



**Minutes of Ordinary Meeting  
Held Wednesday, 28 October 2020**

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

**Present**

Cr Graeme Lehmann	(Mayor)
Cr Helen Brieschke	(Deputy Mayor)
Cr Sean Choat	(Councillor)
Cr Cheryl Gaedtke	(Councillor)
Cr Kylee Isidro	(Councillor)
Cr Jason Wendt	(Councillor)
Cr Bob Whalley	(Councillor)
Mr A Johnson	(Chief Executive Officer)
Mr C Young	(Director Operations)
Mr L Hannan	(Director Planning and Development)
* Mrs M Jelf	(Senior Planner)
Mr G Smith	(Director Finance)
Mrs K Jones	(Director HR and Customer Service)
Mrs S Pitkin	(Minute Secretary / Executive Assistant)
Ms M Maesele	(Communications and Marketing Manager)

\* Denotes partial attendance

**Apology**

Mr M McGoldrick	(Director Corporate and Community Services)
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**Opening of Meeting**

The Mayor, Cr Graeme Lehmann, opened the meeting at 9.04 am.

**Leave of Absence**

The Chief Executive Officer informed the meeting that Matthew McGoldrick (Director Corporate and Community Services), was unable to join the meeting today.

**Confirmation of Minutes****Resolution**

Moved – Cr Choat

Seconded – Cr Wendt

“THAT the Minutes of the Ordinary Meeting held 14 October 2020 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 Brieschke - Matters of Public Interest***November*

2 Toogoolawah Local Ambulance Committee AGM, 5.30 pm

11 Toogoolawah Show Society AGM, 7.30 pm

**Cr Gaedtke - Matters of Public Interest**

Along with my daughter and granddaughters, I attended the Curious Festival held at the Empire Theatre, Toowoomba on Saturday 17 October. This was a great family event with lots of entertainment, bubbles and fun. I appreciated the festival theme – “the future belongs to the curious”. Council has been fortunate with the recent collaboration with this establishment and the opportunity for our local youth who are interested in the arts to take part in the Empire Youth Theatre right here in Esk.

A local resident reported the story of the little tractor and trailer on route around our region. The driver and his offsider are fundraising for a charity. The gentleman is known as The Travelling Jackaroo and is collecting for and supporting Dolly's Dream. He has been welcomed to the Dolly's Dream fundraising team in an effort not only to raise funds, but also raise important awareness against bullying. The Travelling Jackaroo plans to complete a trip around Australia raising funds.

It may be reflective of the COVID times; however, a local real estate agent in Kilcoy has been named as number one selling agent for their franchise in Australia for the month of October. Well done to the team.

## Cr Isidro - Matters of Public Interest

*October*

30 Council of Mayors Councillor Day – Brisbane

*November*

7 SASI AGM - Esk

## Cr Choat - Matters of Public Interest

Saturday is the State election. I would like to place on record our thanks to our two local MP's Ms. Deb Frecklington MP and Mr. Jim McDonald, Member for Lockyer. All Councillors and staff would agree they are good local members. Locally we are in good hands, we get listened to, we get respected and we get supported. Somerset region could be a serious player in the future of Queensland. Thank you and all the best.

## Conflict of Interest

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

<b>Subject:</b>	<b>Development Application No 19410 - Application for a Development Permit for Material Change of Use for a Multi-Purpose School Hall</b>
<b>File No:</b>	<b>DA19410</b>
<b>Action Officer:</b>	<b>SP - MW</b>
<b>Assessment No:</b>	<b>80673-00000-000</b>

## 1.0 APPLICATION SUMMARY

### Subject Land

Location	Seib Street, Kilcoy
Real Property Description	Lot 383 CG3882
Area	4.0549 hectares
Current land use	Kilcoy State High School

### Somerset Region Planning Scheme Version Three

Zone	Community Facilities
Overlays	Catchment management

### ShapingSEQ

Land Use Category	Urban Footprint
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### Application

Proposed development	Multi-Purpose School Hall
Level of Assessment	Code
Applicant/s	M Design
Applicants contact details	PO Box 290 Peregian Beach QLD 4573 Attn: Michael Broeren
Date application received	21 May 2019
Date properly made	11 June 2020

<b>Referral Agencies</b>	Not applicable
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<b>Public Notification</b>	Not applicable
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## RECOMMENDED DECISION

Approve the Development Application No 19410 subject to the requirements and conditions contained in the Schedules and Attachments.

### 2.0 PROPOSAL

The applicant proposes to construct a Multi-Purpose School Hall at the Kilcoy State High School, utilising the existing roofed basketball court area.

The proposed plans of development are provided in **Attachments 1-7**.

The basketball court is the southernmost building on the school site, and is lower on site than the other buildings on site.

Extensions to the building are proposed at each end of the building. The works at the western end of the building comprise a performance stage, change rooms and a toilet, and the works at the eastern end of the building include additional storage area and a mezzanine control room.

The site has frontage to Seib Street, however access to the proposed building is generally limited to staff and students of the school. The general public is required to gain permission to enter the site.

Given the development is ancillary to the operation of the school, it is considered the development does not warrant provision of additional off-street parking.

The works at the western end of the building may extend over two 750mm diameter stormwater pipes that convey water from Seib Street to Kilcoy Creek. The applicant has confirmed that if required, the client would realign the stormwater pipes at their expense.

### 3.0 SITE DETAILS AND SURROUNDING LAND USES

The subject site is an irregular shaped allotment with a frontage to Seib Street along the western boundary and a northern frontage to the eastern end of Taylor Street. The site adjoins Kilcoy Creek to the east and council owned recreation facilities to the south.

The building site slopes gently to the southwest, but the site ultimately drains to the east, toward Kilcoy Creek.

### 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

The State Planning Policy (SPP) has been updated since the Somerset Region Planning Scheme came into effect. As such, assessment against the SPP is required, however, the relevant components of the SPP have not been altered since the planning scheme came into effect.

#### 4.2 *Vegetation Management Act 1999*

As per the State government's Mapping System, the site does not contain regulated vegetation.

#### 4.3 **Environmental Protection Act 1994**

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

#### 4.4 **Planning Regulation 2017**

The development does not trigger referral to the State Assessment and Referral Agency (SARA).

### 5.0 **COUNCIL ASSESSMENT**

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

#### 5.1 **Strategic Framework**

The development is subject to Code assessment and therefore does not require assessment against the Strategic Framework.

#### 5.2 **Code Compliance Summary**

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Emerging community zone code	Yes	Complies
Communities activities code	Yes	Complies
Services, works and infrastructure code	Yes	Alternative solutions provided for PO9 and PO10
Transport, access and parking code	Yes	Complies
Catchment management overlay code	Yes	Alternative solution provided for PO3

Parts of the site are subject to the Bushfire hazard overlay, the Flood hazard overlay, the Infrastructure overlay and the Landslide hazard overlay, but not the areas affected by the building footprint of the building.

#### **Services, works and infrastructure code**

<b>Performance outcomes</b>	<b>Examples</b>
<b>Protection of infrastructure</b>	
<b>PO9</b> <i>Development near utility services does not:</i> <ul style="list-style-type: none"> <li>(a) adversely affect the function of the service;</li> <li>(b) protects the infrastructure from physical damage; and</li> <li>(c) allows ongoing necessary access for maintenance purposes.</li> </ul>	<b>AO9.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>	
The proposed building extension may extend across the alignment of existing stormwater pipes. The applicant has agreed to relocate the pipes at the developer's expense.	

<b>Performance outcomes</b>	<b>Examples</b>
<b>Stormwater quantity</b>	
<b>PO10</b> Drainage and stormwater management systems: <ul style="list-style-type: none"> <li>(a) are designed and constructed to ensure all lots are free draining;</li> <li>(b) do not adversely impact on the flooding or drainage performance of downstream properties;</li> <li>(c) direct stormwater to a point of lawful discharge;</li> <li>(d) protect the design flood immunity levels of infrastructure and other <i>development</i>;</li> <li>(e) provide security of tenure for rights to convey and/or discharge stormwater through easements; and</li> <li>(f) protects the downstream built or natural environment.</li> </ul>	<b>AO10.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>	
The proposed building extension may extend across the alignment of existing stormwater pipes. The applicant has agreed to relocate the pipes at the developer's expense. It is proposed to include a condition for a stormwater easement to secure the tenure of the stormwater infrastructure.	

### Catchment management overlay code

<b>Performance outcomes</b>	<b>Examples</b>
<b>Corner sites</b>	
<b>PO3</b> Development in the Higher Risk Catchment Area is undertaken in a sustainable manner that: <ul style="list-style-type: none"> <li>(a) contributes to maintaining and improving the water quality of the major drinking water storages; and</li> <li>(b) will not have an adverse impact on the environment.</li> </ul>	<b>Where within the Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b</b> <b>AO3.1</b> For any development within the Higher Risk Catchment Area the water quality impacts of the proposal are addressed in a catchment management analysis report undertaken in accordance with <b>Planning Scheme Policy 3 – Catchment Management Analysis Guidelines</b>
<b>Performance outcome assessment</b>	
The development involves an extension to and an enclosure of an existing roofed structure that is part of an existing school. The building is approximately 100m from Kilcoy Creek. The development is to be connected to the reticulated sewerage network.	

## 6.0 OTHER PLANNING CONSIDERATIONS

### 6.1 Trunk Infrastructure and Services

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

### 6.2 Water Supply and Sewerage

The subject land is located within an area serviced by the reticulated water supply and sewerage networks. The applicant will therefore be required to satisfy the requirements of the

service provider and provide evidence.

### **6.3 Stormwater/Drainage**

It has been determined that the proposed extension to the building may impact upon the alignment of existing 750mm diameter stormwater pipes. If as part of the final design it is determined that the stormwater pipes need to be relocated or modified, these works are to occur at the developer's cost.

### **6.4 Transport network**

There are no applicable transport network infrastructure charges associated for the proposed development.

### **6.5 Parks and Open space**

There are no applicable parks and open space infrastructure charges associated for the proposed development.

### **6.6 Infrastructure charges**

The proposed development is defined as Education Facility by the Somerset Regional Council Charges Resolution (No 1) 2019. Infrastructure charges for the stormwater network only are applicable to Education facilities and are levied at a rate of \$10.25 per square metre of impervious surface.

The works to the building, including the enclosure of the existing structure, increase the floor area of the building. The Charges Resolution references *Gross floor area (GFA) for purposes of determining Council's adopted infrastructure charge has the meaning given to that term in the Queensland Planning Provisions;*

Gross Floor Area is defined in the Queensland Planning Provisions as:

*The total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall), other than areas used for the following:*

- (a) *building services, plant and equipment*
- (b) *access between levels*
- (c) *ground floor public lobby*
- (d) *a mall*
- (e) *the parking, loading and manoeuvring of motor vehicles*
- (f) *unenclosed private balconies whether roofed or not.*

As a result, the Gross floor area of the current building only incorporates the existing shed at the eastern end of the structure. Gross Floor Area is used as the measure of calculation for the Transport network and the Parks and open space networks, however the Education facility category does not generate infrastructure charges for either of these networks.

An Infrastructure Charges Notice has been prepared for the development (**Attachment 8**).

### **6.7 Environment**

The proposed development will have minimal environmental impact. The Assessment has included standard recommendations to be included to restrict noise emission from the development.

### **6.8 Heritage**

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



## 7.0 PUBLIC CONSULTATION

As the development was a code assessable development application, no public notification for the development application was required by the legislation.

## 8.0 STATE AGENCY REFERRALS

The development did not require referral to any agencies.

## 9.0 CONCLUSION

The proposed development is for the construction of an extension to an existing school gymnasium to provide a multi-purpose hall.

The proposed development generally complies with the acceptable outcomes of the relevant assessment benchmarks or provided alternative solutions for the performance outcomes when it did not meet the acceptable outcomes. In particular, conditions have been included requiring the relocation of the existing stormwater infrastructure running through the site, if deemed necessary.

The proposed development will be conditioned to be carried out generally in accordance with the development conditions attached to the Decision Notice and supporting material in the Attachments.

## 10.0 ATTACHMENTS

1. Site Plan, Drawn by M Design, Job No. 1720, Drawing No. 1.1 Revision D, dated 2 July 2018
2. Ground floor plan, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018
3. Mezzanine level, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018
4. Floor plan - west, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018
5. Floor plan - east, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018
6. Elevations East & South, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018
7. Elevations West & North, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018
8. Infrastructure Charges Notice

## RECOMMENDED DECISION

1. THAT Council approve the Development Application No 19410 for a Development Permit for a Material Change of Use for a Multi-purpose School Hall on land described as Lot 383 on CG3882 and situated at Seib Street, Kilcoy subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT the Council report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the *Planning Act 2016*.

### SCHEDULE 1 – GENERAL CONDITIONS

*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting	At all times

	documentation and the plan(s) listed below, except where amended by these conditions of approval.	
	Site Plan, Drawn by M Design, Job No. 1720, Drawing No. 1.1 Revision D, dated 2 July 2018.	
	Ground floor plan, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018.	
	Mezzanine level, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018.	
	Floor plan - west, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018.	
	Floor plan - east, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018.	
	Elevations East & South, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018.	
	Elevations West and North, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The Material Change of Use of this site is for the purpose of an Educational Establishment any ancillary activities, where these activities remain incidental to and necessarily associated with the approved commercial activities of all times.	At all times
1.6	If applicable, Building permit and Plumbing and Drainage permit must be gained.	Before the commencement of use
	<b>General services</b>	
1.7	Connect the development to a reticulated water supply, sewer infrastructure and underground electricity supply in accordance with the acceptable standards of the relevant regulatory authority.	Before the commencement of use
1.8	The applicant must provide written evidence (eg. Connection certificates) from each particular service provider stating the development has been connected to applicable services, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
	<b>Building designs</b>	
1.9	External details of the buildings, facade 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.	At all times

	<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>	
	<b>Access for people with disabilities</b>	
1.10	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
	<b>Visual amenity</b>	
1.11	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
1.12	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
1.13	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
1.14	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
	<b>Acoustic amenity</b>	
1.15	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
1.16	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
1.17	Any plant and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Engineering</b>	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks,	Prior to the commencement of

	erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Operational Work
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
2.4	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:</p> <ul style="list-style-type: none"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> </ul> <p>Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.</p>	As part of the Operational Works
<b>VISUAL AND GENERAL AMENITY</b>		
2.5	Any graffiti within the proposed development must be removed immediately.	At all times
2.6	All plant and air conditioning is to be visually screened from the street.	At all times
<b>INDOOR AND OUTDOOR LIGHTING</b>		
2.7	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> <li>The entries and exits of the approved building.</li> <li>The pathways between the parking areas and the entrances/exits of the building/s.</li> <li>Throughout car parking areas.</li> </ul>	Prior to commencement of use
2.8	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> <li>Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>.</li> <li>Not causing nuisance by way of light spill or glare at adjacent properties and roadways.</li> <li>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.</li> <li>Directing lighting onto the subject land and away from neighbouring properties.</li> <li>Using shrouding devices to preclude light overspill onto surrounding properties where necessary.</li> <li>Not operating lighting that uses sodium lights or flare plumes.</li> </ul>	Prior to commencement of use

	<b>STORMWATER</b>	
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.10	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.11	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.12	<p>Building works shall not impact/build over Council's stormwater drainage infrastructure.</p> <p>If it is determined that the building works will impact on Council's stormwater infrastructure, submit plans for Council approval and complete works for relocation or modification of underground stormwater drainage, as necessary.</p> <p>Any relocation or modification of Council's stormwater infrastructure is to be undertaken at no cost to Council.</p>	As part of the Operational Works
	<b>EROSION AND SEDIMENT CONTROL</b>	
2.13	<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"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	At all times
2.14	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
2.15	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.16	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> <li>i) Milling;</li> <li>ii) Chipping and/or mulching</li> <li>iii) Disposal at an approved waste disposal facility.</li> </ul> <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

<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	Notwithstanding any other condition of this development approval, this approval does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the approved place.	At all times
3.2	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.3	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> <li>• Burn or bury waste generated in association with this development approval at or on the development site; nor</li> <li>• Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor</li> <li>• Stockpile any waste on the development site.</li> </ul>	At all times
3.5	The holder of this development approval must not: <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul>	During construction phase
<b>SCHEDULE 4 – ADVICE</b>		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		

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

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

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

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

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

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

Any contaminated materials or soils encountered during siteworks, are to be handled, stored and disposed of in accordance with the requirements of the relevant authority of the Queensland State Government. A person must not dispose of contaminated soil or a hazardous substance at a place other than at a place approved by the relevant authority of the Queensland State Government.

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

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

Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the *Environmental Protection Act*.

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

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

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

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.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants)

The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.

**Attachments for the Decision Notice include:**

1. Site Plan, Drawn by M Design, Job No. 1720, Drawing No. 1.1 Revision D, dated 2 July 2018
2. Ground floor plan, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018
3. Mezzanine level, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018
4. Floor plan - west, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018
5. Floor plan - east, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018
6. Elevations East & South, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018
7. Elevations West & North, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018
8. Infrastructure Charges Notice

**Resolution**

Moved – Cr Whalley

Seconded – Cr Brieschke

- “1. THAT Council approve the Development Application No 19410 for a Development Permit for a Material Change of Use for a Multi-purpose School Hall on land described as Lot 383 on CG3882 and situated at Seib Street, Kilcoy subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT the Council report for this application be published to the website as Council’s Statement of Reasons in accordance with the s63(5) of the *Planning Act 2016*.

**SCHEDULE 1 – GENERAL CONDITIONS**

*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application,	At all times



	supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	
	Site Plan, Drawn by M Design, Job No. 1720, Drawing No. 1.1 Revision D, dated 2 July 2018.	
	Ground floor plan, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018.	
	Mezzanine level, Drawn by M Design, Job No. 1720, Drawing No. 2.1 Revision D, dated 2 July 2018.	
	Floor plan - west, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018.	
	Floor plan - east, Drawn by M Design, Job No. 1720, Drawing No. 3.3 Revision B, dated 2 July 2018.	
	Elevations East & South, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018.	
	Elevations West and North, Drawn by M Design, Job No. 1720, Drawing No. 4.1 Revision D, dated 2 July 2018.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The Material Change of Use of this site is for the purpose of an Educational Establishment any ancillary activities, where these activities remain incidental to and necessarily associated with the approved commercial activities of all times.	At all times
1.6	If applicable, Building permit and Plumbing and Drainage permit must be gained.	Before the commencement of use
	<b>General services</b>	
1.7	Connect the development to a reticulated water supply, sewer infrastructure and underground electricity supply in accordance with the acceptable standards of the relevant regulatory authority.	Before the commencement of use
1.8	The applicant must provide written evidence (eg. Connection certificates) from each particular service provider stating the development has been connected to applicable services, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
	<b>Building designs</b>	
1.9	External details of the buildings, facade 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.	At all times

	<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>	
	<b>Access for people with disabilities</b>	
1.10	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
	<b>Visual amenity</b>	
1.11	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
1.12	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
1.13	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
1.14	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
	<b>Acoustic amenity</b>	
1.15	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
1.16	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
1.17	Any plant and equipment (rooftop chillers, plant decks etc.) located on rooftops must be appropriately screened by acoustic screens.	At all times
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>

	<b>Engineering</b>	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
2.4	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"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> </ul> Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.	As part of the Operational Works
	<b>VISUAL AND GENERAL AMENITY</b>	
2.5	Any graffiti within the proposed development must be removed immediately.	At all times
2.6	All plant and air conditioning is to be visually screened from the street.	At all times
	<b>INDOOR AND OUTDOOR LIGHTING</b>	
2.7	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> <li>The entries and exits of the approved building.</li> <li>The pathways between the parking areas and the entrances/exits of the building/s.</li> <li>Throughout car parking areas.</li> </ul>	Prior to commencement of use
2.8	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> <li>Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>.</li> <li>Not causing nuisance by way of light spill or glare at adjacent properties and roadways.</li> <li>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.</li> <li>Directing lighting onto the subject land and away from neighbouring properties.</li> <li>Using shrouding devices to preclude light overspill</li> </ul>	Prior to commencement of use

	<p>onto surrounding properties where necessary.</p> <ul style="list-style-type: none"> <li>• Not operating lighting that uses sodium lights or flare plumes.</li> </ul>	
	<b>STORMWATER</b>	
2.9	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.10	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of Operational Works
2.11	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
2.12	<p>Building works shall not impact/build over Council's stormwater drainage infrastructure.</p> <p>If it is determined that the building works will impact on Council's stormwater infrastructure, submit plans for Council approval and complete works for relocation or modification of underground stormwater drainage, as necessary.</p> <p>Any relocation or modification of Council's stormwater infrastructure is to be undertaken at no cost to Council.</p>	As part of the Operational Works
	<b>EROSION AND SEDIMENT CONTROL</b>	
2.13	<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"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	At all times
2.14	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
2.15	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.16	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> <li>i) Milling;</li> <li>ii) Chipping and/or mulching</li> <li>III) Disposal at an approved waste disposal facility.</li> </ul>	At all times

	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.	
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	Notwithstanding any other condition of this development approval, this approval does not authorise any release of contaminants which causes or is likely to cause an environmental nuisance beyond the boundaries of the approved place.	At all times
3.2	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.3	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.4	The holder of this development approval must not: <ul style="list-style-type: none"> <li>Burn or bury waste generated in association with this development approval at or on the development site; nor</li> <li>Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor</li> <li>Stockpile any waste on the development site.</li> </ul>	At all times
3.5	The holder of this development approval must not: <ul style="list-style-type: none"> <li>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</li> <li>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.</li> </ul>	During construction phase
<b>SCHEDULE 4 – ADVICE</b>		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		

The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Operations department if in Council's opinion a dust nuisance exists.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i> ).
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.
This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits.
Any contaminated materials or soils encountered during siteworks, are to be handled, stored and disposed of in accordance with the requirements of the relevant authority of the Queensland State Government. A person must not dispose of contaminated soil or a hazardous substance at a place other than at a place approved by the relevant authority of the Queensland State Government.
All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
All Operational Work is to comply with relevant codes for design and construction.
Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the <i>Environmental Protection Act</i> .
Upon receiving the certification by a RPEQ, and submission and approval of as constructed drawings and documentation, Council will accept the works as "On Maintenance".
Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.
At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed "Off Maintenance". Bonds or other securities will be released after the works have been placed "Off Maintenance".

