects. The Sandy Creek ecological restoration and Brough Bridge project has provided the community and BVRT users with a clean and safe area.
- 27 August Kilcoy Interagency Meeting.
Lack of social / public housing was discussed as an important issue to our region and one to address with other levels of government.

Cr Sean Choat - Councillor report

I commend the Somerset Dam Village for the weekend's activities. Very well received by the

local community and visitors and it was good to see people from other communities also attending. Thanks also to Seqwater.

Cr Helen Brieschke - Councillor report

Aug	15	Meeting with Trade and Investment Group, Esk
		Meeting with CEO Ipswich Hospital Foundation, Esk
	17	Fernvale Fete and Fernvale Artists Exhibition, Fernvale VIC
		Somerset Dam and District Neighbourhood Watch AGM, Somerset Dam
	19	Somerset Regional Art Gallery, The Condensery committee meeting
		Toogoolawah High School P and C meeting, Toogoolawah
	20	BV Bulls Junior Rugby League meeting, Esk
	21	Traffic and Safety Committee meeting, Esk
		Local Disaster Management meeting, Esk
	22	Kilcoy Chamber of Commerce AGM, Kilcoy VIC
	23	Funeral of Mr D Coleman, Toogoolawah
	24	Somerset Dam Wall Tour Week-end and Art and Craft Market, Coronation Hall
	25	Farewell function for Linville Hotel owners
	26	Local Ambulance Committee AGM, Toogoolawah

I would like to acknowledge the Somerset Dam and District Rural Neighbourhood Watch Association who will celebrate the 20th Anniversary of the group at their next meeting on 12 October 2019.

The Toogoolawah Local Ambulance Committee AGM this week, Keith Moore retired from the President's chair and was congratulated on his 20 years of service to the committee.

Cr Dan Hall - Councillor report

Sunday 25 August - Attended the Reel Wivenhoe fishing competition on Sunday, which went well with a good amount of teams taking part.

Friday 23 August - Somerset Seniors Day last Friday was a great day.

Friday 23 August - Attended and presented the Somerset Cup at Toogoolawah.

Mayor Graeme Lehmann - Mayor's report

Thursday 25 July 2019	8.30am	Met with SES representatives at Esk office regarding ongoing SES issues
	10.30am	Attended Glamorganvale Country Women's Association 89th birthday lunch at Glamorganvale Hall
Friday 26 July 2019	9.30am	National Tree Day - attended tree planting at Brisbane Valley Protein Precinct with children from Coominya School
Saturday 27 July 2019	9am	Official opening of the Esk Cultural Festival, Pipeliner Park, Esk with Mr Shayne Neumann.

Monday 29 July 2019	8am	Attended at Esk Office to welcome Acting CEO Mr Bob Holmes.
	5pm	Attended Government House reception with Mrs Lehmann in Brisbane
Tuesday 30 July 2019	7.30am	Breakfast with Mayor of Lockyer Valley Regional Council and representatives from the Queensland Correctional Precinct and service providers.
Wednesday 31 July 2019	10am	Kilcoy Race Course building site inspection with Councillors and Acting CEO
	1pm	Fam tour of the northern part of the region with Acting CEO and Deputy Mayor.
Friday 2 August 2019	9am	Interview at Esk with Mr Baz Ruddick from the ABC regarding Kilcoy Bypass and truck effluent issues
	10am	Radio interview with 94.9 regarding road safety week
	10.30am	Radio interview with ABC radio regarding fire ant issue in the Somerset region.
Saturday 3 August 2019	11am	Attended flag pole dedication ceremony at Jimna Hall.
Monday 5 August 2019		Travelled to Roma to attend the LGAQ Bush Council Convention with Deputy Mayor Hall.
6 - 8 August 2019		Visited Roma saleyards wash down area, and Roma PCYC.
Friday 9 August 2019	2pm	Council of Mayors teleconference regarding Olympic Feasibility Study.
Saturday 10 August 2019	10am	Attended Lowood Kindergarten Fete
Sunday 11 August 2019	12 noon	Attended Kilcoy Motor Cycle Race Day and presented trophies.
Tuesday 13 August 2019	1pm	Tourism Advisory Committee meeting, Esk
	3pm	Economic Development Committee meeting, Esk
Wednesday 14 August 2019	9am	Somerset Regional Council meeting
Thursday 15 August 2019	10.30am	Meeting with West Moreton Trade and Investment Group, at Esk.
	1pm	Meeting at Esk with Mr James Sturgess, CEO of Ipswich Hospital Foundation with Cr Brieschke and Acting CEO Bob Holmes.
Friday 16 August 2019	8.30am	Attended meeting with Historic Race Car Club at Fernvale regarding old Tarampa race precinct, event to be arranged.
	12 noon	Attended Council of Mayors Waste Working Group meeting, Brisbane.
	6pm	Attended launch of the Reel Wivenhoe Classic fishing competition at Wivenhoe Dam.