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.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants)

The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit."

*Vote - Unanimous*

*Carried*

<b>Subject:</b>	<b>Development Application No 19537 - Application for a Development Permit for Material Change of Use for an Indoor Sport and Recreation (Community Gymnasium)</b>
<b>File No:</b>	<b>DA19537</b>
<b>Action Officer:</b>	<b>SP-MW</b>
<b>Assessment No:</b>	<b>00002-00000-000</b>

## 2.0 APPLICATION SUMMARY

### Subject Land

Location	Factory Road, Toogoolawah
Real Property Description	Lot 1 RP99184
Area	6,015m <sup>2</sup>
Current land use	Part of Toogoolawah Swimming Pool

### Somerset Region Planning Scheme Version Three

Zone	Community Facilities
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### ShapingSEQ

Land Use Category	Urban Footprint
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### Application

Proposed development	Indoor Sport and Recreation
Level of Assessment	Code
Applicant/s	ONF Surveyors
Applicants contact details	c/- ONF Surveyors PO Box 896

	Kingaroy QLD 4610
	Attn: Natasha Brooks
Date application received	10 July 2020
Date properly made	10 July 2020
<b>Referral Agencies</b>	None
<b>Public Notification</b>	Not applicable

## RECOMMENDED DECISION

Approve the Development Application No 19537 subject to the requirements and conditions contained in the Schedules and Attachments.

## 2.0 PROPOSAL

The applicant proposes to establish a community gymnasium on the site. The gymnasium development has a gross floor area of 230.77 square metres, with a proposed future expansion comprising 106.9 square metres. The building is generally rectangular in shape, is single storey in form, and is proposed to be constructed on a raised and filled foundation. The proposed Finished Floor Level is proposed to be RL96.51m. The proposed plans of development are provided in Attachment 1.

The area of the site proposed for the gymnasium is generally vacant, having previously contained a beach volleyball court. The site contains an existing sewer pump station, and associated infrastructure including a sewer main, rising main, water service and power supply. It should be noted the property boundary does not align with the existing chainwire fence for the Toogoolawah pool, but the boundary runs on a diagonal through parts of the pool and paddling pool and the existing pool amenities building.

The site has frontage to Factory Road to the north. The road pavement of Factory Road is not fully contained in the road reserve in proximity to the site. The site is impacted by the Condensery's driveway and parking area that curves through the northwest quadrant of the site.

The proposed gymnasium is approximately 11.6m from the eastern boundary of the site, 23.3 metres from the western boundary of the site, 37.5 metres from the Factory Road frontage of the site, approximately 44 metres from Cressbrook Creek, and approximately 8 metres from the internal driveway. The future extension of the building would reduce the setback from Cressbrook Creek to 32.6 metres.

No additional parking spaces are required as a part of Stage 1 of the development. It has been determined that an additional six car parking spaces are required to service Stage 2 of the development.

Stormwater quantity management (detention) was not considered necessary as part of the proposed development. The proposed development will increase the impervious area at the site by approximately 270m<sup>2</sup>. This was considered insignificant in the context of the Cressbrook Creek catchment, which has a catchment area upstream of the site of approximately 273km<sup>2</sup>. The peak discharge within Cressbrook Creek will be dominated by the larger regional catchment upstream of the site, and not by the site itself. The proposed development was not anticipated to functionally change the site discharge characteristics to Cressbrook Creek, nor alter the hydrological characteristics of the greater Cressbrook Creek system downstream of the site.

With respect to stormwater quality management, specific water quality objectives were not considered to apply to this development; however reasonable and practical low maintenance water sensitive urban design have been specified for the proposed structure. This includes:



- Inclusion of a rainwater tank, with harvested water utilised for beneficial re-use such as toilet flushing, landscaping etc; and/or
- Inclusion of a roof-water discharge system back to natural surface with a suitably sized level spreader. This will re-create sheet flow and utilise the setback from Cressbrook Creek as a buffer zone to enhance infiltration and reduce runoff volume.

Water Technology was commissioned to develop a flood study report for the proposed gymnasium. The building footprint is located within the Low and Significant Flood Hazard Overlay and, as such, the applicant was required to provide a detailed assessment of flooding constraints and potential impacts caused by the development. The report found:

- The peak 1% AEP water surface level associated with regional flooding at the development site was found to be RL 96.51m AHD;
- The area designated for proposed filling is impacted by the 1%, 2%, 5% and 10% AEP design flood events;
- The inclusion of the proposed building does not result in a fundamental change in flooding behaviour at the site;
- The presence of the proposed gymnasium building does not alter the hydraulic model results in any significant manner with only slight changes in water level occurring to the west of the site on the adjacent property. This increase, which is up to 28mm, occurs in a portion of the floodplain subject to depths between 0.2m to 0.8m and does not propagate onto any buildings or compromise the existing flood immunity of roads. It is noted that the property located adjacent to the western boundary of the site is Council owned; and
- The presence of the proposed gym building also results in a lowering of water levels to the east of the building with a portion of Factory Road now immune from flooding in the 1% AEP.

With respect to the inclusion of the future gym expansion area, the following is of note:

- The inclusion of the additional expansion area results in changes in water level that are not fundamentally different from those outlined above;
- The extent of these changes does not differ but the presence of the future expansion area results in an increase in water level on the adjacent property to the west of the site by approximately 5 mm (increasing from 28 mm to 33 mm);
- The decrease in water level to the east of the site increases somewhat by 20 mm to 30 mm when compared to water levels under the proposed design scenario; and
- The model results indicate that extending the gymnasium building to include the future expansion area does not result in adverse impacts that propagate onto adjacent properties or road reserves.

### **3.0 SITE DETAILS AND SURROUNDING LAND USES**

The subject site is a generally rectangular allotment with frontage to Factory Road to the north, and Cressbrook Creek to the south. The subject site slopes gently to the south. The site has a site area of 6,015 square metres and is partially subject to flooding.

The site is contained in the Community facilities zone under the Planning Scheme. The lots to the east and west are also contained within the Community facilities zone.

The site adjoins the Toogoolawah Pool to the east and the Condensery to the west. Apart from these uses, surrounding land uses are predominately residential or rural in nature.

### **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

The State Planning Policy (SPP) has been updated since the Somerset Region Planning Scheme came into effect. As such, assessment against the SPP is required, however, the relevant components of the SPP had not been altered since the planning scheme came into effect.

#### 4.2 Vegetation Management Act 1999

As per the Queensland Government's Development Assessment Mapping System, the site contains a small section of regulated vegetation adjacent to Cressbrook Creek, however none of this vegetation is proposed to be cleared as a part of this application. Referral to the State government is therefore not required.

#### 4.3 Environmental Protection Act 1994

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

#### 4.4 Planning Regulation 2017

The site contains a small section of Core koala habitat adjacent to Cressbrook Creek, however none of this vegetation is proposed to be cleared as a part of this application. Referral to the State Government is therefore not required.

### 5.0 COUNCIL ASSESSMENT

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

#### 5.1 Strategic Framework

The development is subject to Code assessment and therefore does not require assessment against the Strategic Framework.

#### 5.2 Code Compliance Summary

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Community facilities zone code	Yes	Complies
Recreation activities code	Yes	Complies
Services, works and infrastructure code	Yes	Complies
Transport, access and parking code	Yes	Alternative solutions provided for PO7.
Biodiversity overlay code	Yes	Alternative solutions provided for PO4, PO10, PO11 and PO12.
Bushfire hazard overlay code	Yes	Complies
Catchment management overlay code	Yes	Alternative solutions provided for PO1 and PO3.
Flood hazard overlay code	Yes	Alternative solutions provided for PO7, PO10, PO13 and PO14.
Stock route management overlay code	Yes	Complies

#### Transport, access and parking code

Performance outcomes	Examples
Car parking locations and treatments	
PO7	AO7.1

Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.	Car parking is located behind or within a building.
<b>Performance outcome assessment</b>	
<p>Parking is located in front of the building within an existing car park that serves the Condensery.</p> <p>A total of 29 existing parking spaces (including 1 disabled space) are located within the Condensery and Swimming Pool precinct. 21 parking spaces exist within the formal carpark between the Condensery and the subject site, which includes 1 x Disabled Parking Space. A further 8 unmarked spaces are available at the frontage of the swimming pool amenities building.</p> <p>Minimum Parking Requirements Required include:</p> <ul style="list-style-type: none"> <li>○ Condensery = 8 spaces</li> <li>○ Swimming Pool (Based on Pool Area 270m<sup>2</sup>) = 7 spaces</li> <li>○ Gymnasium (Based on GFA of 270m<sup>2</sup>) = 14 spaces (Stage 1)</li> <li>○ Gymnasium (Based on GFA on additional 107m<sup>2</sup>) = 6 spaces (Stage 2)</li> <li>○ <b>Total = 35 minimum spaces required (including 2 disabled spaces) across Stages 1 and 2.</b></li> </ul> <p>No additional parking spaces are required as a part of Stage 1 of the development.</p> <p>It has been determined that an additional six car parking spaces are required to service Stage 2 of the development. It is proposed to condition additional parking in proximity to the development as a part of Stage 2.</p> <p>Based on the above matters it is therefore considered the development achieves the intent of the Performance Outcome.</p>	

**Biodiversity overlay code**

<b>Performance outcomes</b>	<b>Examples</b>
<b>Matters of State Environmental Significance</b>	
<p><b>PO4</b> Development on land adjacent to areas identified as containing MSES protects the biodiversity values of MSES and:</p> <p>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) avoids noise, light, vibration or other edge effects, including weed and pest incursion on identified biodiversity values.</p> <p><i>Note - A supporting Ecological Site Assessment is prepared in accordance with <b>SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines</b>.</i></p>	<p><b>AO4.1</b> A minimum setback of 50 metres is provided between <i>buildings</i> and <i>structures</i> and areas identified as containing MSES on the <b>Biodiversity overlay maps OM003a-b</b>.</p>
<b>Performance outcome assessment</b>	
The proposed building is less than 50 metres from the areas identified as containing MSES.	

The proposed building is located on a previously disturbed area that has been cleared and grassed, and previously contained a beach volleyball court. The area between the proposed building and the MSES also contains a sewerage pump station.

It is considered the development achieves the intent of the Assessment benchmark.

### Watercourses

#### PO10

*Watercourses* are protected by:

- (a) maintaining adequate separation distances between *watercourses* and development;
- (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;
- (c) maintaining bank stability by minimising bank erosion and slumping;
- (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and
- (e) retaining and improving existing riparian vegetation.

*Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.*

#### AO10.2

A minimum setback is provided between *buildings* and *structures* and the top of the *high bank* of a *watercourse* as identified on the **Catchment management overlay maps OM005a-b** by a distance not less than identified in **Table 7.2.3.3.B**.

### Performance outcome assessment

The site is largely contained within the 50 metre buffer to a watercourse in the Table 7.2.3.3.B, being for the Higher Risk Catchment Area. The proposed building is proposed to be 44 metres from Cressbrook Creek. The future extension would reduce this setback to approximately 32 metres.

The development does not impact upon the bank of Cressbrook Creek. The development maintains the existing aquatic and terrestrial habitat including the existing riparian vegetation at the rear of the site.

It is considered the development achieves the intent of the Assessment benchmark.

#### PO11

Stormwater and wastewater discharges are treated prior to entering a *watercourse* or associated buffer area to ensure the biological integrity of aquatic ecosystems.

*Note - A performance outcome must be supported by:*

- an Ecological Site Assessment prepared in accordance with **SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines**; and
- a Site Based Stormwater Management

#### AO11.1

No stormwater is discharged to a *watercourse* or *watercourse* buffer area identified on the **Catchment management overlay maps OM005a-b**.

#### AO11.2

No wastewater (treated or untreated) is discharged to a *watercourse* or *watercourse* buffer area identified on the **Catchment management overlay maps OM005a-b**.

Plan.	
<b>Performance outcome assessment</b>	
<p>The applicant has prepared a Site Based Stormwater Management Plan for the development. Stormwater is proposed to be discharged to the watercourse buffer area via a spreader.</p> <p>The only stormwater generated by the development is the roof water that would drain from the building.</p> <p>It is considered the development achieves the intent of the Assessment benchmark.</p>	
<p><b>PO12</b> Areas of <i>watercourse</i> buffer identified in accordance with <b>AO9.1</b> to <b>AO9.4</b> which are cleared, degraded or disturbed as a consequence of the development are rehabilitated to contribute to the establishment of a functional and connected habitat network having regard to:</p> <ul style="list-style-type: none"> <li>(a) the use of native plant species of local provenance that support habitat needs; and</li> <li>(b) replication of the species and structure of adjacent remnant habitats.</li> </ul> <p><i>Note - A supporting Ecological Site Assessment is prepared in accordance with <b>SC6.1 - Planning Scheme Policy 1 - Ecological Site Assessment Guidelines.</b></i></p>	<p><b>AO12.1</b> No acceptable outcome provided.</p>
<b>Performance outcome assessment</b>	
<p>The existing grassed area that is proposed to contain the development will be rehabilitated to provide an area with a similar vegetated profile to that which is currently located on the development footprint.</p> <p>It would be difficult to replant this area in a manner similar to the riparian vegetation in that the site contains existing infrastructure including a sewer pump station, gravity mains and rising mains.</p> <p>It is considered the development achieves the intent of the Assessment benchmark.</p>	

### Catchment management overlay code

Performance outcomes	Examples
<p><b>PO1</b> Land use and <i>development</i> is:</p> <ul style="list-style-type: none"> <li>(a) appropriately separated from <i>watercourses</i> and <i>waterbodies</i> to avoid <i>adversely impacting on water quality</i>; and</li> <li>(b) connected to reticulated sewerage or is connected to an on-site waste water treatment or effluent disposal system that complies with Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water</i></li> </ul>	<p><b>AO1.3</b> The development, including <i>effluent disposal areas</i> is setback a minimum of: 100 metres from the <i>high bank</i> of a <i>watercourse</i> identified on <b>Catchment management overlay maps OM005a-b</b>;</p>

<i>Quality Management in Drinking Water Catchments.</i>	
<b>Performance outcome assessment</b>	
<p>The building is less than 100 metres from Cressbrook Creek. The development adjoins the Toogoolawah Pool which also contains buildings and structures closer than 50 metres to Cressbrook Creek. The proposed gym and existing pool are the only developments in Toogoolawah located in proximity to Cressbrook Creek. Other development adjacent to Cressbrook Creek is unlikely due to the majority of other riparian land in this area being contained in the Rural zone.</p> <p>A Stormwater Management Plan has been submitted with the application. The report has recommended inclusion of a rainwater tank, inclusion or a roof water discharge system back to natural surface with a suitably sized spreader, and construction phase water quality measures to be implemented during construction.</p> <p>It is therefore considered the development achieves the intent of the Assessment Benchmark.</p>	
<b>Catchment management analysis</b>	
<p><b>PO3</b> Development in the Higher Risk Catchment Area is undertaken in a sustainable manner that:</p> <ul style="list-style-type: none"> <li>(a) contributes to maintaining and improving the water quality of the major drinking water storages; and</li> <li>(b) will not have an adverse impact on the environment.</li> </ul>	<p><b>Where within the Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b AO3.1</b> For any development within the Higher Risk Catchment Area the water quality impacts of the proposal are addressed in a catchment management analysis report undertaken in accordance with <b>Planning Scheme Policy 3 – Catchment Management Analysis Guidelines</b></p>
<b>Performance outcome assessment</b>	
<p>The development will be connected to the reticulated sewerage network. The floor level is to be constructed above flood level. The building footings will be constructed of concrete blocks, which will provide an impervious façade in the event of flooding adjacent to the building. The area surrounding the building will be grassed, therefore minimising erosion.</p> <p>A Stormwater Management Plan has been submitted with the application. The report has recommended inclusion of a rainwater tank, inclusion or a roof water discharge system back to natural surface with a suitably sized spreader, and construction phase water quality measures to be implemented during construction.</p> <p>It is therefore considered the development achieves the intent of the Assessment Benchmark.</p>	

### Flood hazard overlay code

<b>Performance outcomes</b>	<b>Examples</b>
<b>High hazard area</b>	
<p><b>PO7</b> Development within a High flood hazard area on <b>Flood Hazard Overlay Map OM-007</b> is appropriate to the flood hazard risk having regard to the:</p> <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) the flood risk acceptability of development;</li> <li>(c) the vulnerability of and safety risk to</li> </ul>	<p><b>AO7.1</b> Uses within the following <i>Activity groups</i> are not located within a High flood hazard area identified on <b>Flood Hazard Overlay Map OM-007</b>:</p> <ul style="list-style-type: none"> <li>(a) <i>Accommodation activities</i>, except where for <i>dwelling house</i> and only where the lot existed or had a lawful reconfiguring a lot approval at the</li> </ul>

<p>(d) persons associated with the use; and associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure.</p>	<p>commencement of the planning scheme and the land is included in a Residential Zone or Centre zone category;</p> <p>(b) <i>Centre activities</i>, except where for <i>business activities</i>;</p> <p>(c) <i>Community activities</i> or <i>Entertainment activities</i>, except where for a <i>Club</i> with a maximum gross floor area of 100m<sup>2</sup>;</p> <p>(d) <i>Rural activities</i>, except where for <i>animal husbandry, cropping, and permanent plantation</i>.</p>
<p><b>Performance outcome assessment</b></p>	
<p>The proposed gym is located outside the High flood hazard area. A small portion of the future expansion is contained within the High flood hazard area, however access to the building is provided from the north which is subject to lesser flood hazard. It is therefore considered the development achieves compliance with the Assessment Benchmark.</p>	
<p><b>Where for Material Change of Use or Building Work or Operational Works PO10</b></p> <p>Development involving earthworks in a flood hazard area below the <i>defined flood level</i> must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul> <p><i>Note - where the development is located in a Potential Flood Hazard Area as identified on Flood Hazard Overlay Map OM-007, and there is no defined flood level, a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of a Performance Solution. Alternatively, the defined flood level from an adjacent representative hazard area may be used if deemed appropriate by Council.</i></p>	<p><b>Where for Material Change of Use or Building Work or Operational Works AO10.1</b></p> <p>Filling above <i>ground level</i> is not undertaken in areas of High flood hazard area as identified on <b>Flood Hazard Overlay Map OM-007</b>.</p> <p><b>AO10.2</b></p> <p>Development that involves earthworks in a floodplain must result in no net loss of flood storage for all storm events up to and including a 1 in 100 year ARI event and adjoining properties must remain free draining with no resultant increase in flood levels.</p>
<p><b>Performance outcome assessment</b></p>	
<p>It is proposed to fill the footings of the building. The flood report indicates a change in 1% AEP level of 10mm, but no increase in downstream impacts. Based on the lack of development upstream of the site, and the only other development within the floodplain of Toogoolawah Creek and in proximity of the site being the Toogoolawah Pool, it is considered the development has minimal impact on surrounding land.</p> <p>Based on the above means of minimising flood hazard, it is therefore considered the development achieves the intent of the Performance Outcome.</p>	

<b>Significant flood hazard area, Low flood hazard area or Potential flood hazard area</b>	
<p><b>PO13</b> Development is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that a proportion of <i>buildings</i> are set above the <i>defined flood level</i>;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide road access to <i>buildings</i> above the level of the 1% AEP flood level.</li> </ul> <p><i>Note - where the development is located in a Potential flood hazard area as identified on Flood Hazard Overlay Map OM-007, and there is no defined flood level, a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of a Performance Solution. Alternatively, the defined flood level from an adjacent representative hazard area may be used if deemed appropriate by Council.</i></p>	<p><b>Where for Material Change of Use or Building Work</b> <b>AO13.1</b> <i>Buildings</i>, including extensions to existing <i>buildings</i> are:</p> <ul style="list-style-type: none"> <li>(a) elevated above the <i>defined flood level</i>; and</li> <li>(b) and the <i>defined flood event</i> does not exceed a depth of 600mm.</li> </ul>
<p><b>Performance outcome assessment</b></p> <p>The building will be elevated above the defined flood level, however part of the defined flood event will exceed a depth of 600mm. Based on the above means of minimising flood hazard, it is therefore considered the development achieves the intent of the Performance Outcome.</p>	
<p><b>Where for Material Change of Use or Building Work or Operational Works</b> <b>PO14</b> Development involving earthworks in a flood hazard area below the <i>defined flood level</i> must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<p><b>Where for Material Change of Use or Building Work or Operational Works</b> <b>AO14</b> Development does not involve in excess of 50m<sup>3</sup> of fill above <i>ground level</i> per 1,000 metres squared of site area.</p>
<p><b>Performance outcome assessment</b></p> <p>The development is likely to exceed 50m<sup>3</sup> of fill above ground level per 1,000m<sup>2</sup> of site area. A Flood study has been prepared, which indicated an increase of 10mm in flood level. The development is considered to have minimal effect on surrounding properties in that there is</p>	



minimal development adjacent to Cressbrook Creek, and limited opportunity for future development adjacent to the Creek.

## **6.0 OTHER PLANNING CONSIDERATIONS**

### **6.1 Trunk Infrastructure and Services**

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

### **6.2 Water Supply and Sewerage**

The subject land is located within an area serviced by the reticulated water supply network and sewerage network. The applicant will therefore be required to satisfy the requirements of the service provider and provide evidence.

Infrastructure charges will be payable to Queensland Urban Utilities for this development.

### **6.3 Stormwater/Drainage**

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

Stormwater network infrastructure charges are applicable for the proposed development.

### **6.4 Transport network**

Transport network infrastructure charges are applicable for the proposed development.

### **6.5 Parks and Open space**

There are no applicable parks and open space infrastructure charges associated for the proposed development.

### **6.6 Infrastructure charges**

The proposed development is defined as Indoor Sport and Recreation Facility by the Somerset Regional Council Charges Resolution (No 1) 2019. A Charges Notice has been prepared accordingly.

### **6.7 Environment**

The proposed development will not result in environmental degradation.

### **6.8 Heritage**

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

## **7.0 PUBLIC CONSULTATION**

Not applicable.

## **8.0 STATE AGENCY REFERRALS**

### **8.1 Concurrence Agency – State Assessment and Referral Agency (SARA)**

The application did not require referral to SARA.

### **8.2 Third Party Advice - Seqwater**

The application was forwarded to Seqwater for Third Party Advice. Seqwater raised issues with respect to the setback of the building to Cressbrook Creek and associated earthworks in proximity to Cressbrook Creek. Seqwater requested the building have a 50 metre setback to Cressbrook Creek, however based upon the design aspects addressed in the stormwater management plan, it is considered the reduced setback to Cressbrook Creek is satisfactory.

## 9.0 CONCLUSION

The proposed development is for the establishment of a community gym. The development is located off Factory Road in proximity to the Toogoolawah Pool and Condensery.

The proposed development generally complies with the acceptable outcomes of the relevant assessment benchmarks or provided alternative solutions for the performance outcomes when it did not meet the acceptable outcomes.

The proposed development will be conditioned to be carried out generally in accordance with the development conditions attached to the Decision Notice and supporting material in the Attachments.

## 10.0 ATTACHMENTS

1. Site Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W1, Tender issue, dated 30 September 2020 as annotated in red by Council.
2. Set Out Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W1A, Tender issue, dated 30 September 2020 as annotated in red by Council.
3. Floor Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W2, Tender issue, dated 30 September 2020 as annotated in red by Council.
4. North Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W3, Tender issue, dated 30 September 2020 as annotated in red by Council.
5. South Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W4, Tender issue, dated 30 September 2020 as annotated in red by Council.
6. East Elevation – West Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W5, Tender issue, dated 30 September 2020 as annotated in red by Council.
7. Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, dated 7 October 2020.
8. Flood Study Report Toogoolawah Community Gym, Toogoolawah, prepared by Water Technology, dated 7 October 2020.
9. Draft Infrastructure Charges Notice.

## RECOMMENDED DECISION

1. THAT Council approve the Development Application No 19537 for a Development Permit for a Material Change of Use for Indoor Sport and Recreation (Community Gym) on land described as Lot 1 on RP99184 and situated at Factory Road, Toogoolawah subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT Council report for this application be published to the website as Council's Statement of Reasons in accordance with the s63(5) of the *Planning Act 2016*.

### SCHEDULE 1 – GENERAL CONDITIONS

*Assessment Manager*

No	Condition	Timing
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, prepared by Graham Richardson Associates, Drawing No. 1902.W1, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Set Out Plan, prepared by Graham Richardson Associates,	

	Drawing No. 1902.W1A, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Floor Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W2, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	North Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W3, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	South Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W4, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	East Elevation – West Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W5, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, dated 7 October 2020.	
	Flood Study Report Toogoolawah Community Gym, Toogoolawah, prepared by Water Technology, dated 7 October 2020.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The Material Change of Use of this site is for the purpose of an Indoor Sport and Recreation and may include any ancillary activities, where these activities remain incidental to and necessarily associated with the approved commercial activities of all times.	At all times
1.6	If applicable, Building permit and Plumbing and Drainage permit must be gained.	Before the commencement of use
	<b>General services</b>	
1.7	Connect the development to a reticulated water supply, sewer infrastructure, electricity supply and telecommunication utilities in accordance with the acceptable standards of the relevant regulatory authority.	Before the commencement of use
1.8	The applicant must provide written evidence (e.g. Connection certificates) from each particular service provider stating the development has been connected to applicable services, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
1.9	Electricity/telecommunication/water supply/ sewer drawings must be coordinated with the civil engineering design details, to	Before the commencement of

	ensure that service clashes are avoided.	use
	<b>Building designs</b>	
1.10	<p>External details of the buildings, facade treatment and external materials 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
	<b>Access for people with disabilities</b>	
1.11	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
	<b>Safety, security and publicly accessible facilities</b>	
1.12	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	<b>Advertising devices</b>	
1.13	All signage and advertising devices are to comply with the relevant <i>Subordinate Local Law (Installation of Advertising Devices)</i> and any subsequent Local Laws.	At all times
	<b>Hours of Operation</b>	
1.14	Goods delivery vehicles and waste service vehicles must not access the approved development site between the hours of 6 pm and 7 am.	At all times
	<b>Vegetation Clearing and weed control</b>	
1.15	No vegetation clearing is to occur within 20 metres of the southern boundary of Lot 1 RP99184.	At all times
1.16	Any weed species identified as being contained within 20 metres of the southern boundary of Lot 1 RP99184 are to be removed.	Prior to commencement of use
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Engineering</b>	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times

2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
2.3	Connect the development to a reticulated water supply, sewer infrastructure, electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to commencement of use
<b>Building Above Flood Level</b>		
2.4	<p>The current Defined Flood Event (DFE) is 96.51m elevation level and the following must be achieved:</p> <ul style="list-style-type: none"> <li>Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE.</li> <li>All hazardous, noxious material, or chemicals are located and stored above the DFE;</li> <li>Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water.</li> <li>Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock).</li> </ul>	Prior to the commencement of use
2.5	Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study.	Prior to the commencement of works
<b>Earthworks</b>		
2.6	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times
<b>Vehicle access</b>		
2.7	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times
2.8	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
<b>Car Parking</b>		
2.9	<p>Provide on-site car parking for twenty-nine (29) vehicles, including two (2) space for disabled persons in accordance with Council Planning Scheme.</p> <p>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>.</p> <p><i>Note: No additional parking spaces are required, however</i></p>	As part of Operational Works for Stage 1

	<i>existing informal parking spaces will require line marking to comply with Council's requirements.</i>	
2.10	Provide on-site car parking for six (6) additional vehicles, resulting in a total of thirty-five (35) vehicles, including (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 for Stage 2
2.11	Provide secure bicycle parking and associated support facilities for a minimum of eight (8) bicycles in accordance with AS2890.	Prior to commencement of use of Stage 1
2.12	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	Prior to commencement of use
2.13	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or asphalt in accordance with Australian Standards.	At all times
	<b>Refuse Storage Area</b>	
2.14	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 of Stage 1
2.15	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.	Prior to commencement of use of Stage 1
	<b>Visual and General Amenity</b>	
2.16	Any graffiti within the proposed development must be removed immediately.	At all times
2.17	All plant and air conditioning is to be visually screened from the street.	At all times
	<b>Indoor and outdoor lighting</b>	
2.18	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> <li>The entries and exits of the approved building.</li> <li>The pathways between the parking areas and the entrances/exits of the building/s.</li> <li>Throughout car parking areas.</li> </ul>	Prior to commencement of use of Stage 1
2.19	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> <li>Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>.</li> </ul>	Prior to commencement of use of Stage 1

	<ul style="list-style-type: none"> <li>• Not causing nuisance by way of light spill or glare at adjacent properties and roadways.</li> <li>• 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.</li> <li>• Directing lighting onto the subject land and away from neighbouring properties.</li> <li>• Using shrouding devices to preclude light overspill onto surrounding properties where necessary.</li> <li>• Not operating lighting that uses sodium lights or flare plumes.</li> </ul>	
	<b>Stormwater</b>	
2.20	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.21	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
2.22	Stormwater Drainage shall be constructed in general accordance with Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, and dated 07 October 2020.	As part of Operational Works
	<b>Erosion and sediment control</b>	
2.23	<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"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	At all times
2.24	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
2.25	Prepare an Erosion and Sediment Control Plan. Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of works
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.27	Where vegetation is removed, the vegetation waste shall be	At all times

	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.	
2.28	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times
2.29	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	At all times
<b>SCHEDULE 3 – ENVIRONMENTAL</b> <i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Nuisance</b>	
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
	<b>Noise</b>	
3.2	The approved development must be carried out by such practicable means necessary to prevent the emission, or likelihood of emission, of noise that constitutes environmental nuisance.	At all times
	<b>Waste</b>	
3.3	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
	<b>Construction</b>	
3.4	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
3.5	The holder of this development approval must not:  • 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"> <li>• Stockpile any waste on the development site.</li> </ul>	
3.6	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul>	During construction phase
<b>SCHEDULE 4 – ADVICE</b> <i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
<b>Currency Period</b> - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Operations department if in Council's opinion a dust nuisance exists.		
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i> ).		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.		
This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits		
Any contaminated materials or soils encountered during siteworks, are to be handled, stored and disposed of in accordance with the requirements of the relevant authority of the Queensland State Government. A person must not dispose of contaminated soil or a hazardous substance at a place other than at a place approved by the relevant authority of the Queensland State Government.		

All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>Workplace Health and Safety Regulation (as amended)</i> .
All Operational Work is to comply with relevant codes for design and construction.
Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the Environmental Protection Act.
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</i> ; the <i>Building Regulation</i> , the <i>Building Code of Australia</i> , the <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> .
Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.
It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.
The Fire Ant Restricted Area as well as general information can be viewed on the DAF website <a href="http://www.daf.qld.gov.au/fireants">www.daf.qld.gov.au/fireants</a>
The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.
Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.

**Attachments for the Decision Notice include:**

1. Site Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W1, Tender issue, dated 30 September 2020 as annotated in red by Council.
2. Set Out Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W1A, Tender issue, dated 30 September 2020 as annotated in red by Council.
3. Floor Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W2, Tender issue, dated 30 September 2020 as annotated in red by Council.
4. North Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W3, Tender issue, dated 30 September 2020 as annotated in red by Council.
5. South Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W4, Tender issue, dated 30 September 2020 as annotated in red by Council.
6. East Elevation – West Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W5, Tender issue, dated 30 September 2020 as annotated in red by Council.
7. Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, dated 7 October 2020.
8. Flood Study Report Toogoolawah Community Gym, Toogoolawah, prepared by Water Technology, dated 7 October 2020.
9. Draft Infrastructure Charges Notice.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Gaedtke

- “1. THAT Council approve the Development Application No 19537 for a Development Permit for a Material Change of Use for

Indoor Sport and Recreation (Community Gym) on land described as Lot 1 on RP99184 and situated at Factory Road, Toogoolawah subject to the requirements and conditions contained in the Schedules and Attachments.

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

<b>SCHEDULE 1 – GENERAL CONDITIONS</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
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, prepared by Graham Richardson Associates, Drawing No. 1902.W1, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Set Out Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W1A, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Floor Plan, prepared by Graham Richardson Associates, Drawing No. 1902.W2, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	North Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W3, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	South Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W4, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	East Elevation – West Elevation, prepared by Graham Richardson Associates, Drawing No. 1902.W5, Tender issue, dated 30 September 2020 as annotated in red by Council.	
	Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, dated 7 October 2020.	
	Flood Study Report Toogoolawah Community Gym, Toogoolawah, prepared by Water Technology, dated 7 October 2020.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Before the change happens
1.5	The Material Change of Use of this site is for the purpose of an Indoor Sport and Recreation and may include any ancillary activities, where these activities remain incidental to and	At all times

	necessarily associated with the approved commercial activities of all times.	
1.6	If applicable, Building permit and Plumbing and Drainage permit must be gained.	Before the commencement of use
	<b>General services</b>	
1.7	Connect the development to a reticulated water supply, sewer infrastructure, electricity supply and telecommunication utilities in accordance with the acceptable standards of the relevant regulatory authority.	Before the commencement of use
1.8	The applicant must provide written evidence (e.g. Connection certificates) from each particular service provider stating the development has been connected to applicable services, is available at a standard connection, or has a current supply agreement.	Before the commencement of use
1.9	Electricity/telecommunication/water supply/ sewer drawings must be coordinated with the civil engineering design details, to ensure that service clashes are avoided.	Before the commencement of use
	<b>Building designs</b>	
1.10	<p>External details of the buildings, facade treatment and external materials 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
	<b>Access for people with disabilities</b>	
1.11	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
	<b>Safety, security and publicly accessible facilities</b>	
1.12	The development and hard landscaping must not comprise of highly reflective materials that create slippery or otherwise hazardous conditions.	At all times
	<b>Advertising devices</b>	
1.13	All signage and advertising devices are to comply with the relevant <i>Subordinate Local Law (Installation of Advertising</i>	At all times

	<i>Devices</i> ) and any subsequent Local Laws.	
	<b>Hours of Operation</b>	
1.14	Goods delivery vehicles and waste service vehicles must not access the approved development site between the hours of 6 pm and 7 am.	At all times
	<b>Vegetation Clearing and weed control</b>	
1.15	No vegetation clearing is to occur within 20 metres of the southern boundary of Lot 1 RP99184.	At all times
1.16	Any weed species identified as being contained within 20 metres of the southern boundary of Lot 1 RP99184 are to be removed.	Prior to commencement of use
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Engineering</b>	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> .	At all times
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
2.3	Connect the development to a reticulated water supply, sewer infrastructure, electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to commencement of use
	<b>Building Above Flood Level</b>	
2.4	<p>The current Defined Flood Event (DFE) is 96.51m elevation level and the following must be achieved:</p> <ul style="list-style-type: none"> <li>Floor heights for non-habitable buildings (except for buildings classified under the Building Code of Australia as Class 7a or Class 10) shall be a minimum of the DFE.</li> <li>All hazardous, noxious material, or chemicals are located and stored above the DFE;</li> <li>Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water.</li> <li>Contingency plans are in place to account for the potential need to relocate property prior to a flood event to above the DFE (i.e. to transfer plant, equipment and stock).</li> </ul>	Prior to the commencement of use
2.5	Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study.	Prior to the commencement of works
	<b>Earthworks</b>	
2.6	Contaminated material must not be used as fill on the site. Any	At all times

	filling must be undertaken using inert materials only.	
	<b>Vehicle access</b>	
2.7	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times
2.8	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
	<b>Car Parking</b>	
2.9	Provide on-site car parking for twenty-nine (29) vehicles, including two (2) space 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> .  <i>Note: No additional parking spaces are required, however existing informal parking spaces will require line marking to comply with Council's requirements.</i>	As part of Operational Works for Stage 1
2.10	Provide on-site car parking for six (6) additional vehicles, resulting in a total of thirty-five (35) vehicles, including (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 for Stage 2
2.11	Provide secure bicycle parking and associated support facilities for a minimum of eight (8) bicycles in accordance with AS2890.	Prior to commencement of use of Stage 1
2.12	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	Prior to commencement of use
2.13	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or asphalt in accordance with Australian Standards.	At all times
	<b>Refuse Storage Area</b>	
2.14	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 of Stage 1
2.15	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.	Prior to commencement of use of Stage 1

	<b>Visual and General Amenity</b>	
2.16	Any graffiti within the proposed development must be removed immediately.	At all times
2.17	All plant and air conditioning is to be visually screened from the street.	At all times
	<b>Indoor and outdoor lighting</b>	
2.18	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none"> <li>The entries and exits of the approved building.</li> <li>The pathways between the parking areas and the entrances/exits of the building/s.</li> <li>Throughout car parking areas.</li> </ul>	Prior to commencement of use of Stage 1
2.19	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> <li>Providing Lighting that is designed, installed and regulated in accordance with the parameters outlined in <i>Australian Standard AS 1158</i>.</li> <li>Not causing nuisance by way of light spill or glare at adjacent properties and roadways.</li> <li>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.</li> <li>Directing lighting onto the subject land and away from neighbouring properties.</li> <li>Using shrouding devices to preclude light overspill onto surrounding properties where necessary.</li> <li>Not operating lighting that uses sodium lights or flare plumes.</li> </ul>	Prior to commencement of use of Stage 1
	<b>Stormwater</b>	
2.20	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
2.21	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
2.22	Stormwater Drainage shall be constructed in general accordance with Stormwater Management Plan for Proposed Gymnasium Facility, Toogoolawah, prepared by Water Technology, and dated 07 October 2020.	As part of Operational Works
	<b>Erosion and sediment control</b>	
2.23	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:	At all times

	<ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	
2.24	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
2.25	Prepare an Erosion and Sediment Control Plan. Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of works
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times
2.27	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> <li>i) Milling;</li> <li>ii) Chipping and/or mulching</li> <li>iii) Disposal at an approved waste disposal facility.</li> </ul> <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
2.28	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times
2.29	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	At all times
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Nuisance</b>	
3.1	Notwithstanding any other condition of this development permit, this development permit does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance to any premises beyond the boundaries of the development site.	At all times
	<b>Noise</b>	
3.2	The approved development must be carried out by such practicable means necessary to prevent the emission, or	At all times



	likelihood of emission, of noise that constitutes environmental nuisance.	
	<b>Waste</b>	
3.3	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
	<b>Construction</b>	
3.4	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
3.5	The holder of this development approval must not: <ul style="list-style-type: none"> <li>• Burn or bury waste generated in association with this development approval at or on the development site; nor</li> <li>• Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor</li> <li>• Stockpile any waste on the development site.</li> </ul>	At all times
3.6	The holder of this development approval must not: <ul style="list-style-type: none"> <li>• 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</li> <li>• 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.</li> </ul>	During construction phase
<b>SCHEDULE 4 – ADVICE</b>		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice].		
<b>Currency Period</b> - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		

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

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

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

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

Any contaminated materials or soils encountered during siteworks, are to be handled, stored and disposed of in accordance with the requirements of the relevant authority of the Queensland State Government. A person must not dispose of contaminated soil or a hazardous substance at a place other than at a place approved by the relevant authority of the Queensland State Government.

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

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

Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the Environmental Protection Act.

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.

It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants)

The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit."

Vote - Unanimous

Carried

<b>Subject:</b>	<b>Application for Keeping more than maximum number of animals – Lot 25 RP158259 - 03603-00000-000 - 147 Rifle Range Road, Rifle Range</b>
<b>File Ref:</b>	<b>Licencing – Local laws – Keeping of Animals</b>
<b>Action Officer:</b>	<b>RSO (Sharmaine Hunter)</b>

**Background/Summary****Application Details**

On 27 April 2020, Council received an application to keep four dogs from the occupier of 147 Rifle Range Road, Rifle Range. The application relates to medium breeds, including Staffordshire and red cattle dogs.

The applicant had also rescued a dog, named Cheela, which was not on the original application and details have been supplied by email and have been added to this report. An additional dog of similar size and breed would be introduced pending approval of this application.

Regulatory Services Officers conducted an inspection of the site with the property occupier on 19 August 2020 and noted the following:

- There is one dwelling located on the property.
- Two dogs are microchipped and all three dogs are de-sexed.
- The dogs always have access to the house yard.
- The dogs have access to either inside or under the house at night.
- The property fencing is constructed of four-foot dog fencing with chicken wire attached to star pickets and is in good condition and adequate to contain dogs.

**Assessment Summary***Complaint History*

Council has not received complaints regarding dogs kept at this property.

*Submissions*

During the submission period, Council did not receive submissions from persons who were in receipt of the notification.

*Local Law Assessment*

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

<i>Criteria:</i>	<i>Compliance (Y/N)</i>
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Yes
Comments: The fencing and enclosures for the animals appeared at the time of inspection to be able to effectively and comfortably house the dogs being kept at the property.	
(2) Whether a residence exists on the premises.	Yes
Comments: A two storey timber building exists on the property.	