Saturday 17 August 2019	4pm	Attended Reel Wivenhoe Classic for lucky draws and prize presentations.
Tuesday 20 August 2019	10.30am	Meeting with Mr Nick Frederickson, Acting CEO Mr Bob Holmes, Director Operations, Director Planning, Director Corporate and Community services and Crs Hall and Gaedtke regarding Sheep Station Creek School.
	3pm	Delegation to Deb Frecklington's office, Parliament House, Brisbane regarding Lockyer Valley and Somerset Water Collaborative with Mayor Milligan, Chief Executive Officers Locker Valley Regional Council and Somerset Regional Council and Mr Jim McDonald, Member for Lockyer.
	7pm	Somerset Wivenhoe Fish Stocking Association meeting at Fernvale Futures.
Wednesday 21 August 2019	9.30am	Traffic Safety and Community Committee meeting at Esk
	11am	Local Disaster Management Meeting at Esk
	1pm	Meeting with Acting CEO regarding CEO recruitment.
	6pm	Fernvale Lions Meeting regarding upcoming Relay for Life Event.
Thursday 22 August 2019	9.30am	Meeting with recruitment agency representatives.
	7pm	Kilcoy Chamber of Commerce meeting at the Kilcoy Visitor Information Centre.
Friday 23 August 2019	9am	Somerset Seniors Day Event at the Somerset Civic Centre, Esk.
	2.30pm	Attended Lockyer and Somerset Water Collaborative meeting at Gatton with Acting CEO.
Saturday 24 August 2019	8.30am	Attended Lowood Truck Show at the Lowood Showgrounds.
	10am	Attended Seqwater Famil Tour with the Somerset family at Somerset Dam.
	1.30pm	Attended 25th Anniversary of the turning of the sod at Glengarry Education Centre at Atkinsons Dam.
Sunday 25 August 2019	7am	Attended Sled Dog fundraising event for the Esk Scout Group at Esk State Forest.
	12 noon	Attended Somerset Dam / Seqwater event and markets at Coronation Hall.
Monday 26 August 2019	10am	Meeting with Assistant Commissioner Kevin Walsh from QFES with Acting CEO.
	7pm	Lowood Lions information night at the Lowood Bowls Club to support the funding of the child life-like mannequin for the Lowood Ambulance Station.
Tuesday 27 August 2019	2pm	Meeting with Mr Kerry Ryan and Acting CEO at Minden regarding inspection of easement.

Summary

Moved – Cr Brieschke

Seconded – Cr Whalley

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

Carried

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Staff Service Presentation - Mr Bruce Small

The Mayor presented a Certificate of Service and gift to Mr Bruce Small (Grader Operator) in recognition of 15 years' service to Council. The Mayor and Councillors thanked Mr Small for his service.

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 9.45am.