(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No. 2 (Animal Management) 2011</i> .	Yes
Comments: The property fencing is constructed of four-foot dog proof wiring and is adequate to contain the dogs being kept on the property.	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Yes
Comments: The applicant resides at the property	
(5) Whether the animal or animals will be properly supervised.	Yes
Comments: The applicant is at home to supervise the animals.	
(6) If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local government.	Yes
Comments: Two dogs; 1. 'BRIDGETTE'; 2. 'CHERRY' are currently registered with Somerset Council. If approved all other dogs are required to be registered.	
(7) If section 14 of the Animal Management Act applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.	Yes
<p>14. <i>Owner must ensure cat or dog is implanted</i></p> <p>1) <i>A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i></p> <p><i>Maximum penalty—20 penalty units.</i>  <i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p>2) <i>It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p>a) <i>here is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or dog; or</i></p> <p>b) <i>for a dog, the ownership is to use it as—</i></p> <p>(i) <i>a government entity dog; or</i></p> <p>(ii) <i>a working dog; or</i></p> <p>(iii) <i>another class of dog prescribed under a regulation.</i></p>	
Comments: The dog's Cherry and Cheela are microchipped. The dog Bridgette is not required to be microchipped as she is 14 years of age.	
(8) Whether the applicant is a suitable person to hold the approval.	

Comments: Council does not have any information that indicates that the applicant is not a suitable person.	
(9) Whether the grant of the approval for the prescribed activity on the premises is likely to –  a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or b) affect the amenity of the surrounding area; or c) have a deleterious effect on the local environment or cause pollution or other environmental damage.	No
Comments: Council has no information to indicate that the number of dogs proposed to be kept on the allotment are likely to cause a nuisance.	
(10) If the application relates to the keeping of cats –  a) whether the cats have been desexed; and b) whether the cats have been fitted with an approved microchip.	N/A
Comments:	
(11) If the application relates to the keeping of an animal or animals on multi residential premises –  a) whether the applicant - is entitled to make use of a common area; and b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.	N/A
Comments:	
(12) Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments:	
(13) Whether the applicant has been refused a similar type of approval by the local government or another local government.	No
Comments: To council's knowledge the applicant has not been refused a similar type of approval.	
(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	No
Comments: No regulated dog resides at the allotment.	
(15) If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m <sup>2</sup> or more – whether the applicant for the approval is a current	Yes

member of an approved entity.	
Comments: The property is 21,610m <sup>2</sup> in size The applicant is a member of The Cattle dog and Kelpie Club Queensland Inc.	
(16) If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m <sup>2</sup> or more – whether the applicant for the approval is an accredited breeder.	N/A
Comments:	

### Attachments

1. Locality Plan
2. Photographs of the fencing/enclosure

### Recommendation

THAT Council grant approval to keep more than the maximum number of dogs under *Local Law No 1 (Administration) 2011* and *Subordinate Local Law No 1.5 (Keeping of Animals) 2011*:

1. On land described as Lot 25 RP158259, situated at 147 Rifle Range Road, Rifle Range;
2. For dogs described in Schedule 1 below; and
3. Subject to the conditions set out in Schedule 2 below.

### Schedule 1

Description of dogs:					
Name	Breed	Color	Sex (M/F)	Desexed (Y/N)	Microchip No.
Bridgette	Staffordshire	Brindle and White	F	Y	No microchip
Cherry	Red Cattle Dog	Red and White	F	Y	953010002272757
Cheela	Red Cattle Dog	Red and White	M	Y	953010004573526

### Schedule 2

No.	CONDITION
<b>1.0</b>	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No. 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.

1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in:  (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval and one additional dog.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval and one additional dog must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .

**Resolution**

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council grant approval to keep more than the maximum number of dogs under *Local Law No 1 (Administration) 2011* and *Subordinate Local Law No 1.5 (Keeping of Animals) 2011*:

1. On land described as Lot 25 RP158259, situated at 147 Rifle Range Road, Rifle Range;
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1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> <li>(i) a clean and sanitary condition and disinfected regularly; and</li> <li>(ii) an aesthetically acceptable condition.</li> </ul>
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1.8	The dogs identified in Schedule 1 of this approval and one additional dog must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> ."
	<u>Carried</u>
	Vote - Unanimous

<b>Subject:</b>	<b>Compliance Matters – 37 Davis Court, Hazeldean – Lot 8 RP886154</b>
<b>File Ref:</b>	<b>Governance - Reporting - Officer Reports</b>
<b>Action Officer:</b>	<b>SBC, SP, ESM</b>

#### Background/Summary

On 24 September 2020 Council received a Petition (attached) regarding non-compliance issues at 37 Davis Court, Hazeldean. At the Council meeting of 14 October 2020, Council resolved as follows -

*"THAT the Petition received by Council on 24 September 2020 to take appropriate action regarding a property in Hazeldean be received and that a report be brought back to a future Council meeting."*

#### History

On 8 October 2002, Kilcoy Shire Council issued a building approval for a removal dwelling at 37 Davis Court, Hazeldean. The building approval had a conditioned time to complete the works of six (6) months.



Following the lapsing of the abovementioned conditioned time, Kilcoy Shire Council corresponded with the owner regarding the unsatisfactory progress on the removal dwelling. Since this time, Council has received numerous complaints from neighbouring residents regarding the unsatisfactory progress and substandard building and plumbing works. In response to the complaints, Council has communicated with the owner on several occasions via phone and written correspondence in an attempt to resolve the matters.

On 15 January 2009, Somerset Regional Council issued a building approval for a covered verandah around the existing removal dwelling and enclosed storeroom under. This approval was intended to resolve the existing building matters on the property as well as finalise the proposed new works. The building approval had a conditioned time to complete the works of two (2) years. However, this approval also lapsed without being finalised, which again left the building in an incomplete state. This resulted in further complaints from neighbouring residents, which in turn prompted ongoing discussions and correspondence between Council and the owner of the property, including the eventual issuing of a Show Cause Notice on 3 March 2020 for the continued occupation of the site and unapproved works.

On 30 June 2020, Council was approached by neighbouring residents to discuss the lack of compliance on the existing removal dwelling, possible unlawful home-based business operation and general appearance of the property. As a result of this meeting, Council's planning section issued Development Offence correspondence dated 9 July 2020 and building section issued Enforcement Notice correspondence dated 14 July 2020.

Since the issuing of the Enforcement Notice, Council has received some satisfactory progress towards achieving overall compliance on the property through the lodgement of current building and plumbing applications on 12 August 2020, 13 August 2020 and 14 August 2020.

On 24 September 2020, Council received a petition (attached) from neighbouring residents to take appropriate action to address the apparent non-compliant issues at 37 Davis Court, Hazeldean. In addressing the non-compliant matters raised in the petition to the Somerset Regional Council, the following responses are provided:

1. **Request for Action** – *'Persons residing in a non-compliant relocatable partly finished dwelling'*.

**Council Response:** The continued occupation of the removal dwelling is of concern to Council and this matter has been raised with both the owner and tenant on several occasions.

2. **Request for Action** – *'Business operated from the non-compliant dwelling'*.

**Council Response:** This matter has been raised with the landowner and tenant.

3. **Request for Action** – *'Safety issues eg. no handrail on external stairs, broken windows'*.

**Council Response:** This matter is being addressed under building application (DA19657).

4. **Request for Action** – *'Health issues eg. No operating sewer system'*.

**Council Response:** This matter is being addressed under plumbing approval (DA19653).

5. **Request for Action** – *'Several non-compliant shipping containers'*.

**Council Response:** This matter is being addressed under building application (DA19662).

6. **Request for Action** – ‘Visual pollution eg. vehicle parts, caravan wreck and general piles of rubbish’.

**Council Response:** This matter is being addressed under CSR # 1236685.

7. **Request for Action** – ‘Several issues that may indicate fire risk’.

**Council Response:** This matter is being addressed under CSR # 1236685.

#### Attachments

Attachment – Petition, dated 24 September 2020.

#### Recommendation

1. THAT the report in relation to compliance matters – 37 Davis Court, Hazeldean – Lot 8 RP886154 be received and the contents noted.
2. THAT the organiser of the petition be advised of Council’s responses to the requests for action.

#### Resolution

Moved – Cr Wendt

Seconded – Cr Whalley

- “1. THAT the report in relation to compliance matters – 37 Davis Court, Hazeldean – Lot 8 RP886154 be received and the contents noted.
2. THAT the organiser of the petition be advised of Council’s responses to the requests for action.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Planning and Building Services Monthly Report - September 2020</b>
<b>File Ref:</b>	<b>Governance - Reporting - Officer Reports</b>
<b>Action Officer:</b>	<b>DPAD, ESM, SP, SBC, NRMO</b>

#### Report

A summary of the Department’s activities during the month of September 2020 is provided for Council’s information.

#### Planning Development Applications

A total of fourteen (14) development applications were received in September 2020.

Assessment Type	August 2019	September 2019	August 2020	September 2020
Building Works assessable against the Planning Scheme	7	5	5	5
Material Change of Use	4	5	9	3
Reconfiguring a Lot	2	-	2	2
Operational Works	2	-	-	4
Combined Applications	-	1	-	-
<b>Total</b>	<b>15</b>	<b>11</b>	<b>16</b>	<b>14</b>

The list of applications received is provided in Appendix 1.

A total of seventeen (17) development applications were decided in September 2020.

Approved/Refused	August 2019	September 2019	August 2020	September 2020
Refused - Council	1	-	-	-
Approved - Council	11	2	2	4
Approved - Delegated Authority	11	10	10	13
<b>Total</b>	<b>23</b>	<b>12</b>	<b>12</b>	<b>17</b>

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

### Planning and Environment Court Appeals

#### ***Roubaix Properties Pty Ltd v Somerset Regional Council and Anor*** ***Planning and Environment Court No. 2327 of 2019***

The Appeal is against Council's decision to refuse the development application. The trial was undertaken from 8 June to 12 June 2020. The final judgement was received on 17 July 2020 which dismissed the appeal against Council's decision. The Applicant has now made representations to appeal the Court's decision.



#### ***Edith Pastoral Company Pty Ltd -V- Somerset Regional Council*** ***Planning and Environment Court No. 2773 of 2019***

The Appeal is against Council's decision to refuse the development application and has been the subject to preliminary proceedings and expert reviews to-date. The Court has ordered the hearing of the appeal be set down for 3 weeks commencing 8 February 2021 and ending on 26 February 2021.

### Building Development Approvals

A total of fifty-seven (57) building approvals were issued in the region for September 2020.

#### **Assessment Type: Building Works**

Status	August 2019	September 2019	August 2020	September 2020
Accepted	41	50	45	61
Approved - Council	10	19	9	19
Approved - Private Certifier	27	24	24	38
Info Request	1	6	8	12
Finalised	39	32	22	41

The list of applications approved is provided in Appendix 2.

### Building Compliance Matters

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

#### **September 2020:**

Unapproved building works at Coominya, Esk, Redbank Creek, Woolmar, Toogoolawah, Minden, Clarendon, Kilcoy, Hazeldean, Mount Hallen, Fernvale and Somerset Dam.

Unlawful use of buildings at Esk.



## Plumbing Compliance Permits and Inspections

A total of twenty-nine (29) plumbing and drainage approvals were issued in the region for September 2020.

### Assessment Type: Plumbing Approval

Status	August 2019	September 2019	August 2020	September 2020
Approved	14	14	17	29
Info Request	6	7	9	8
<b>Total</b>	<b>20</b>	<b>21</b>	<b>26</b>	<b>37</b>

The list of applications approved is provided in Appendix 3.

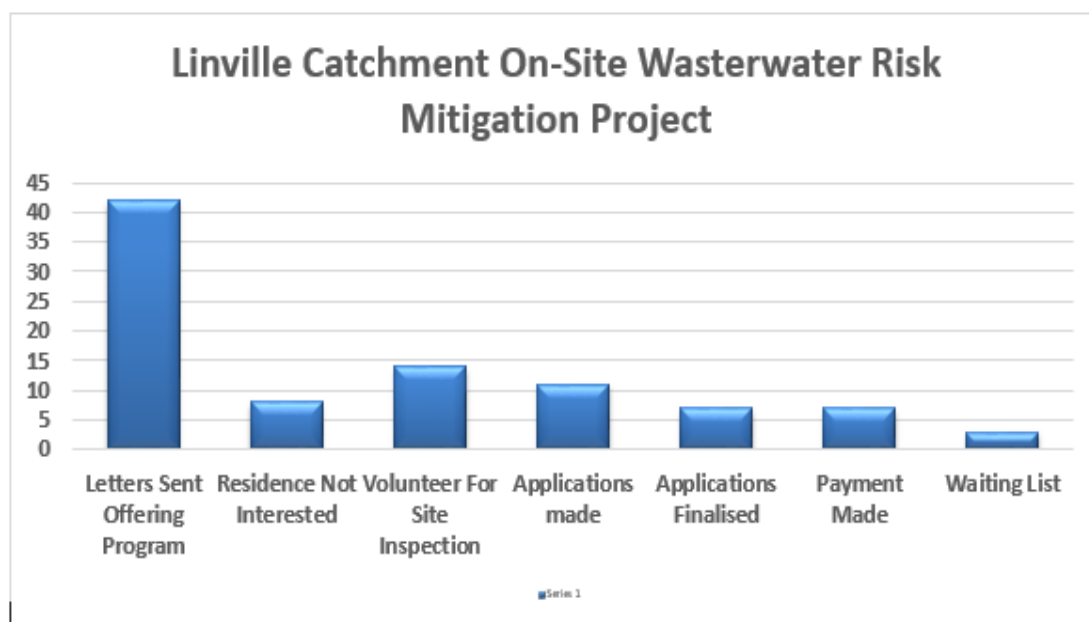
The number of home sewerage treatment plants on Council's register is 1994 of which 282, or 14.16%, are currently overdue for servicing. Letters have been sent to the owners of these systems to ensure compliance.

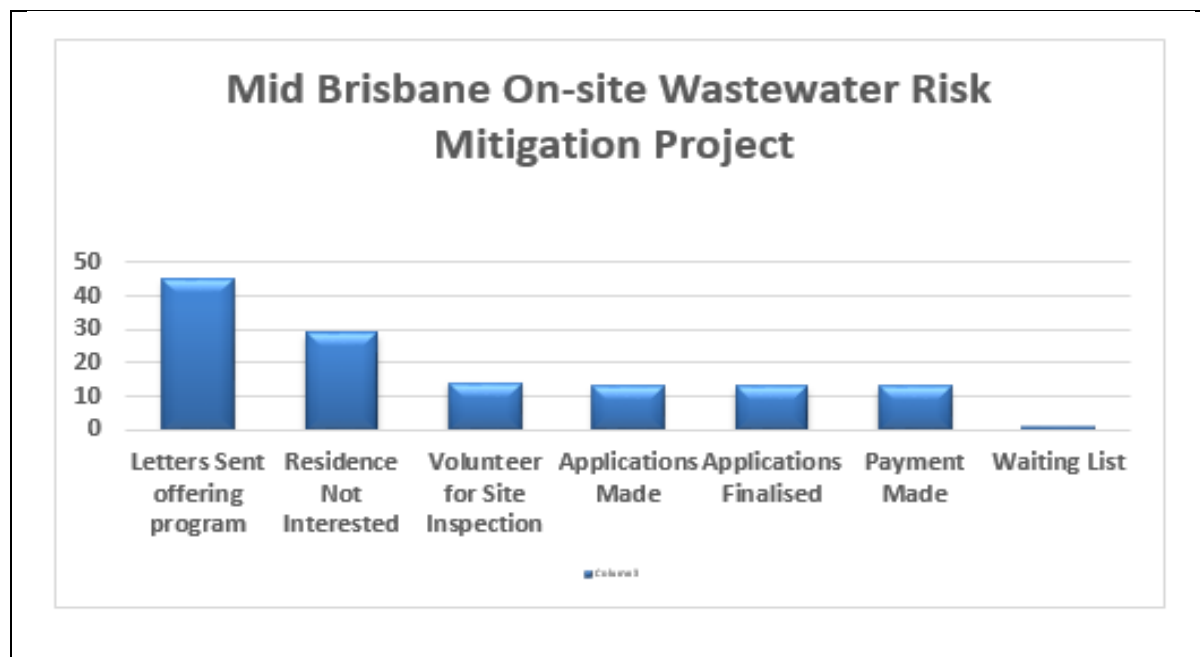
### Mid-Brisbane River and Linville Risk Mitigation Program

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

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

Please see table's below for current figures of Mid Brisbane and Linville Programs:





### Environmental Health Services

#### Toolbox overview

The below figures reflect the customer sessions on Somerset Regional Council's content on Toolbox for the months of July and August. September figures have not yet been received and will be reported on in the next Monthly Report.

#### Visitors to Council content

	July 2020	August 2020
Users	387	352
Sessions	500	447
Pageviews	917	835
Pages/Session	1.83	1.87
Avg. Session Duration	2m50s	2m36s
Downloads	206	149

#### Most popular content

Top content pages	Unique Pageviews	
	July 2020	August 2020
Cats and dogs	320	276
Other animals	76	71
Birds and poultry	43	54
Noise Pollution	30	38
Food	22	29

#### Food Safety Training



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

A total of two users completed the training during the month of August.

### Swimming Pool Water Quality Monitoring

Swimming pool water samples were collected this month at the Toogoolawah, Kilcoy and Lowood pools. All samples collected complied with the *Queensland Health Water Quality Guidelines for Public Aquatic Facilities, 2019*.



### School Based Immunisation Clinics



Council delivers a school based vaccination program at the Lowood and Toogoolawah High Schools for Year 7 and Year 10 students under a service provider agreement with the State Government. The second round of clinics for the year were held on 1 September 2020 with the third round scheduled for 27 October 2020.

### Mosquito Monitoring

Officers are currently planning the 2021 mosquito surveillance program in conjunction with Queensland Health which is proposed to be conducted in various towns and villages in the region from January to March 2021.



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

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

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

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

## Pest Management

The following is a report on activities in the Pest Management sections for the months of August and September.

### Invasive Animal Control

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

#### Wild dogs

1080 baits injected:



	August 2020	September 2020
Kingaham	-	258
Crossdale	-	50
Mt Byron	-	43
Jimna / HQ Plantations	-	76
Jimna-Ten Mile Parks and Wildlife	-	20
Monsildale	-	25
Fernvale	-	45
Dundas	-	31
Glamorgan Vale	-	9
Vernor	-	12

<b>Buaraba</b>	6	-
<b>Eskdale</b>	698	-
<b>Esk</b>	26	-
<b>Sheep Station Creek</b>	69	-
<b>Total</b>	<b>799</b>	<b>569</b>

<b>Dingo scalps presented</b>	<b>August 2020</b>	<b>September 2020</b>
Mt Kilcoy	-	2
Woolmar	-	5
Spring Creek	-	6
Mt Byron	-	13
Crossdale	-	4
Westvale	6	-
<b>Total</b>	<b>6</b>	<b>30</b>

**Feral pigs**

1080 baits injected:

	<b>August 2020</b>	<b>September 2020</b>
<b>Glenhowden</b>	-	25
<b>Bryden</b>	50	-
<b>Eskdale</b>	114	-
<b>Total</b>	<b>164</b>	<b>25</b>

**Feral pig scalps presented:**

	<b>August 2020</b>	<b>September 2020</b>
<b>Mt Kilcoy</b>	-	26
<b>Mt Byron</b>	-	18
<b>Total</b>	<b>-</b>	<b>44</b>

**Rabbits:**

- Officers have been working with landholders to control rabbit infestations in the following areas:
  - Lowood, Brightview, Fernvale, Hazeldean, Prenzlau, Mt Beppo, Kilcoy showgrounds.
- Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset and Wivenhoe Dams.

**Invasive Plant Control**

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

**August:**

- **Groundsel** – Harlin.
- **Fireweed** – Neurum, Mary Smokes, Sandy Creek, Mt Kilcoy, Villeneuve, Coominya, Mt Tarampa, Minden, Jimna, Glamorgan Vale.
- **Giant rats tail grass** – Mt Kilcoy, Fernvale, Wivenhoe Pocket, Mt Tarampa.
- **Lantana** – Esk Crows Nest Road, Mt Kilcoy, Esk, Eskdale.
- **Mother of Millions** – Esk, Lowood, Coominya, Wivenhoe Pocket, Atkinson Dam, Mt Halon, Prenzlau, Fernvale, Mt Tarampa, Minden, Clarendon, Toogoolawah, Neurum, Jimna, Colinton, Harlin, Eskdale.

- **Prickly Pear** – Bryden.
- **Parthenium** – Gregors Creek.
- **Council managed infrastructure** – Kilcoy Transfer Station, Esk Landfill, Lowood Depot.
- **Herbicide applied** –10,553L.
- **Lantana mechanical removal**- 291,250m<sup>2</sup> / 29.125Ha.
- **Lantana chemically treated**- 368,950m<sup>2</sup> / 36.895Ha.
- **Lantana Control** – Mechanical removal of lantana was conducted along Brisbane Valley Highway, Esk Crow's-Nest Road.

#### September:

- **Fireweed** – Minden, Marburg, Coominya, Fairneyview, Sandy Creek, Neurum, Kilcoy, Westvale, Fernvale, Glamorgan Vale, Jimna, Linville, Villeneuve, Wanora.
- **Giant rats tail grass** – Atkinson Dam, Tarampa, Mt Kilcoy, Sandy Creek, Wivenhoe Pocket, Fernvale Jimna.
- **Mother of Millions** – Lowood, Fairneyview, Coominya, Marburg, Toogoolawah, Wivenhoe Pocket, Lowood, Esk, Glamorgan Vale.
- **Prickly Pear** – Toogoolawah.
- **Groundsel** – Marburg.
- **Parthenium** – Linville.
- **Main Roads Element 5** – D'Aguilar Highway.
- **Council managed infrastructure** – Northern Council bridges
- **Herbicide applied** –24,277L
- **Lantana mechanical removal**- 252,500m<sup>2</sup> / 252.5Ha
- **Lantana chemically treated**- 264,970m<sup>2</sup> / 26.497Ha
- **Lantana Control** – Mechanical removal of lantana was conducted along the Brisbane Valley Highway and the Esk Kilcoy Road and Highland St Esk with herbicide control carried out on Esk Kilcoy Road, Highland St Esk also in Neurum, Royston.

#### Compliance under the *Biosecurity Act 2014*:

	August 2020	September 2020
Information notices	18	8
Biosecurity Orders	-	-
Enter and Clear action	-	-
<b>Total</b>	<b>18</b>	<b>8</b>

#### Animal Management

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

#### Natural Resource Management

The Natural Resource Management report will be provided as part of November's monthly report.



#### Recommendation

THAT the Department of Planning and Development Monthly Report for September 2020 be received and the contents noted.



**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Isidro

“THAT the Department of Planning and Development Monthly Report for September 2020 be received and the contents noted.”

Carried

Vote - Unanimous

Mrs. Madeline Jelf left the meeting at 9.16 am.

<b>Subject:</b>	<b>Conversion to road reserve – L 1 RP32281 Lowood</b>
<b>File Ref:</b>	<b>State Government Emergency Management Levy</b>
<b>Action Officer:</b>	<b>DFIN</b>

**Background/Summary**

Council owns vacant freehold land L 1 RP32281 occupying 465 square metres which is situated between Glamorgan Vale Road and Bernhagen Lane.

The property is triangular in shape and surrounded by Council road reservations.

Converting the tenure of L 1 RP32281 to road reserve would:

- Reduce Council operating costs

**Attachments**

Nil

**Recommendation**

THAT Council authorise conversion of L 1 RP32281 to road reservation.

**Resolution**

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council authorise conversion of L 1 RP32281 to road reservation.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Conversion to road reserve – L 16 RP199255 Fernvale</b>
<b>File Ref:</b>	<b>State Government Emergency Management Levy</b>
<b>Action Officer:</b>	<b>DFIN</b>

**Background/Summary**

Council owns vacant freehold land L 16 RP199255 which is used as a drain between Burns Street and Main Street Fernvale.

Converting the tenure of L 16 RP199255 to road reserve would:

- Manage risks such as dividing fence obligations
- Reduce Council operating costs

**Attachments**

Nil

**Recommendation**

THAT Council authorise conversion of L 16 RP199255 to road reservation.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Wendt

“THAT Council authorise conversion of L 16 RP199255 to road reservation.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Conversion to road – L 11 RP7761 and L 12 RP7761 Toogoolawah</b>
<b>File Ref:</b>	<b>State Government Emergency Management Levy</b>
<b>Action Officer:</b>	<b>DFIN</b>

**Background/Summary**

Council owns vacant freehold land described as L 11 RP7761 and L 12 RP7761 occupying 1,012 square metres each on the Brisbane Valley Highway Toogoolawah.

The land is shown as “significant flood hazard” land in Council’s mapping system and it is considered that the land may not be suitable for development.

Converting the tenure of L 11 RP7761 and L 12 RP7761 to road reserve would:

- Manage risks such as dividing fence obligations
- Reduce Council operating costs

**Attachments**

Nil

**Recommendation**

THAT Council authorise conversion of L 11 RP7761 and L 12 RP7761 to road reservation.

**Resolution**

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council authorise conversion of L 11 RP7761 and L 12 RP7761 to road reservation.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Conversion to road reservation - L 101 RP851665 and L 102 RP855403 Sandy Creek</b>
<b>File Ref:</b>	<b>State Government Emergency Management Levy</b>
<b>Action Officer:</b>	<b>DFIN</b>

**Background/Summary**

Council owns vacant freehold land described as L 101 RP851665 and L 102 RP855403 along Mary Smokes Creek Road occupying 45 square metres and 37 square metres respectively.

The adjoining property owners (the owners of L 17 RP851665 and L 18 RP855403) were consulted over the prospect of the tenure of these small lots being converted to road

reservation.

Both adjoining owners have expressed interest in acquiring these small Council lots for the purpose of development through realignment of boundaries with the adjoining lots (please refer attached emails).

Council planners and engineers have visited the site however and consider that:

- While there have been no flood studies prepared for this area, it is considered likely that the north-eastern sections of L 17 RP851665 and L 18 RP855403 would be susceptible to flooding and that building in this area would likely be problematic. The most viable (far south-western) parts of L 17 RP851665 and L 18 RP855403 for building have already been built upon.
- Access to any realigned parcels created from lots L 101 RP851665 and L 102 RP855403 would not be from Mary Smokes Creek Road because of the potential for flooding and because there is an unbridged watercourse internally dividing L 17 RP851665 and L 18 RP855403 which would prevent internal access. Access to the existing L 101 RP851665 and L 102 RP855403 is via easement and further access using these easements would also likely be problematic.

By contrast, in 2017 Council sold a third access restriction strip (L 100 RP855361) immediately to the north-west of L101 RP851665 to the adjacent landowner. The adjoining property in respect of the 2017 sale (L 5 RP855361) is one hectare larger than either L 17 RP851665 and L 18 RP855403 and the adjoining property also has direct road access available to Greenhills Court.

Converting the tenure of L 101 RP851665 and L 102 RP855403 to road reserve would:

- Manage risks such as dividing fence obligations
- Reduce Council operating costs

#### Attachments

Email from the owner of L 18 RP855403 of 14 October 2020  
Email from the owner of L 17 RP851665 of 4 October 2020

#### Recommendation

THAT Council authorise conversion of L 101 RP851665 and L 102 RP855403 to road reservation.

#### Resolution

Moved – Cr Wendt

Seconded – Cr Choat

“THAT Council authorise conversion of L 101 RP851665 and L 102 RP855403 to road reservation.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Conversion to road reservation – L 38 RP201554 Hazeldean</b>
<b>File Ref:</b>	<b>State Government Emergency Management Levy</b>
<b>Action Officer:</b>	<b>DFIN</b>

#### Background/Summary

Council owns vacant freehold land described as L 38 RP201554 on Kassulke Court Hazeldean

occupying 1,556 square metres. While no Council flood study has been undertaken for the area, Council records show that L 38 RP201554 would be affected by the current full supply level of Somerset Dam as shown below.

The adjoining property owners (the owners of L 32 RP201554 and L 33 RP201554) were contacted about the prospect of the tenure of L 38 RP201554 being converted to road reservation.

Both owners indicated that they might be interested in purchasing L 38 RP201554 as a separate title for the purpose of development for potential realignment of boundaries with their adjoining lots.

Council planners and engineers however consider that because there have been no Council flood studies prepared for this area, in order to progress any boundary realignment proposal a developer would need to commission suitable flood information based on current and potential future levels of Somerset Dam. It is likely that this would be a difficult and expensive exercise.

Converting the tenure of L 38 RP201554 to road reserve would:

- Manage risks such as dividing fence obligations and potential reputational risks with respect to future development that might be impacted by flood;
- Reduce Council operating costs;
- Allow an adjoining owner to pursue a permit to occupy the former L 38 RP201554 for grazing if desired. (The owner of L 32 RP201554 mentioned that they might also be interested in leasing L 38 RP201554).

#### Attachments

Nil

#### Recommendation

THAT Council authorise conversion of L 38 RP201554 to road reservation.

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council authorise conversion of L 38 RP201554 to road reservation.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Procurement Policy F/008 - Tender advertising</b>
<b>File Ref:</b>	<b>Financial management</b>
<b>Action Officer:</b>	<b>SPO</b>

#### Background/Summary

As of 12 October 2020, the requirement for Queensland local governments to advertise tenders in newspapers has been removed.

The new requirement in s.228(4) and (6) of the Local Government Regulation 2012, is that invitations for tenders appear on a council's website for at least 21 days. A council must also “... take all reasonable steps to publish the invitation ... in another way to notify the public about the tender process”.

Council currently uses the VendorPanel web portal for tenders and large quotations.

Section C of Council's Procurement Policy will need to be changed to reflect the change in legislation. The current wording is below:

**C. PURCHASES ABOVE \$200,000**

Except as provided in this policy, Council will invite tenders before making a contract for the carrying out of work, or the supply of goods or services involving a cost of \$200,000 or more.

The invitation must be by an advertisement in a newspaper circulating generally in Somerset and allow at least 21 days from the day of the advertisement for the submission of tenders.

Records of tenders received must be kept on file.

**Attachments**

Section 228 of the Local Government Regulation 2012

**Recommendation**

THAT Council amend Procurement Policy section C to the following:

**C. PURCHASES ABOVE \$200,000**

Except as provided in this policy, Council will invite tenders before making a contract for the carrying out of work, or the supply of goods or services involving a cost of \$200,000 or more.

The invitation must be by notice on Council's website and in addition:

- an advertisement on a web portal such as VendorPanel;
- an advertisement in one or more newspapers circulating generally in the Somerset Regional Council area;
- notice on all of Council's LED signs; or
- other means of notification as determined by the Chief Executive Officer;

and allow at least 21 days from the day of the advertisement for the submission of tenders.

Records of tenders received must be kept on file.

**Resolution**

Moved – Cr Whalley

Seconded – Cr Choat

“THAT Council amend Procurement Policy section C to the following:

**C. PURCHASES ABOVE \$200,000**

Except as provided in this policy, Council will invite tenders before making a contract for the carrying out of work, or the supply of goods or services involving a cost of \$200,000 or more.

The invitation must be by notice on Council's website and in addition:

- an advertisement on a web portal such as VendorPanel;
- an advertisement in one or more newspapers circulating generally in the Somerset Regional Council area;
- notice on all of Council's LED signs; or
- other means of notification as determined by the Chief Executive Officer;

and allow at least 21 days from the day of the advertisement for the submission of tenders.

Records of tenders received must be kept on file."

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Information Security Policy F/013</b>
<b>File Ref:</b>	<b>Internal audit</b>
<b>Action Officer:</b>	<b>DFIN</b>

#### Background/Summary

Council's internal auditors, Crowe, were engaged to review Council's IT systems and security processes.

Crowe carried out this review and provided a report in confidence to Council in March 2020. This was one of three internal audits carried out during 2019/2020.

Council management undertook to develop an information security policy addressing Crowe's recommendations and place this before Council for consideration by 30 November 2020.

#### Attachments

Internal audit of IT systems and security – March 2020 report by Crowe – provided to Council *in confidence*

#### Recommendation

THAT Council adopt the following Information Security Policy F/013:



**Policy Subject/Title:** Information Security Policy

**Policy Number:** F/013

**Responsible Officer:** Director Finance

**Related Policies / Procedures:** F/005 Risk Management Policy  
C/012 Confidentiality Policy  
C/013 Information Privacy Policy

C/015 Information Management Policy  
C/016 Email Policy  
C/033 CCTV Policy  
HR/001 Code of Conduct  
HR/008 Email, internet and computer network  
usage Policy

**Authorised by:**

Somerset Regional Council

**Authorised on:**

28 October 2020

**Amendments:**

[Date and Doc ID of any subsequent  
amendments]

## 1. OBJECTIVE

To ensure direction and cohesion on the importance of information security.

To establish a consistent approach to the implementation of information security to protect information assets and associated physical assets against unauthorised use or accidental modification, loss or release.

## 2. BACKGROUND

Somerset Regional Council recognises that a significant level of information risk exists due to a growing reliance on digital platforms and is committed to maintaining a focus on information security through a variety of policy and technical controls. Risks and the effectiveness of controls intended to manage those risks are periodically reviewed based on the traditional three objectives of confidentiality, integrity, and availability.

- Confidentiality – ensuring that information is only accessed by authorised users and for authorised purposes.
- Integrity - ensuring the authenticity, accuracy and consistency of information.
- Availability – ensuring that information is accessible by authorised users as required.

## 3. PURPOSE

To define the approach to maintaining and promoting a culture of information security where relevant stakeholders make effective risk-based decisions to protect critical and sensitive information used throughout Council from being compromised.

## 4. SCOPE

This policy applies to all users of Council's information systems including employees, contractors, third-party providers and Councillors.

## 5. POLICY

### *Definitions*

- Authorised individual - a named individual who has been explicitly granted access to a system or resource.
- ICT - Information and communication technology.
- Information security – the protection of Council's data, applications, networks, computer systems and process control systems from unauthorised access, alteration, or destruction.

- Least privileged - cyber security concept promoting minimal user profile privileges on computers based on task necessities.
- Need-to-know – information access controls that deny access by default unless explicitly authorised by the information owner.
- Privileged account - an account that permits administrative-level changes.
- System - ICT equipment storing, transmitting or processing digital information.

### **Approved Access and Account Management**

- An appropriately authorised permission form is to be provided before any new or changed access or permissions are provided, and users are to be positively identified prior to being granted access.
- Access is based on the security principles of least privilege and need to know, with group membership used to define access where possible.
- Privileged accounts must be limited to authorised individuals responsible for administering the system and are not be used to perform non-privilege level tasks.
- Where feasible technical controls will generate alerts for new or changed user and computer accounts.
- Network user and computer accounts are to be removed when no longer required and reviewed at least every two months to identify any orphaned accounts based on recent usage.
- Physical access is to be removed if no longer required.
- Shared or anonymous access is not permitted to any system containing critical and sensitive information. Library circulation computers are the only exception due to workflow requirements, and these are to have access only to internal library emails and the library management system.
- Personal accounts are not to be used to access or control systems containing Council information.
- All users have a responsibility to manage access to their systems and credentials.
- Systems will be logged and monitored for potential inappropriate access.
- Remote access to Council systems is by exception and will require director and CEO approval. Access to corporate information will be provided only via Council supplied assets except in the following circumstances:
  - Approved vendor access to specific systems for support purposes.
  - Councillor devices which are only permitted to access corporate email.
  - At the discretion of the CEO in emergency circumstances such as a defined disaster. Remote access details and credentials are configured by ICT staff and not to be provided to end users.
  - Where Council policy specifically permits

### **Password Controls**



- Digital assets are to be secured by a minimum of unique identifier and authenticator, and additional factors where possible.
- Passwords are to have sufficient factors, length and complexity to delay an attacker's attempt in systematically checking all possible passwords until the correct one is discovered (dictionary attack).
- To protect against credential re-use attacks passwords are not to be re-used on multiple systems other than where single sign-on (SSO) has been implemented.
- Passwords are to be changed every six months.
- Passwords assigned to specific users are not to be shared.
- Vendor supplied and/or default passwords are not to be used on any system.
- Password management standards will be implemented as a technical control where possible on all system and user accounts, and by policy control and awareness campaigns where technical controls are not feasible.
- Privilege passwords for systems must be stored in a secured location that provides adequate access controls, role-based delegation and auditing.
- If a shared password is required to be used to access specific information this password is to be changed immediately upon changes to membership of the group accessing the information.

### **Physical Security Controls**

- Council identifies that cheque and credit card payment are Council's default methods of payment of suppliers. These forms of payment manage risks relating to EFT fraud and security identified in the Crowe report "Internal Audit of IT Systems and Security" of March 2020.
- Access to Council corporate facilities is restricted to authorised personnel, requiring a signed-out key or fob assigned specifically to a user. Fob access is monitored, and higher security areas restricted to specific users. Corporate facilities are also secured by monitored alarm systems when unattended.
- Visitors to corporate facilities including contractors are required to identify themselves before entry, noted in the entry log and where practical, accompanied by authorised personnel.
- Physical access to the corporate network is restricted by various physical and technical controls.

### **ICT Assets**

- The current status of electronic assets that may contain data is recorded in an asset register that is audited periodically. Hardware and software discovery tools including mobile device management (MDM) software are also used to monitor assets and installed software.
- Assets assigned to a specific user such as laptops, mobile phones or software are the responsibility of that user and should be physically secured and always locked when not in direct use. The loss of any asset likely to contain data is to be reported to ICT

immediately and will be dealt with in accordance with s307A of the Local Government Regulation 2012 (or successor legislation).

- Software installation is restricted through technical controls.
- ICT staff retain the right to remove, block or erase any hardware or software that is deemed unsuitable or unacceptable to the Council.
- Assets are to be securely disposed of when retired from service.

### Security Awareness

- Information security training will be conducted via Council's electronic Learning Management System (eLMS) for all staff, contractors and Councillors with network access to critical and sensitive information. This training will reinforce that breaches of the information security policy or supporting policies including acceptable use policies may result in disciplinary action.
- This training will be delivered upon commencement and/or when users are first granted access, with follow-up annual mandatory training. Training and awareness campaigns may be tailored to specific stakeholders.
- Quarterly email phishing testing will be conducted for all staff, contractors and Councillors with access to corporate email. Staff, contractors and Councillors who fail phishing tests will be advised of the failures within 30 days and these staff, contractors and Councillors will be required to undertake and pass refresher information security training.
- Every staff newsletter issued with fortnightly pay slips will contain an article about cyber security.
- Each quarterly Team Somerset Management Committee (TSMC) meeting will include ICT systems and cyber security as a standing agenda item.

### Data Ownership

- Ownership, classification and responsibility for data and systems shall be set by the Chief Executive Officer in writing subject to default ownership, classification and responsibility as outlined in this policy.
- Council's data hierarchy shall be set by the Chief Executive Officer in writing subject to the identification through this policy that financial data and particularly payroll and accounts payable data is Council's most critical data.

Data Category	Responsible	Accountable	Classification
Financial <i>including payroll/ accounts payable/ financial/ rating system and ephemeral data* on data drive</i>	DFIN	DFIN	Most critical
Corporate records <i>including EDRMS and physical records</i>	DCORP	DCORP	
Spatial <i>including ephemeral data* on data drive but excluding Planning Scheme</i>	DOPER	DOPER	
Planning & Development <i>including ephemeral data* on data drive</i>	DPAD	DPAD	

<i>and Planning Scheme spatial data</i>			
Human Resources <i>including ephemeral data* on data drive</i>	DHRCS	DHRCS	
Executive <i>including ephemeral data* on data drive</i>	CEO	CEO	
Operations <i>Including ephemeral data* on data drive, CAD, flood studies, LIDAR, Reflect</i>	DOPER	DOPER	
Tourism and marketing <i>including ephemeral data* on data drive</i>	CMM	CMM	

\*When ephemeral data has been captured into the document management system it becomes a corporate record and the original should be deleted.

## Review Process


- A review of Council's cyber security at a practical level will be requested as part of internal audit processes at least every three years.

## 6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 28 October 2020.

Signed: .....

Date: .....

<b>Resolution</b>	Moved – Cr Brieschke	Seconded – Cr Isidro
"THAT Council adopt the following Information Security Policy F/013:		
		
<b>Policy Subject/Title:</b>	<b>Information Security Policy</b>	
<b>Policy Number:</b>	<b>F/013</b>	
<b>Responsible Officer:</b>	Director Finance	
<b>Related Policies / Procedures:</b>	F/005 Risk Management Policy C/012 Confidentiality Policy C/013 Information Privacy Policy C/015 Information Management Policy C/016 Email Policy C/033 CCTV Policy HR/001 Code of Conduct HR/008 Email, internet and computer network usage Policy	
<b>Authorised by:</b>	Somerset Regional Council	
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amendments]

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Spatial <i>including ephemeral data* on data drive but excluding Planning Scheme</i>	DOPER	DOPER	
Planning and Development <i>including ephemeral data* on data drive and Planning Scheme spatial data</i>	DPAD	DPAD	
Human Resources <i>including ephemeral data* on data drive</i>	DHRCS	DHRCS	
Executive <i>including ephemeral data* on data drive</i>	CEO	CEO	

Operations <i>Including ephemeral data* on data drive, CAD, flood studies, LIDAR, Reflect</i>	DOPER	DOPER	
Tourism and marketing <i>including ephemeral data* on data drive</i>	CMM	CMM	

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### Review Process

- A review of Council's cyber security at a practical level will be requested as part of internal audit processes at least every three years.

### 6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 28 October 2020.

Signed: ..... Date: ....."

Vote - Unanimous

Carried

**Subject:** Annual Report 2019 - 2020  
**File Ref:** Corporate management - Reporting - Annual Report  
**Action Officer:** CCSO

### Background/Summary

The Annual Report for Somerset Regional Council is presented for adoption.

The report covers the period 1 July 2019 to 30 June 2020 and has been prepared in accordance with the requirements of the *Local Government Act 2009* and the Local Government Regulation 2012.

### Attachments

Annual Report, including the Annual Financial Statements and audit certificate from the Auditor-General

### Recommended Action

THAT the Annual Report for Somerset Regional Council, including the audited financial statements, for the period 1 July 2019 to 30 June 2020, be adopted.

### Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“THAT the Annual Report for Somerset Regional Council, including the audited financial statements, for the period 1 July 2019 to 30 June 2020, be adopted.”

Vote - Unanimous

Carried



<b>Subject:</b>	<b>Corporate Services Monthly Report - September 2020</b>
<b>File Ref:</b>	<b>Information management - reporting - Corporate Service Report</b>
<b>Action Officer:</b>	<b>DCORP</b>

### Background/Summary

In delivering on Council's Operational Plan and commitment to excellent customer service, the Corporate Services Department offer the following information as a representation of activities undertaken during the month of September 2020.