APPENDIX A

Offence Codes to be Created

New Offence Code (20 characters)	Date new code to commence	Full Name of Legislation (50 characters)	Section (50 characters)	Short / Common Description of Offence (150 characters)
PDA01	28 August 2019	Plumbing and Drainage Act 2018	40(2)	Failure of licensee to return licence to the commissioner within 10 business days after receiving the notice.
PDA02	28 August 2019	Plumbing and Drainage Act 2018	44(2)	Failure of licensee to give the commissioner notice of the change within 20 business days after the change.
PDA03	28 August 2019	Plumbing and Drainage Act 2018	48(5)	Failure to comply with the notice within 10 business days after receiving the notice.
PDA04	28 August 2019	Plumbing and Drainage Act 2018	56(1)	A person must not carry out plumbing or drainage work unless the person holds a licence for the work.
PDA05	28 August 2019	Plumbing and Drainage Act 2018	57(1)	A person (a supervisor) must not supervise another person carrying out plumbing or drainage work unless the supervisor holds a licence for the work.
PDA06	28 August 2019	Plumbing and Drainage Act 2018	57(2)	A licensee must not supervise another person carrying out plumbing or drainage work unless the other person holds a licence for the work.
PDA07	28 August 2019	Plumbing and Drainage Act 2018	57(3)	A licensee must not direct another person to carry out plumbing or drainage work unless the other person holds a licence for the work.
PDA08	28 August 2019	Plumbing and Drainage Act 2018	59(1)	Failure to — (a)provide direction to the trainee or unlicensed person on how to carry out the work; and or (b)ensure the work complies with this Act.
PDA09	28 August 2019	Plumbing and Drainage Act 2018	60	A licensee must not contravene a condition of the licensee's licence.
PDA10	28 August 2019	Plumbing and Drainage Act 2018	61(1)	Failure of a provisional licensee to carry out plumbing or drainage work under supervision of a person who holds a licence.
PDA11	28 August 2019	Plumbing and Drainage Act 2018	62(2)	Failure to return a licence to the commissioner within 10

New Offence Code (20 characters)	Date new code to commence	Full Name of Legislation (50 characters)	Section (50 characters)	Short / Common Description of Offence (150 characters)
				business days after receiving an information notice about the suspension or cancellation.
PDA12	28 August 2019	Plumbing and Drainage Act 2018	63(3)	Failure to return the licence to the commissioner within 10 business days after the day the surrender takes effect.
PDA13	28 August 2019	Plumbing and Drainage Act 2018	64(1)	Failure to comply with code requirements for plumbing or drainage work.
PDA14	28 August 2019	Plumbing and Drainage Act 2018	64(2)	Failure to comply with code requirements when preparing a plan for plumbing or drainage work.
PDA15	28 August 2019	Plumbing and Drainage Act 2018	65(1)	A person must not install, as part of plumbing or drainage work, a thing unless the thing is a thing mentioned in section 65(1)(a) to (f).
PDA16	28 August 2019	Plumbing and Drainage Act 2018	66(1)	Failure to carry out work with a permit or failure to comply with permit or permit conditions.
PDA17	28 August 2019	Plumbing and Drainage Act 2018	66(2)	A person must not direct another person to carry out permit work unless a permit has been issued for the work.
PDA18	28 August 2019	Plumbing and Drainage Act 2018	67(1)	A person must not direct another person to carry out plumbing or drainage work in a way that does not comply with the code requirements for the work.
PDA19	28 August 2019	Plumbing and Drainage Act 2018	67(3)	A person must not direct another person to install, as part of plumbing or drainage work, a thing unless the thing is a thing mentioned in section 65(1)(a) to (f).
PDA20	28 August 2019	Plumbing and Drainage Act 2018	68(1)	In carrying out plumbing work, a person must not do anything likely to pollute water in a water service provider's water service.
PDA21	28 August 2019	Plumbing and Drainage Act 2018	68(2)	In carrying out drainage work, a person must not do anything likely to pollute a sewerage service provider's sewerage system.
PDA22	28 August 2019	Plumbing and Drainage Act 2018	69(1)	A person must not use plumbing or drainage that is the result of permit work, unless an inspection certificate or final inspection certificate has been issued.
PDA23	28 August 2019	Plumbing and Drainage Act 2018	70(1)	The owner of premises must take all reasonable steps to