### Community Development

#### Network and Other Meetings

- Brisbane Valley Interagency (host)
- Kilcoy Interagency (host)
- Inter-Council and Services Forum (host)
- Ipswich and District Seniors Network Meeting
- Moreton Bay Elder Abuse Program Network
- Kilcoy High School Support Meeting
- LGAQ Domestic and Family Violence Network meeting
- Ipswich and West Moreton Local Level Alliance Meeting
- Queensland Families and Communities Association's Drought Strategy Release
- Met with representatives from Coast and Country Bus Lines
- Met with new Youth in Charge Alcohol and Other Drugs Worker
- Attended Child Protection Week Committee Art Judging
- Met with representatives from Metro North Health and Hospital Service

Promoted RUOK Day (10 September) in association with RHealth (mental health navigators) with banners and electronic signs in the five towns and with the distribution of posters and/or cup-cake flags to 47 businesses throughout the region. The initiative was well received by the businesses, who supported the promotion.



#### Requests for Information and Referral

Request Type	Number	Area(s)
Aged care – home care packages	2	Esk and Toogoolawah
Risk of suicide (one youth)	2	Esk
Elder abuse	1	Esk
New resident assistance	1	Esk
Homelessness/risk of homelessness	1	Sandy Creek, Kilcoy
Emergency Relief or Financial support	4	Esk and Toogoolawah
<b>TOTAL</b>	<b>11</b>	

### Community Groups Assisted

Brisbane Valley Kilcoy Landcare  
Brisbane Valley Mens Shed  
Lowood RSL  
Lowood CWA  
Eskcapees

### Activities Throughout August

Movement to Music continued throughout September with around 40 seniors participating each week, at Toogoolawah. Many participants are asking if it can be continued next year as they really enjoy it and find it beneficial.

Information sample packs including service information, giveaways and other child friendly activities were provided at school holiday event to help inform residents about available services.

### Information and Communication Technology (ICT)

The month continued to see significant impacts on ICT resourcing due to COVID, with increased remote user support and increased use of collaboration and conferencing tools factoring heavily. The situation has provided an excellent opportunity to test portions of our disaster recovery and business continuity processes, and some improvements have now been made or planned based on lessons learnt.

The organisational wide building alarm consolidation project has recommenced, with initial physical work nearing completion and planning for the system wide user audit under way. Work continues implementing the recommendations from the 2019 internal audit.

Software and infrastructure upgrades continue to be carried out in line with budgetary considerations and operational requirements.

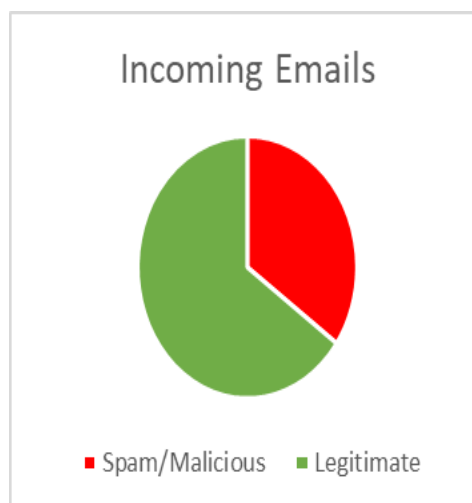
NBN rollout across multiple sites is almost complete, and networking infrastructure is being reviewed to identify improvement opportunities through the more recent availability of enterprise NBN.

DNRME have announced that they are coinciding the adoption of the GDA2020 spatial datum with the retirement of the current method of retrieving cadastral updates and changes to the provided data, so a project has commenced to review and update this process.

### Cyber Security

The percentage of malicious emails remains at around 35%, with phishing emails continuing to target Office365 and videoconferencing utilities such as Zoom. Several legitimate external contacts had their accounts compromised during the month which can be challenging for end users to recognise due to hackers replying to previous legitimate email trails found in the external account.

Phishing testing of all corporate email users continues in line with audit requirements, with the effects of ongoing awareness training being proven by only one user failing in the most recent test. Phishing testing involves sending benign copies of malicious emails to staff and Councillors to increase their awareness and test their response to a potential risk.

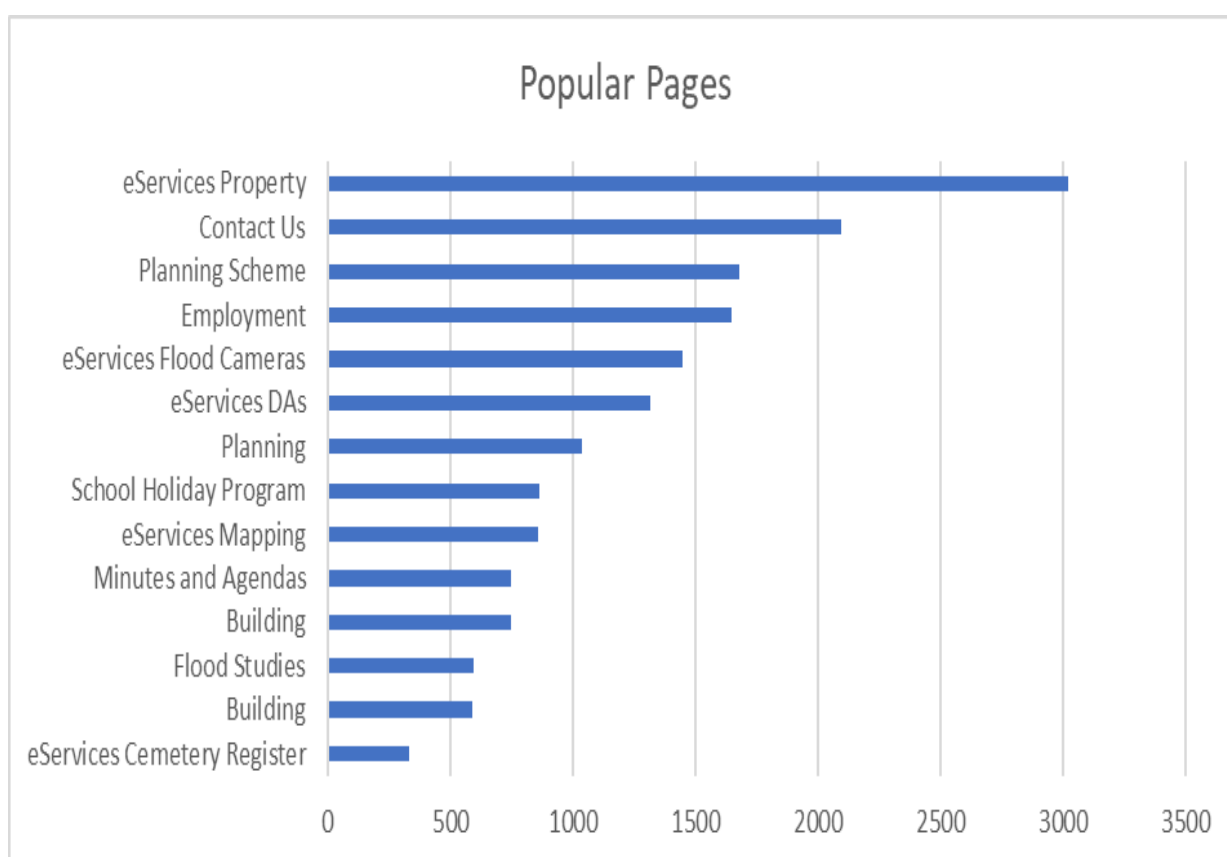


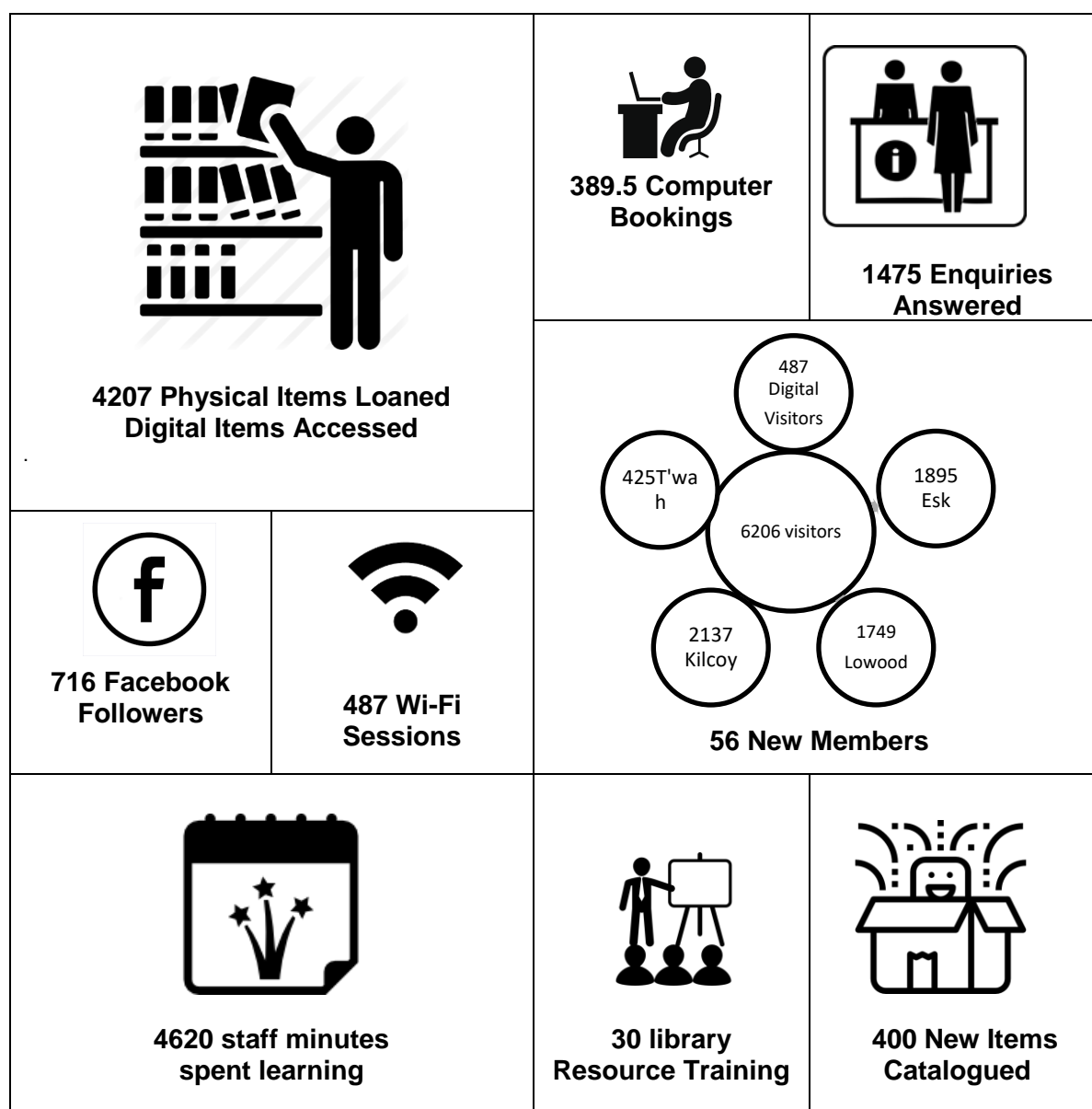
Attacks continue against internet facing resources, with the Australian Cyber Security Centre (ACSC) and Queensland Government Chief Information Officer (QGCIO) again warning of an ongoing cyber campaign by a foreign nation targeting Australian government and business networks and providing attack indicators to assist in identification and mitigation. Thousands of direct compromise attempts continue to be detected on the primary Council firewall, still mostly comprising automated script attacks.

### Websites

The primary corporate website ([someset.qld.gov.au](http://someset.qld.gov.au)) received 44,270 page views for the month (up 49%), while eServices ([eservices.someset.qld.gov.au](http://eservices.someset.qld.gov.au)) received 20,405 page views (up 26%).

The “Have Your Say” section of the website has received thousands of visits to date and it is recommended that this facility continue to be internally promoted to increase awareness and usage.



**Libraries****Staff Training**

☐ Proposal ☐ In Progress ☒ Completed

Library staff have recently attended Dealing with Difficult People training. Staff were given the skills to -

- Develop self awareness and the willingness to change behaviour.
- Plan their communication style and profile their personality style to reduce anxiety and stress levels.
- Understand what motivates other people.
- Use time management techniques to ensure services are delivered on time.

**School holidays @ Somerset Libraries**

☐ Proposal ☐ In Progress ☒ Completed

A variety of school holiday activities were held in libraries over the September/October school holidays. Attendance was mixed with the activities the first to be held after libraries reopened post COVID 19. Activities included Sepheros, 3D mask making, recycled bottle craft and book binding workshops.

**Travelling Craftroom**

☐ Proposal ☐ In Progress ☒ Completed

In the first of a series of workshops, residents were invited to learn and take part in paper making workshops and gel press printing. Somerset Libraries were able to purchase the equipment to hold these ongoing workshops via funding from the State Library of Queensland. Workshops will be held throughout the year with the equipment available for loan to community groups.

**Travelling Craftroom - online**

☐ Proposal ☐ In Progress ☒ Completed

In a first for Somerset Libraries, a series of craft school holiday activities were held online via Facebook. Residents were invited to pick up their free craft packs from any branch library and watch a 'how to video' via Facebook. Craft packs included, tea lights, picture frames, batik painting, bedded bookmarks and mask making. 280 packs were created with 236 handed out. This project was funded through a State Library of Queensland grant.

<b>Records</b>
----------------

**Documentation – At a Glance – September 2020**

**Inward/Actioned Documents** - 3799

**Customer Service Requests** - 372

**Outward Correspondence** - 2270

**Councillor Requests** – Nine (9)

**Decision Notices/Workshop Outcomes** -

Decision Notices – Eighty-Four (84)

Workshop Actions – Thirty-Four (34)










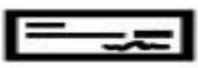


**Tender/Quotation** –

Tenders – Six (6)

Numbered Quotations – Three (3)

Total Documents Registered for the month of September 2020 - 8606



Comparison Figures - Registered for the month of September 2019 - 7697

 Emails In – 2471 Emails Out – 1620	 Requests - 381	 Letters In – 1190 Letters Out – 654
 Media – 35	 Photos – 150	 Faxes – 3
 Internal - 849	 Reports – 63	 Confidential - 7
 Invoices – 753	 Receipts – 127	 Maps - Plans - 31

This month, the team focussed on digitising permanent paper-based records. This may account for some of the increased number of registered documents this month compared to last September. In the following months, the team will shift their focus to preparing for disposal of records that are able to be destroyed in the 2021 disposal. This will help to free up some space in Councils archive facilities, which are rapidly filling.

**Sport and Recreation**
**1. Indoor sport, gymnasium and aquatic facility operations**

Facility	Commentary	Attendance for the Month	Comparative to Month Historical Average	Membership Change (comparative to previous month) - Total
<b>Fernvale Indoor Sports Centre</b>	<ul style="list-style-type: none"> <li>Five industrial fans installed into the main sports hall</li> <li>Team up program delivered to local schools</li> <li>Lunch time games delivered at Lowood State School through term 3 with up to 40 students regularly participation</li> <li>No reportable incidents</li> </ul>	1,452	↓ (1,824)	↑ +25 (464)
<b>Kilcoy Indoor Sports Centre</b>	<ul style="list-style-type: none"> <li>Promotional initiatives included weight loss and training challenges as well as promoting new Linville classes</li> <li>Somerset Health and Fitness donated \$1,000 to the Kilcoy Gymnastics Club</li> <li>Significant marketing initiatives included promoting health challenges, individual client 75kg weight loss and social BVRT event</li> <li>One incident reported following a visitor overheating in the indoor court; no follow up required from Council</li> </ul>	1,892	↑ (1,791)	↓ -14 (197)
<b>Toogoolawah Community Gym</b>	<ul style="list-style-type: none"> <li>Promotional initiatives included weight loss and training challenges as well as promoting the Movement to Music classes</li> <li>No reportable incidents</li> </ul>	292	↑ (290)	↓ -2 (59)
<b>Esk Swimming Pool</b>	<ul style="list-style-type: none"> <li>Reopened 26 September</li> <li>First time the pool has opened in September since pre-2014</li> <li>No reportable incidents</li> </ul>	2	N/A	N/A
<b>Kilcoy Aquatic</b>	<ul style="list-style-type: none"> <li>Reopened 19 September</li> <li>Free entry offered on 26</li> </ul>	470	↓ (753)	N/A

<b>Centre</b>	September, unfortunately cool and windy weather deterred many patrons			
<b>Lowood Swimming Pool</b>	<ul style="list-style-type: none"> <li>Reopened 19 September</li> <li>Free entry offered on Tuesday 22 September, with complimentary entertain from local performer, DJ Bex</li> <li>Free event well supported with 65 children in attendance</li> </ul>	673	 (287)	N/A
<b>Toogoolawah Swimming Pool</b>	<ul style="list-style-type: none"> <li>Reopened 19 September</li> <li>Free entry offered on 24 September</li> <li>Free entry was reasonably subscribed with 35 attendances</li> </ul>	159	 (147)	N/A

## 2. Events and Initiatives

- The **Somerset Primary Sports Cup** was held at the Esk State School on Friday 18 September. The event, which is usually held at the Toogoolawah State High School, saw approximately 130 year five and six students from Esk, Toogoolawah and Harlin State Schools participate in multi-sport events day. Students participated in touch football, soccer, indoor cricket, netball and softball. Somerset Regional Council financially support the annual event through the provision of transport and first aid, as well as assisting with coordination, time-keeping, scoring and umpiring. A team from Toogoolawah State School claimed the cup for 2020.
- The SRO coordinated **free pool entry** to coincide with skatepark events at each facility. In total, 150 children accessed the Lowood, Esk, Toogoolawah and Kilcoy aquatic facilities for free over the school holidays.
- The SRO coordinated **free skateboard clinics** at the five skateparks throughout the region on 19 and 20 September. Attendance at the events was limited.

## 3. Club Contact

- The SRO organised a **Club Dinner and Workshop** at the Exchange Hotel Kilcoy on Thursday 10 September. The evening featured a presentation on resilience and sustainability from CPR Group Managing Director, Michael Connelly. The event was well received with 13 representatives from seven different local sporting clubs in attendance.
- The SRO attended three club meeting in the month of September.

## 4. Sport and Recreation Projects

- The SRO continues to liaise with the University of Queensland Business School Service Innovation Alliance regarding the **Brisbane Valley Rail Trail Visitor Research Program**.

Two further in person survey capture days were held on Saturday 19 and Saturday 26 September in Fernvale and Toogoolawah and Esk and Linville respectively. The total responses to date are in excess of 600.



- **Installation of an electric heating system at the Toogoolawah Swimming Pool** has been scheduled for 15 and 16 October 2020. The installation of the heating units will be accompanied by upgrading the infrastructure to the swimming pool pump room.
- Installation of industrial **fans at the Fernvale Indoor Sports Centre** commenced on Monday 28 September.
- The SRO drafted a response to the Queensland Reconstruction Authority request for detailed information regarding a funding expression of interest (EOI) to the Local Economic Recovery Program. The EOI was for the drafting of an implementation plan for the development of a recreation and nature reserve utilising available Mount Glen Rock property and constructing recreation trails utilising existing fire breaks.
- **LED Lighting Infrastructure** tenders closed on 23 September for the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields. Significant interest has been expressed by tenderers for the contract.

### Youth Engagement

YEO – project and activity overview and YES alignment				
Project/activity	YES alignment*	Updates/notes	Status	Key date/s
Internal documents – Working With Children	YES	Recommendations approved	In progress	ASAP
School Holiday Programs including QWY 2020 grant	SDR - 3, 4	Spring SHP	In progress	19/09/2020 – 3/10/2020
School Support Meetings – Term 3	SDR - 2, 3, 5, 6, 7	KSHS LSHS TSHS	Completed Completed Completed	1/09/2020 10/09/2020 17/09/2020
Somerset Youth Leadership Camp 2020 and 2021	SDR - 8	2020 exhibition	In progress	14/11/2020 – 10/01/2021
		2020 end of year celebration	In progress	Tentative: 14/11/2020
		2021 camp – venue booking and school confirmation	In progress	ASAP
* Youth Engagement Strategy (YES) alignment: Strategic Direction and Recommendations (SDR) from the YES				

YEO – September projects and activities	
<i>Brief overview of relevant projects and activities</i>	
<i>School Holiday Program – overview of events to date (YEO events – in collaboration with SRO, RL and Somerset Health and Fitness)</i>	
Event, location and date	Attendees
Scooter Competition, Lowood, 22 September	60 (18 participants in the competition)



Bookbinding Workshop, Esk, 24 September	5 (Maximum of 10 bookings permitted)	
Bookbinding Workshop, Toogoolawah, 24 September	0 Session cancelled – lack of bookings	
Skateboarding Workshop, Toogoolawah, 24 September	6	
Bookbinding Workshop, Kilcoy, 25 September	5 (Maximum of 10 bookings permitted)	
Bookbinding Workshop, Lowood, 25 September	0 Session cancelled – lack of bookings	
Youth Drop In Night, Kilcoy, 25 September	8	
Scooter Competition, Kilcoy, 26 September	50 (19 participants in the competition)	
Scooter Championship, Fernvale, 30 September	120 (26 participants in the competition)	
Youth Drop-In Night, Kilcoy, 2 October	Pending	
Skateboarding Championship, Esk, 3 October	Pending	
<i>YEO assisted at the Outdoor Movie Night in Fernvale on 30 September (approximately 150-200 attendees) and will assist at the Outdoor Movie Night in Esk on 3 October (pending). Other library activities, Outdoor Movie Nights, skateboarding workshops and free pool entry to be reported by RL, EO and SRO.</i>		
School Support Meetings Term 2		
<i>Kilcoy SHS</i>	<i>Lowood SHS</i>	<i>Toogoolawah SHS</i>
<ul style="list-style-type: none"><li>Term 3 KSHS SSM took place on 1 September from 1.30pm-3pm at the Kilcoy Memorial Hall. Eight attended.</li></ul>	<ul style="list-style-type: none"><li>Term 3 LSHS SSM took place on 10 September from 12pm-1.30pm via teleconference. Twelve attended.</li></ul>	<ul style="list-style-type: none"><li>Term 3 TSHS SSM took place on 17 September from 2.30pm-4pm at Toogoolawah SHS. Seven attended.</li></ul>
6 Networks and Committees Attended		
<ul style="list-style-type: none"><li>Covid-19 – Engagement Group</li><li>Kilcoy Interagency</li><li>Youth Interagency</li><li>3 x School Support Meetings</li></ul>		

**Attachments**

Nil

**Recommendation**

THAT the Corporate Service Report for September 2020 be received and the contents noted.