New Offence Code (20 characters)	Date new code to commence	Full Name of Legislation (50 characters)	Section (50 characters)	Short / Common Description of Offence (150 characters)
				ensure all plumbing and drainage on the premises is kept in good condition and operates properly.
PDA24	28 August 2019	Plumbing and Drainage Act 2018	70(2)	Failure of the owner of the premises to ensure the plumbing or drainage is operated and maintained in compliance with the conditions of the permit.
PDA25	28 August 2019	Plumbing and Drainage Act 2018	71	Unauthorised removal of a backflow prevention device installed at premises; or tampering with a backflow prevention device to make the device inoperable.
PDA26	28 August 2019	Plumbing and Drainage Act 2018	72(1)	Unauthorised removal of a temperature control device installed at premises; or tampering with a temperature control device installed at premises to make the device inoperable.
PDA27	28 August 2019	Plumbing and Drainage Act 2018	73(1)	A person must not tamper with a water meter.
PDA28	28 August 2019	Plumbing and Drainage Act 2018	74(1)	Failure of owner of premises to ensure waste and water from a toilet or soil fixture on the premises is discharged properly
PDA29	28 August 2019	Plumbing and Drainage Act 2018	75(1)	A person must not discharge waste into an on-site sewage facility unless the waste is sewage that the facility is designed to receive.
PDA30	28 August 2019	Plumbing and Drainage Act 2018	75(2)	A person must not discharge a prohibited substance into an on-site sewage facility.
PDA31	28 August 2019	Plumbing and Drainage Act 2018	76(1)	Failure of a person to dispose of effluent from an on-site sewage facility installed on premises properly.
PDA32	28 August 2019	Plumbing and Drainage Act 2018	76(3)	Failure to dispose of the contents, other than effluent, of an on-site sewage facility only to a place, and in a way, stated in the permit for the installation of the facility.
PDA33	28 August 2019	Plumbing and Drainage Act 2018	77	A person must not dispose of the contents of a greywater treatment plant into the sewerage system for the area in which the plant is located.
PDA34	28 August 2019	Plumbing and Drainage Act 2018	78(1)	Failure of owner of premises to ensure kitchen greywater from plumbing or drainage on the premises is discharged properly.
PDA35	28 August 2019	Plumbing and Drainage Act 2018	79(3)	Failure of the owner of the premises in a sewered area to

New Offence Code (20 characters)	Date new code to commence	Full Name of Legislation (50 characters)	Section (50 characters)	Short / Common Description of Offence (150 characters)
				ensure the greywater is discharged properly.
PDA36	28 August 2019	Plumbing and Drainage Act 2018	79(4)	If the premises are not in a sewered area, the owner of the premises must ensure the greywater is discharged properly.
PDA37	28 August 2019	Plumbing and Drainage Act 2018	79(5)	Failure of the owner of premises in a sewered area to ensure the greywater is used on the premises properly.
PDA38	28 August 2019	Plumbing and Drainage Act 2018	80(1)	The owner of premises must not allow any part of a stormwater installation for the premises to be connected to— (a) an on-site sewage facility; or (b) a sanitary drain.
PDA39	28 August 2019	Plumbing and Drainage Act 2018	83(3)	Failure to provide within 20 business days after the notifiable work is finished, a notice and /or explanatory statement.
PDA40	28 August 2019	Plumbing and Drainage Act 2018	86	A person must not advertise a thing as, or make a representation that a thing is, a thing mentioned in section 65(1)(a), (c), (d), (e) or (f) if it is not.
PDA41	28 August 2019	Plumbing and Drainage Act 2018	87(1)	A person must not obstruct an inspector exercising a power under this Act.
PDA42	28 August 2019	Plumbing and Drainage Act 2018	121(2)	The person must immediately give notice of the conviction to the chief executive, unless the person has a reasonable excuse.
PDR01	28 August 2019	Plumbing and Drainage Regulation 2019	63(1)	The responsible person for the work must make a request, complying with subsection (3), to the local government to inspect the work.
PDR02	28 August 2019	Plumbing and Drainage Regulation 2019	63(5)	Failure to provide the local government a notice in approved form stating responsible person's name and contact prior to requesting an inspection.
PDR03	28 August 2019	Plumbing and Drainage Regulation 2019	64(4)	Failure to give an inspector the help the inspector reasonably requires to inspect the work unless the person has a reasonable excuse.
PDR04	28 August 2019	Plumbing and Drainage Regulation 2019	72(2)	Failure to provide the local government a notice in the approved form (a remote area compliance notice) within 10 business days after the plumbing or drainage resulting from, or affected by, the work has become operational and fit for use.