**Resolution**

Moved – Cr Choat

Seconded – Cr Wendt

“THAT the Corporate Service Report for September 2020 be received and the contents noted.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Application for Purchase of State Land – Lot 7 CP882123 – Bellbird Road, Jimna</b>
<b>File Ref:</b>	<b>Land Use and Planning - Surveying - Encroachments - Doc ID 1225934, 1233014, 1236326</b>
<b>Action Officer:</b>	<b>CCSO</b>

### Background/Summary

Correspondence has been received from ONF Surveyors seeking Council's position on a proposed boundary realignment between Lot 7 CP882123 and Lot 119 LX2541. Lot 7 CP882123 is State Land, being a Reserve for Park and Recreation, in the trusteeship of Council.

When undertaking a boundary identification survey for Lot 119 LX2541, it was discovered that an existing fence and part of a shed on the western side of the property encroached on the common boundary of Lot 7 CP882123.

The owner of Lot 119 LX2541 is making application to the Department of Natural Resources, Mines and Energy (DNRME) to purchase State Land to rectify the encroachment. Council's support of the proposed realignment is requested.

The proposed area to be purchased is 114m<sup>2</sup> and is identified in Attachment 1 – Identification Survey Sketch.

It should be noted that this Reserve is currently the subject of a Native Claim by the Kabi People. It was gazetted as a Reserve for Park and Recreation purposes on 25 January 1996. The final inspection certificate for the encroaching shed was issued on 11 February 2016. As the encroachment occurred post-23 December 1996, there are native title implications associated with the proposed purchase that will need to be dealt with.

It is recommended that Council provide no objections to the proposed boundary realignment and purchase, subject to the State Government dealing with the native title requirements relating to existing or future native title claims over the site, and any future native title claims for compensation being payable by the State Government.

### Attachments

Attachment 1 – Identification Survey Sketch

### Recommendation

THAT Council advise ONF Surveyors that it has no objection to the proposed boundary realignment or to the purchase of part of Lot 7 CP882123, in accordance with Attachment 1 – Identification Survey Sketch, subject to the following conditions:

- the State Government dealing with the native title requirements relating to existing or future native title claims over that part of Lot 7 CP882123 proposed to be purchased; and
- any future native title claims for compensation over that part of Lot 7 CP882123 proposed to be purchased be payable by the State Government.

### Resolution

Moved – Cr Whalley

Seconded – Cr Choat

“THAT Council advise ONF Surveyors that it has no objection to the proposed boundary realignment or to the purchase of part of Lot 7 CP882123, in accordance with Attachment 1 – Identification Survey Sketch, subject to the following conditions:

- the State Government dealing with the native title requirements relating to existing or future native title claims over that part of Lot 7 CP882123 proposed to be purchased; and
- any future native title claims for compensation over that part of Lot 7 CP882123 proposed to be purchased be payable by the State Government."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Tender – Grazing Agreements</b>
<b>File Ref:</b>	<b>Council land and buildings – Doc ID 1041238, 1076924, 1047624, 1046522, 1027037</b>
<b>Action Officer:</b>	<b>CCSO</b>

### Background/Summary

At Council's Ordinary meeting of 28 March 2018 and 24 October 2018, it considered tenders received for grazing purposes over the following properties:

- Lot 473 CG2670 – Highwood Lane, Kilcoy
- Lot 2 SP117270 – Mount Beppo Road, Mount Beppo
- Lot 22 RP144072 – Nerreman Road, Wivenhoe Pocket
- Lot 94 CC3388 – Reinbotts Road, Lowood
- Lot 6 RP176587 – Lowood-Minden Road Lowood
- Lot 2 SP225650 – Winya Road Kilcoy

These agreements are due to expire on 31 July 2021.

In accordance with s227 of the Local Government Regulation 2012, a local government can not enter into a valuable non-current asset contract unless it first invites written tenders for the contract under s228.

Council have previously offered a three (3) year lease via tender. This process has been the most cost-effective option, as an advertisement in the local paper and preparation of the agreements in-house is the least expensive way of meeting Council's obligations under the Local Government Regulation 2012. A short-term lease does not require lodgement with Titles, saving Council lodgement fee expense.

Grazing agreements for these properties also decrease Council's mowing obligations, and provide some income for the sites.

### Attachments

Nil

### Recommendation

THAT Council invite written tenders for grazing leases, for the period 1 August 2021 – 31 July 2024, for the following properties:

- Lot 473 CG2670 – Highwood Lane, Kilcoy
- Lot 2 SP117270 – Mount Beppo Road, Mount Beppo
- Lot 22 RP144072 – Nerreman Road, Wivenhoe Pocket
- Lot 94 CC3388 – Reinbotts Road, Lowood
- Lot 6 RP176587 – Lowood-Minden Road Lowood

- Lot 2 SP225650 – Winya Road Kilcoy.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Wendt

“THAT Council invite written tenders for grazing leases, for the period 1 August 2021 – 31 July 2024, for the following properties:

- Lot 473 CG2670 – Highwood Lane, Kilcoy
- Lot 2 SP117270 – Mount Beppo Road, Mount Beppo
- Lot 22 RP144072 – Nerreman Road, Wivenhoe Pocket
- Lot 94 CC3388 – Reinbotts Road, Lowood
- Lot 6 RP176587 – Lowood-Minden Road Lowood
- Lot 2 SP225650 – Winya Road Kilcoy.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Kilcoy Aquatic Centre - Emergency Sealing Works</b>
<b>File Ref:</b>	<b>Council Properties - Maintenance and Operations - Kilcoy Swimming Pool</b>
<b>Action Officer:</b>	<b>SRO</b>

**Background/Summary**

In September 2020 it was identified that the Sikaflex expansion lines of the Kilcoy Aquatic Centre had deteriorated to a hazardous standard. The expansion lines function as seal between the concourse and pool shell preventing water from seeping underneath the pool shell and allowing movement between the concourse and pool shell.

Potential implications of not addressing the deteriorated seal include damage to the pool shell and tiling, as well as cracking in the concourse.

It should be noted that under the most recent Queensland Health Water Quality Guidelines for Public Aquatic Facilities (September 2019) the Kilcoy Aquatic Centre is deemed a high-risk facility.

Any concourse obstructions that may occur as a result of not efficiently repairing the expansion lines would also conflict with the Guidelines for Safe Pool Operation – Safe Pool Design; GSPO SP 5.4.1 and GSPO SP 5.4.4.

To ensure an efficient resolution of this issue Council Officers request that Yowie Tiling be engaged as soon as possible (please refer to the Attachment 1.). Yowie Tiling have previously completed various aquatic works for Council and have completed works to a high standard in a timely manner.

This is a specialist discipline and Council Officers have previously spent significant time attempting to source alternate providers. The time lost in attempting to source further quotations and bringing a new provider up to speed with the facility would likely offset any potential cost savings.

To comply with Council's Procurement Policy Council must promote value for money. In this instance the value for money assessment includes consideration of:

- (i) contribution to the advancement of Council's priorities; and
- (ii) fitness for purpose, quality, services and support; and
- (iii) whole-of-life costs including costs of acquiring, using, maintaining and disposal; and
- (iv) internal administration costs; and

- (v) technical compliance issues; and
- (vi) risk exposure; and,
- (vii) the value of any associated environmental benefits.

For the aforementioned (underlined) reasons a recommendation is made to Council that Yowie Tiling is the most suitable supplier available to Council to carry out this work and the other quotations need not be sought.

#### Attachments

Quotation – Yowie Tiling; Replace Kilcoy Aquatic Centre Expansion Lines (Commercial in Confidence)

#### Recommendation

THAT Council resolves under s235 of the Local Government Regulation 2012 to not call quotations from three suppliers for the replacement of expansion lines at the Kilcoy Aquatic Centre as Yowie Tiling represents the best supplier reasonably available to Council to carry out these works.

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council resolves under s235 of the Local Government Regulation 2012 to not call quotations from three suppliers for the replacement of expansion lines at the Kilcoy Aquatic Centre as Yowie Tiling represents the only supplier reasonably available to Council to carry out these works in the timeframes required.”

Carried

*Vote - Unanimous*

**Subject:** Vandalism - September 2020  
**File Ref:** Risk Assessment - Vandalism  
**Action Officer:** DCORP

#### Background/Summary

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

The following incidents were reported during the month of September 2020.

Date	Location	Incident
16 and 28 September 2020	Anzac Park Toilets, Kilcoy	Disabled toilet seat broken, Stainless steel rubbish bag holder broken
28 September 2020	Coach Stop Toilets, William Street Kilcoy	Toilet seat stolen from male toilets
28 September 2020	Minden Village Toilets	Stainless steel toilet seat broken

The vandalism repair costs until 30 September 2020 are attached. here were no insurance claims relating to vandalism for this period.

#### Attachments

Table – Vandalism Repair Costs – September 2020.

**Recommendation**

THAT Council receive the vandalism report for the period 1 September to 30 September 2020 and the contents be noted.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Choat

“THAT Council receive the vandalism report for the period 1 September to 30 September 2020 and the contents be noted.”

Carried

Vote - Unanimous

**Subject: Preparation of the Corporate Plan 2021 to 2025****File Ref: Governance - Corporate Plan****Action Officer: DCORP****Background/Summary**

Council have considered the preparation of the Corporate Plan for the five years 2021 to 2025. A Quotation has been obtained from Sacha Lennon of SC Lennon and Associates. That Quotation would rely on community consultation on the Corporate Plan being undertaken at the same time as the Tourism Strategy. The representative group that Council would consult with would be the Tourism and Economic Development Committee. The view of most Councillors was that the Corporate Plan in its current form was appropriate for Somerset. The preparation of the next five-year plan should be a review of the existing plan and an update of the strategies and goals for the next five years.

**Attachments**

Attachment 1 – Quotation from SC Lennon for the consultation and preparation of the Corporate Plan 2021-2025

**Recommendation**

THAT Council accept the Quotation from SC Lennon and Associates for \$15,675 inclusive of GST and utilise the Tourism and Economic Development Committee as a forum for the community consultation on the 2021 to 2025 Corporate Plan.

**Resolution**

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council accept the Quotation from SC Lennon and Associates for \$15,675 inclusive of GST and utilise the Tourism and Economic Development Committee as a forum for the community consultation on the 2021 to 2025 Corporate Plan.”

Carried

Vote - Unanimous

**Subject: B-double Route Application - Edinburgh Drive Mount Hallen****File Ref: Traffic and transport - permits - 2020-2021 - National Heavy Vehicle Regulator - NHVR****Action Officer: CD (Gary Love)****Background/Summary**

An application has been received from Bowditch Freighters Pty Ltd to obtain a 25m/26m B-Double permit along the following route for the period 19 October 2020 to 18 October 2023:

- Start: 189 Edinburgh Drive, Mount Hallen QLD 4312  
Gatton Esk Road, Buaraba - requesting consent for the intersection of Atkinson Dam Road and Gatton Esk Road.  
End: Approved B-Double Network, Gatton Esk Road, Churchable QLD 4311
- TMR Controlled Roads  
Gatton Esk Road, Esk  
Intersection of Gatton Esk Road and Edinburgh Drive
- SOMERSET REGIONAL COUNCIL Controlled Roads  
Edinburgh Drive, Mount Hallen  
Intersection of Gatton Esk Road and Edinburgh Drive

Officer undertook an assessment of the Council controlled infrastructure with onsite inspection.

Sealed carriageway width along Edinburgh Drive is 6m with gravel shoulders.

Access to and from the requesting property at 189 Edinburgh is insufficient for a B-Double and would require an upgrade to the access before a B-Double could operate. The posted speed at the site of this access, located on the outside of a curve, is 80kmh

Property impacts along Edinburgh Drive would include noise, dust and vibration etc.

A Council officer telephoned the applicant to ask why there is a requirement for B-Double access along Edinburgh Drive. The applicant stated that this was their premises and they wanted to bring the vehicle home some evenings and weekends

A similar application for 190 Edinburgh Drive (neighboring property) was received in March 2017 which was rejected by Council at that time.

#### Attachments

Road Manager Consent Request Number 365041r2v1  
Location Plan

#### Recommendation

THAT Council rejects the proposed B-Double route as Council has previously rejected the parking of B-Doubles in residential areas.

#### Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT Council rejects the proposed B-Double route as Council has previously rejected the parking of B-Doubles in residential areas.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Prenzlau State School Flashing School Zone Signs</b>
<b>File Ref:</b>	<b>Roads - maintenance - signs</b>
<b>Action Officer:</b>	<b>DDM (Michael Kinion)</b>

#### Background/Summary

Council received correspondence from the Department of Transport and Main Roads (TMR) regarding flashing school zone signs (FSZS) at Prenzlau State School on Prenzlau Road. The

Department of Transport and Main Roads will install flashing school zone signs at Prenzlau State School for the 2020-21 program. The layouts have been developed in accordance with relevant sections of the Australian Standard AS1742 Manual of Uniform Traffic Control Devices (MUTCD), Queensland's MUTCD, and TMR's Traffic and Road User Management Manual.

Officers note previous advice to consider altering the time zones of the school zone, however, recent investigations have determined this needs to be done on a regional basis and in consultation with all schools. This matter will be discussed at a future Traffic and Safety Advisory Committee.

### Attachments

Preliminary Enhanced School Zone Signs

### Recommendation

THAT Council receive the report from Department of Transport and Main Roads dated 27 September 2020 for the Prenzlau State School Flashing School Zone Signs and that the contents be noted.

#### Resolution

Moved – Cr Choat

Seconded – Cr Isidro

"THAT Council receive the report from Department of Transport and Main Roads dated 27 September 2020 for the Prenzlau State School Flashing School Zone Signs and that the contents be noted."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants 2020 - 2021 - Lions Club of Fernvale Inc - Doc Id 1230803</b>
<b>File Ref:</b>	<b>Community Relations - Sponsorships - Donations</b>
<b>Action Officer:</b>	<b>DHRCS</b>

### Declarable Interest - Cr Bob Whalley

Councillor Whalley stated -

"I have a declarable conflict of interest in this matter. This declarable conflict of interest arises because I am a member of the Fernvale Lions, but I am not a participating member of the Fernvale Lions. I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, pursuant to section 150ES of the *Local Government Act 2009*, whether I :

- may participate in the decision about the matter, including by voting on the matter; or
- must leave the meeting including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter."

#### Resolution

Moved – Cr Choat

Seconded – Cr Wendt

"THAT Cr Whalley does not have a conflict of interest and is not required to leave the meeting and may remain and participate in the vote."

Carried

*Vote - Unanimous*



**Background/Summary**

To assist with the costs associated with the installation of a digital sound system at the Fernvale Lions Club, 6 Clive Street, Fernvale QLD 4306 described as L181 CC2325 to improve the facility for volunteers and patrons at events and functions.

Amount requested:	\$ 6,700
Total cost of project:	\$ 8,200
Amount recommended to be granted:	\$ 6,700

**Assessor's Summary**

The applicant states that:

- The club does not own any sound equipment and the installation of a digital sound system will improve the facilities for volunteers and patrons at events and functions.
- In keeping with the heritage of the building, the speakers for the system will be mounted in discreet locations to ensure the aesthetics of the building are not changed.
- The proposed sound system includes a basic console, feedback eliminator and power amplifier.
- The quoted price includes installation.

The group have requested that Council consider their application outside of funding rounds via covering letter and have provided a copy of the quotation for the sound system.

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be approved for funding and \$6,700 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the installation of a digital sound system at the Fernvale Lions Club, 6 Clive Street, Fernvale QLD 4306 described as L181 CC2325 to improve the facility for volunteers and patrons at events and functions.

**Resolution**

Moved – Cr Choat

Seconded – Cr Wendt

“THAT the application as summarised in this report be approved for funding and \$6,700 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the installation of a digital sound system at the Fernvale Lions Club, 6 Clive Street, Fernvale QLD 4306 described as L181 CC2325 to improve the facility for volunteers and patrons at events and functions.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Community Assistance Grants - Somerset Excellence Bursary 2020 - 2021 - Samantha Bremner - Doc Id 1234423</b>
<b>File Ref:</b>	<b>Community Relations - Sponsorships - Somerset Excellence Bursaries</b>
<b>Action Officer:</b>	<b>DHRCS</b>

**Background/Summary**

Council has received an application for financial assistance from Denise Bremner, on behalf

of her daughter Samantha from Fernvale. Samantha has been selected as a member of the Queensland School Sport 13-15 years Girls Cricket Team and has been invited to attend the Cricket State Championships being held at Redlands from 8-10 November 2020.

The application was received prior to the event date. Samantha has been the recipient of four State Level Bursaries for similar sporting achievements. This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$300 for State Level representation.

#### Attachments

Nil

#### Recommendation

THAT Council approve the application as summarised in this report and grant a State Level Sporting Excellence grant of \$300 to Denise Bremner, on behalf of her daughter Samantha who has been invited to attend the Queensland School Sport 13-15 Years Girls Cricket State Championships being held at Redlands from 8-10 November 2020.

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council approve the application as summarised in this report and grant a State Level Sporting Excellence grant of \$300 to Denise Bremner, on behalf of her daughter Samantha who has been invited to attend the Queensland School Sport 13-15 Years Girls Cricket State Championships being held at Redlands from 8-10 November 2020.”

Carried

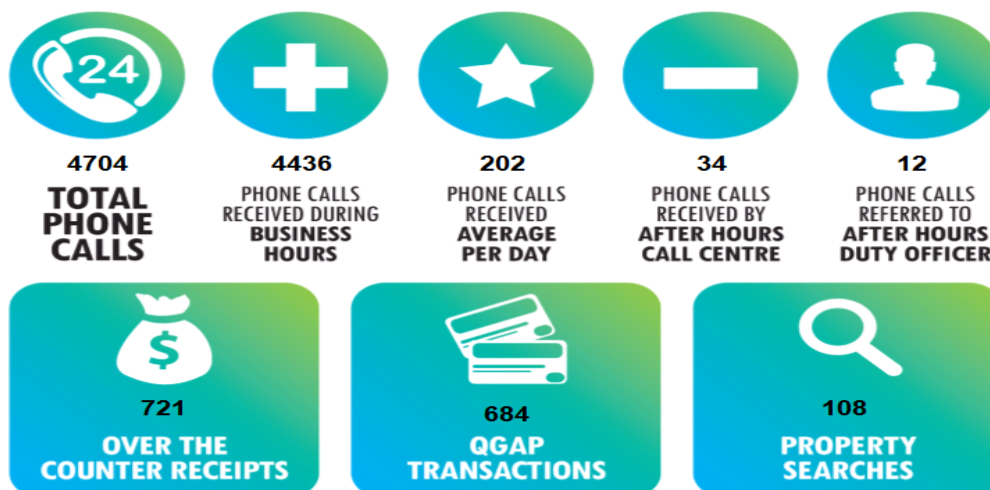
*Vote - Unanimous*

**Subject:** Customer Service Report for September 2020  
**File Ref:** Officers Report  
**Action Officer:** (CSTL) Customer Service Team Leader

#### Background/Summary

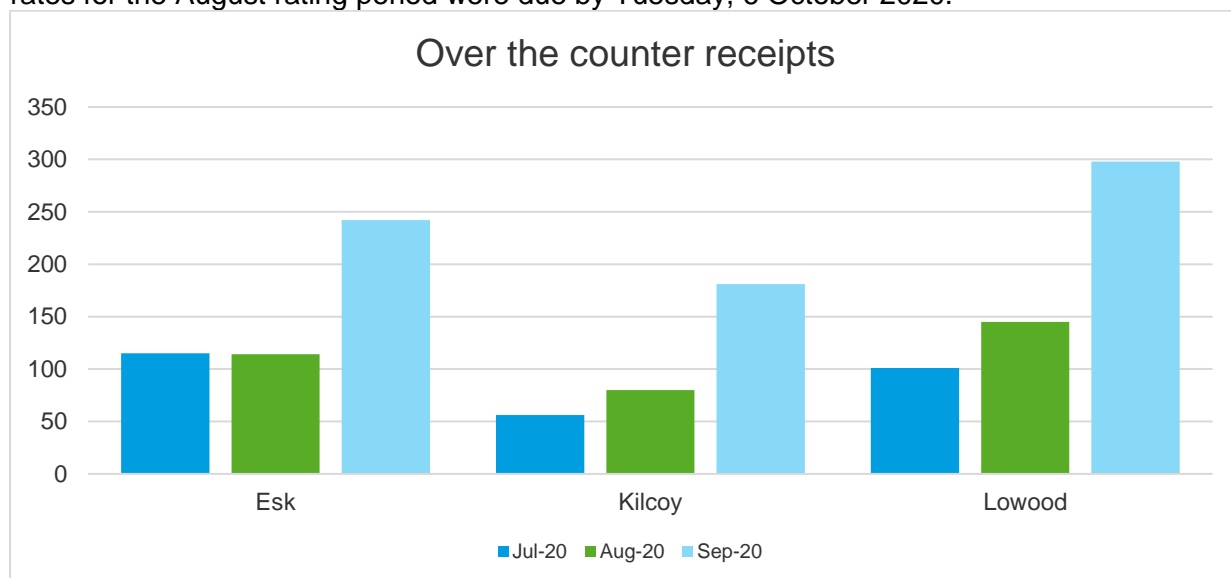
A summary of the customer service section activities during the month of September 2020 is provided for Council's information.