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PDR05	28 August 2019	Plumbing and Drainage Regulation 2019	77(2)	Failure to prepare and sign a report in the approved form (a testing or commissioning report)
PDR06	28 August 2019	Plumbing and Drainage Regulation 2019	77(3)	Failure to provide the testing or commissioning report to the responsible person within 5 business days after the testing or commissioning is finished.
PDR07	28 August 2019	Plumbing and Drainage Regulation 2019	77(4)	Failure to provide a testing or commissioning report to the local government within 10 business days after the testing or commissioning is finished; or if a local government decides a longer period.
PDR08	28 August 2019	Plumbing and Drainage Regulation 2019	98(2)	Failure of the responsible person to, unless the person has a reasonable excuse, comply with the notice within the period for taking action stated in the notice (the stated period); or if an inspector decides the longer period.
PDR09	28 August 2019	Plumbing and Drainage Regulation 2019	100(2)	Failure to give notice that the water meter has been installed to the water service provider for the building.
PDR10	28 August 2019	Plumbing and Drainage Regulation 2019	102(2)	Failure to register the testable backflow prevention device with the local government
PDR11	28 August 2019	Plumbing and Drainage Regulation 2019	102(4)	Failure of the owner of the premises to also arrange for a backflow prevention licensee to maintain and test the device at least once each year after the device is registered.
PDR12	28 August 2019	Plumbing and Drainage Regulation 2019	103(3)	Failure to give notice of the relevant work in the approved form to the local government; and the owner of the premises within 10 days of carrying out the work.
PDR13	28 August 2019	Plumbing and Drainage Regulation 2019	106(1)	Failure of a person who services a greywater use facility or on-site sewage facility to provide a service report within 10 business days after servicing the facility.
PDR14	28 August 2019	Plumbing and Drainage Regulation 2019	108(3)	Failure of the owner of a building who is given a notice under subsection (2) to comply with the notice.

Appendix B**Offence Codes to be Removed**

Existing Offence Code	Full Name of Legislation (50 Characters)	Section (50 Characters)	Short/Common Description of Offence (150 Characters)
PD02	Plumbing and Drainage Act 2002	119	Perform directed or supervised licenced work without license
PD03	Plumbing and Drainage Act 2002	122	Contravention of licence conditions.
PD05	Plumbing and Drainage Act 2002	82(1)	Plans and all plumbing and drainage work must comply with Regulation.
PD06	Plumbing and Drainage Act 2002	83(1)	Compliance assessable work without a permit or contravening conditions of permit.
PD08	Plumbing and Drainage Act 2002	113	Inspector to return identity card on ceasing to be an inspector
PD09	Plumbing and Drainage Act 2002	123(1)	Holder of provisional licence not to enter contracts
PD10	Plumbing and Drainage Act 2002	123(2)	Holder of provision licence to perform work under supervision
PD11	Plumbing and Drainage Act 2002	125	Restriction on building or installing particular on-site sewage treatment plant
PD12	Plumbing and Drainage Act 2002	126	Restriction on building or installing greywater use facility
PD13	Plumbing and Drainage Act 2002	127	Restriction on building or installing chemical composting or incinerating toilet
PD14	Plumbing and Drainage Act 2002	127A	Restriction on dismantling or taking away greywater treatment plant
PD15	Plumbing and Drainage Act 2002	128	Restriction on dismantling or taking away on-site sewage facility
PD16	Plumbing and Drainage Act 2002	128A(1)	Offence to pollute service providers services
PD17	Plumbing and Drainage Act 2002	128B	Owners obligation to ensure compliance with conditions of compliance certificate
PD18	Plumbing and Drainage Act 2002	128C	Restriction on operating chemical composting or incinerating toilet
PD19	Plumbing and Drainage Act 2002	128D	Restriction on operating particular on-site sewerage facilities

Existing Offence Code	Full Name of Legislation (50 Characters)	Section (50 Characters)	Short/Common Description of Offence (150 Characters)
PD20	Plumbing and Drainage Act 2002	128E	Restrictions on operating particular on-site sewage
PD21	Plumbing and Drainage Act 2002	128F	Restrictions on operating greywater use facility
PD22	Plumbing and Drainage Act 2002	128I	Prohibition on removing or tampering with backflow prevention devices
PD23	Plumbing and Drainage Act 2002	128J(1)	Prohibition on removing or tampering with hot water control devices
PD24	Plumbing and Drainage Act 2002	128K(1)	Offence about discharging blackwater
PD25	Plumbing and Drainage Act 2002	128L	Offence about discharging kitchen greywater from premises
PD26	Plumbing and Drainage Act 2002	128N(1)	Offence to discharge waste other than sewage into an on-site sewerage facility
PD27	Plumbing and Drainage Act 2002	128N(2)	Offence to discharge a prohibited substance into an on-site sewerage facility
PD28	Plumbing and Drainage Act 2002	128OA	Disposal of contents of greywater treatment plant
PD29	Plumbing and Drainage Act 2002	128P(1)	Disposal of contents of an on-site sewerage facility installed only for testing purposes
PD30	Plumbing and Drainage Act 2002	128P(2)	Disposal of contents of on-site sewerage facility in a place / way approved by Council
PD31	Plumbing and Drainage Act 2002	128P(3)	Requirement to dispose of certain contents to sewer
PD32	Plumbing and Drainage Act 2002	128P(4)	Requirement to dispose of certain contents to a common effluent drainage or other place / way approved by Council
PD33	Plumbing and Drainage Act 2002	128T(1)	Obstruction of investigators or inspectors
PDR01	Standard Plumbing and Drainage Regulation 2003	18(1)	Person who makes request under s86(2) for compliance assessment regulated or sewerage work must request at least 2 business days before work starts
PDR02	Standard Plumbing and Drainage Regulation	19(2)	Person must request an assessment of the work at each of the applicable

Existing Offence Code	Full Name of Legislation (50 Characters)	Section (50 Characters)	Short/Common Description of Offence (150 Characters)
	2003		stages within 7 days after the work is completed
PDR03	Standard Plumbing and Drainage Regulation 2003	19B	Responsible person must notify of a change of responsible person
PDR04	Standard Plumbing and Drainage Regulation 2003	20(4)	Person must within 2 business days comply with written notice of inspector and make a request for assessment of the work that is subject of the notice
PDR05	Standard Plumbing and Drainage Regulation 2003	21(1)	Person must not cover plumbing/drainage/onsite sewerage facility unless inspector assessed/allowed it to be covered/accepted notice of compliance
PDR06	Standard Plumbing and Drainage Regulation 2003	21(5)	Person must provide verification required of the person
PDR07	Standard Plumbing and Drainage Regulation 2003	22(4)	Approved person must within 5 business days after testing or commissioning the plumbing or drainage give the responsible person a compliance report
PDR08	Standard Plumbing and Drainage Regulation 2003	22(6)	Response person for the regulated work must give the local government compliance report within 10 business days or longer if local government allows
PDR09	Standard Plumbing and Drainage Regulation 2003	26	Person who makes request under s86A(2) for compliance assessment regulated/onsite sewerage work must request at least 2 business days before work starts
PDR10	Standard Plumbing and Drainage Regulation 2003	30(1)	Person must not install or use a plumbing or drainage item in plumbing or drainage if the item is not a certified item
PDR11	Standard Plumbing and Drainage Regulation 2003	37	Person who inspects or tests a backflow prevention device must within 10 business days give the local government written results of the inspection or test
PDR12	Standard Plumbing and Drainage Regulation	38(3)	Owner of installed testable backflow prevention device must register with

Existing Offence Code	Full Name of Legislation (50 Characters)	Section (50 Characters)	Short/Common Description of Offence (150 Characters)
	2003		local government / entity and have device inspected / tested by person licensed to do
PDR13	Standard Plumbing and Drainage Regulation 2003	38(4)	Person who inspects or tests a backflow prevention device must within 10 business days give the local government written results of the inspection or test
PDR14	Standard Plumbing and Drainage Regulation 2003	52(3)	Owner given written notice must comply with notice (either new buildings owner pay cost changing vents on building/old buildings owner change vents)
PDR15	Standard Plumbing and Drainage Regulation 2003	54A(2)	Responsible person must at least 2 business days before covering plumbing work fixed give water provider written notice meters proposed to be installed