#### Summary for September 2020

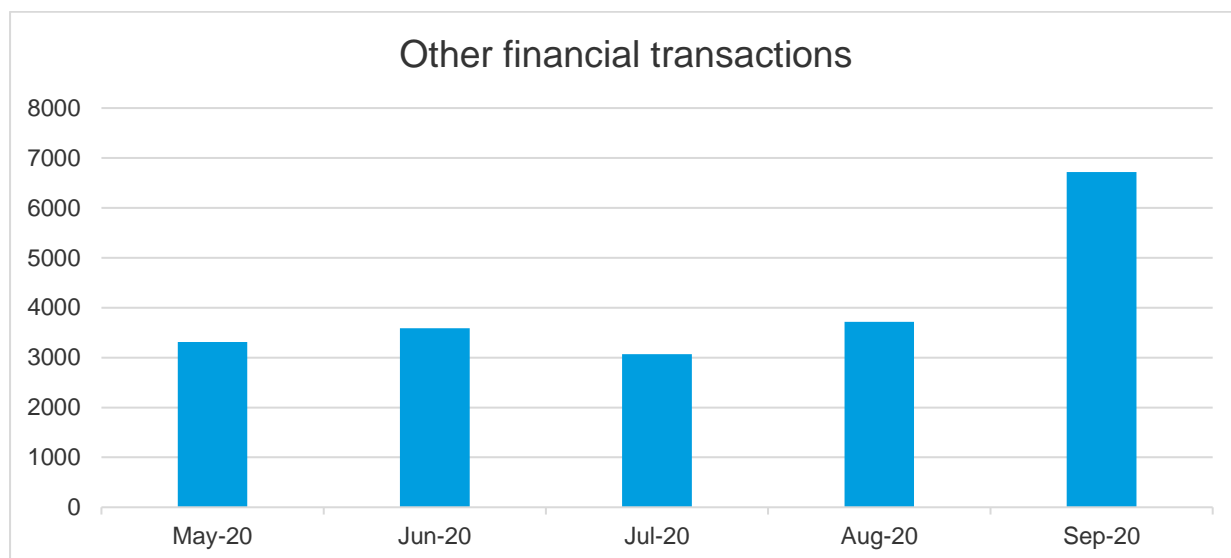


The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for September 2020. These numbers include cheques that were posted into the Council. In total there was 721 financial transactions across the three customer service centres with 242 at Esk Administration Centre, 181 at Kilcoy Customer Service Centre and 298 at Lowood Customer Service Centre for September 2020.

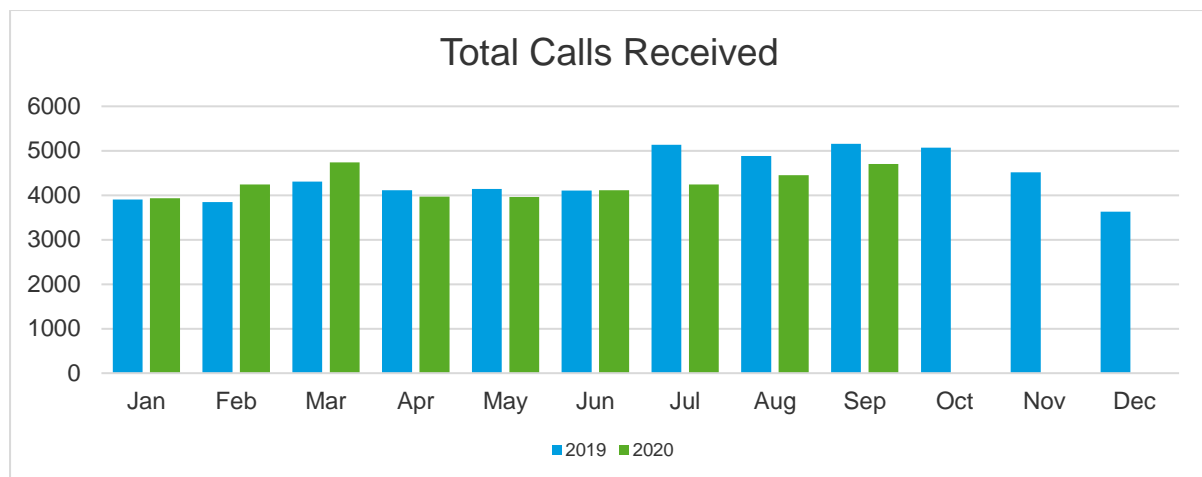
There was an increase in over the counter receipts as well as other financial transactions as rates for the August rating period were due by Tuesday, 6 October 2020.



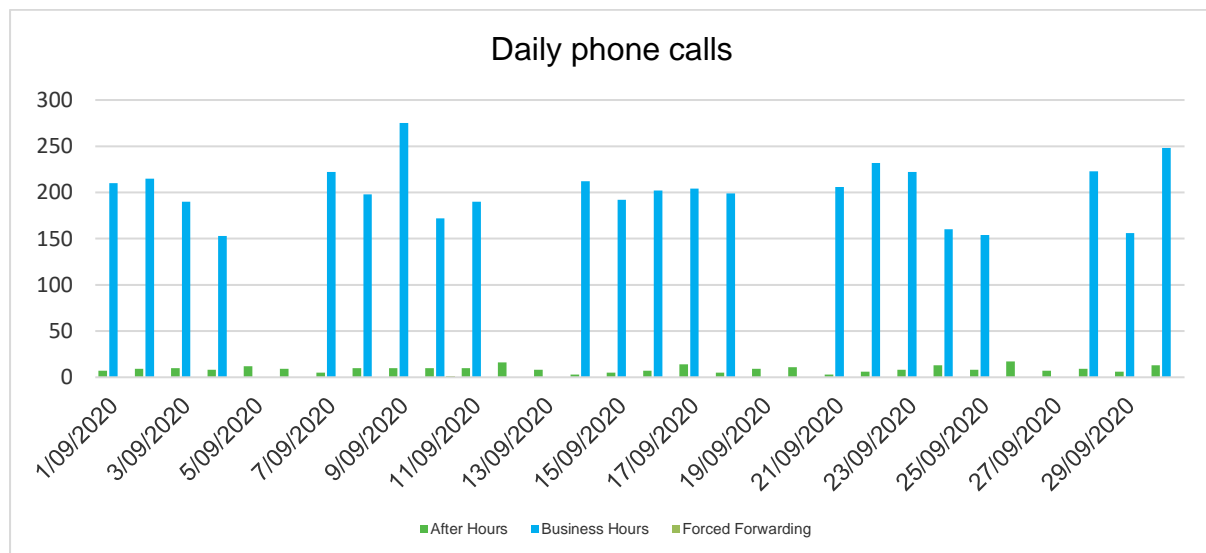
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc.



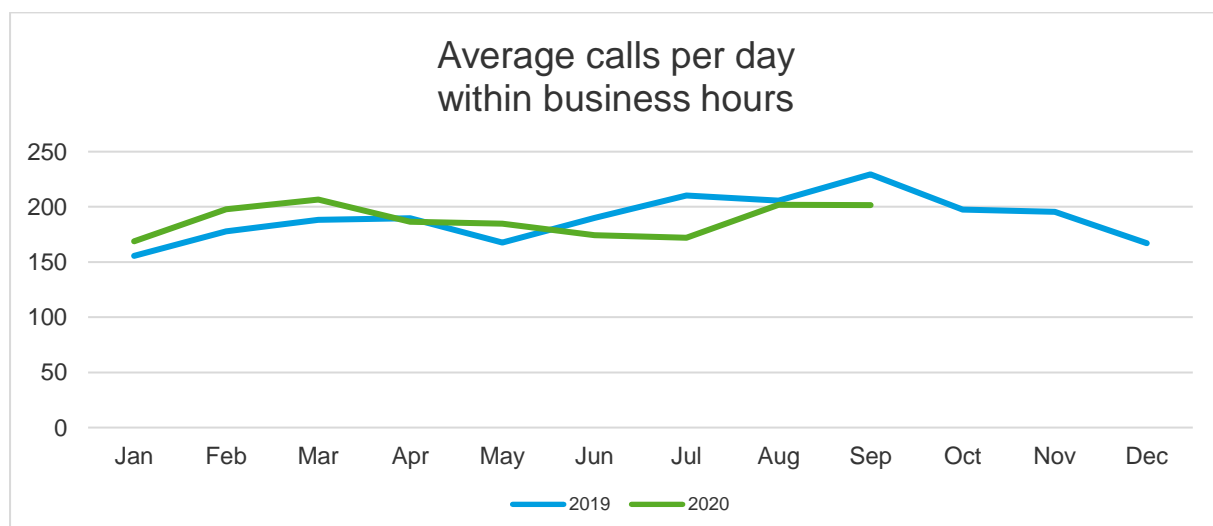
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to last calendar year. Calls received does not include internal calls made within Council, or outbound calls. There were 4,704 calls received for the month of September 2020. This is an increase of 253 calls compared to August 2020. Compared to September 2019 there were 454 fewer calls for the month.



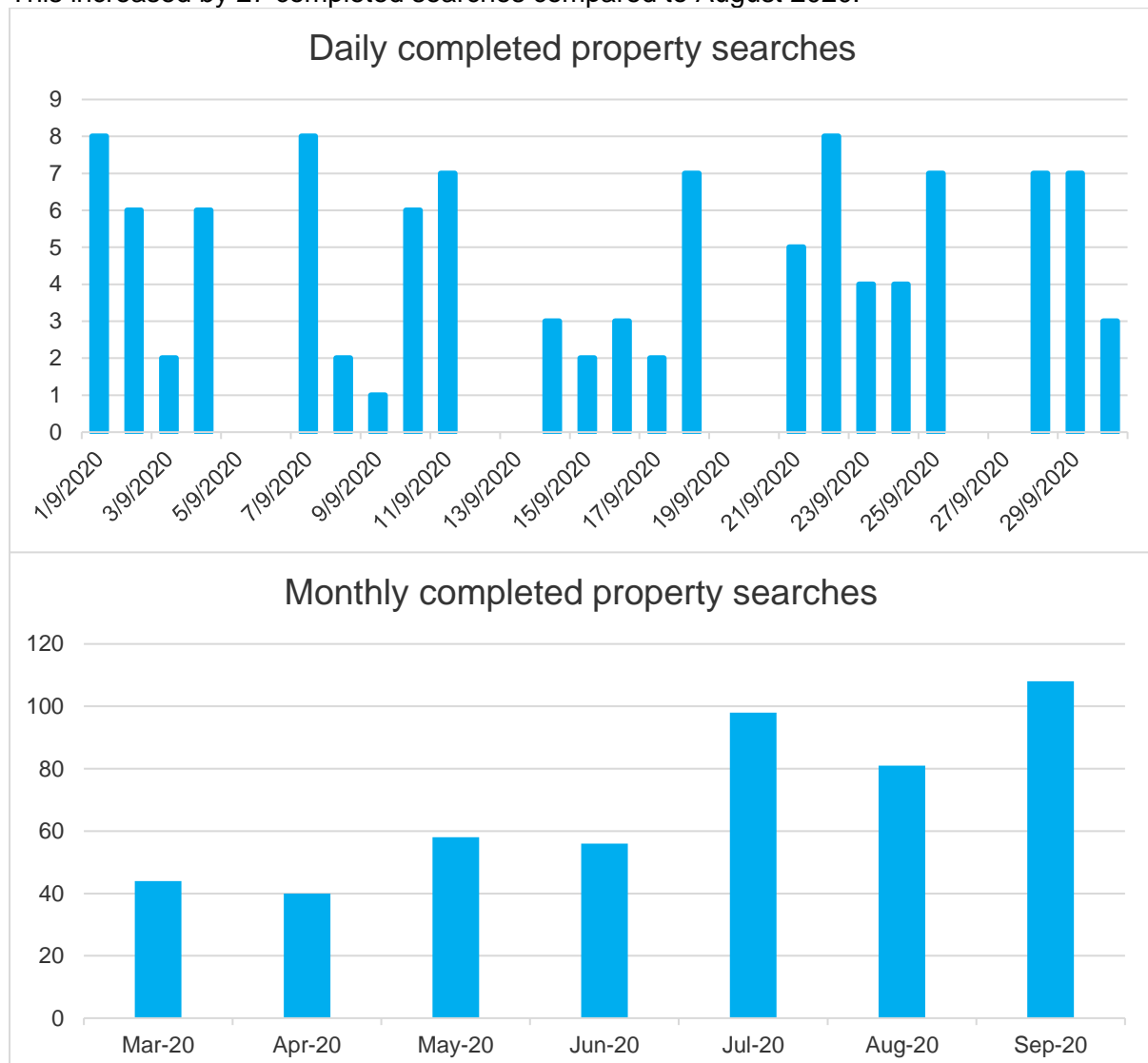
Listed below are the daily phone calls received for September 2020 to the main Council phone line. There were 4,436 calls received during business hours and 268 received after hours. Of the 268 calls received out of hours, 34 calls went to the afterhours call centre. There was a decrease of 11 calls to Council's afterhours provider compared to August 2020.



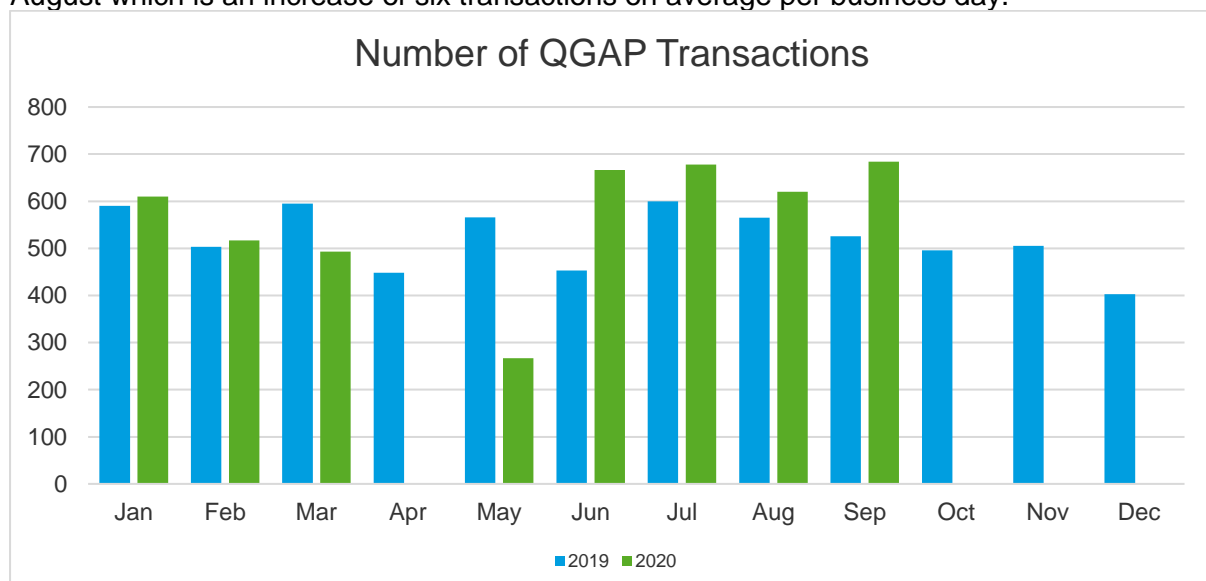
Listed below is a comparison of the average calls received per day within business hours. On average there were 202 calls received each business day for September 2020, which is a decrease of 27 calls on average per day from September 2019. Compared to August 2020 there was on average the same number of calls per day.



For the month of September 2020 there were 108 property searches completed for prospective purchasers. The graph below depicts the day property searches were completed. This increased by 27 completed searches compared to August 2020.



There was 684 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in September. On average there were 31 transactions per business day in August which is an increase of six transactions on average per business day.



**Attachments**

Nil

**Recommendation**

THAT Council receive the *Customer Service Report for September 2020* and the contents be noted.

**Resolution**

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council receive the *Customer Service Report for September 2020* and the contents be noted.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Mount Glen Rock Recreation and Nature Park Development - Next Steps</b>
<b>File Ref:</b>	<b>Recreation and Cultural Services - Service Provision - Recreation Facilities</b>
<b>Action Officer:</b>	<b>SRO</b>

**Executive Summary**

The resolution by Council to purchase Lot 2 RP156580 received a significant response from the local community and regional stakeholders.

The purchase has also been utilised to successfully apply for funding from the Queensland Reconstruction Authority 2019 Queensland Bushfires Local Economic Recovery Program. A total of \$1,281,593.38, including the matched contribution from Council, has been secured to develop the Mount Glen Rock site and associated networks.

The following report outlines next steps to be implemented for the development of the Mount Glen Rock site including;

- Drafting a consultant brief to develop a feasibility and implementation plan for the Mount Glen Rock site;
- A Council delegation fact-finding tour to Derby; and
- The formation of steering committee to oversee Stages 1 and 2 of the Mount Glen Rock Recreation and Nature Park (also referred to as the Mountain to Mountain project).

The report also highlights recent research undertaken by a third party into the feasibility of developing the adjacent recreation reserves with regards to native land title.

**Background / Context**

At the 10 June 2020 Ordinary Meeting, Council authorised the Chief Executive Officer (CEO) to negotiate the purchase of Lot 2 RP156580, 'Mount Glen Rock', and that the negotiated sale price be brought back to Council for approval or otherwise.

Following negotiations with the owners of Lot 2 RP156580, Council resolved to purchase the site for a sale price of \$420,000.00 at the 22 July 2020 Ordinary Meeting.

The contract settlement for the transfer of ownership for Lot 2 RP156580 to Council is currently scheduled for 23 October 2020.

It should be noted, that in addition to the above resolutions two reports have previously been submitted to Council to inform decision making regarding the use of land on Mount Glen Rock;

- Somerset Outdoor Recreation Facility Site Investigations (Sport and Recreation Officer Report – 3 June 2020); and
- Recreation Facilities at Mount Glen Rock – Grant Application (Natural Resource Management Officer and Sport and Recreation Officer Report – 21 April 2016).

The announcement of the purchase of Lot 2 RP156580 has been met with significant interest by the local community and potential tourist markets. A social media post published by Council, announcing the purchase, organically reached an audience of over 28,000. The single post had nearly 6,000 engagements, with 240 likes, 109 shares and 84 comments. For context, the total estimated reach for the entire promotional campaign of the 2019 Somerset Rail Trail Fun Run or Ride was 25,000, including organic and paid content. The news of the purchase was shared by local interest groups, businesses and regional recreational groups amongst others.

In addition to the purchase, Council has recently sort to address native land title implications for the development of four adjacent reserves totalling 81 hectares; Lot 242 CSH2097, Lot 243 CSH2097, Lot 141 CSH2097 and Lot 239 CA1444 (please see Image 1 below).

The development of Lot 2 RP156580 and adjacent reserves maintains alignment with the Somerset Regional Council Corporate Plan (2016-2021) as outlined in Attachment 1.

To ensure the viability of the site long-term feasibility and implementation plan is required to enable sustainable economic, environmental and cultural outcomes for the site. There is also potential to capitalise on community and market momentum to deliver fast-tracked cost-effective development and appease community expectations.

On 5 October 2020, Council received correspondence from the Queensland Reconstruction Authority (QRA) that a funding application through the 2019 Queensland Bushfires Local Economic Recovery (LER) Program had been successful. The funding is to be used toward the Mountain to Mountain Trail Development and Activation – Stages 1 and 2.

Stage 1 of the approved funding is for:

- The creation of an implementation plan for the development of the Mount Glen Rock Recreation and Nature Park;
- The construction of the multipurpose 'Sandy Creek Trail' on an existing fire break at the base of Mount Glen Rock on Lot 2 RP156580; and
- The construction of the Highland Street Trail on a road verge running adjacent to Highland St.

Stage 2 of the approved funding for:

- The construction of a walking trail to the summit of Mount Glen Rock and small clearing / lookout area at the summit; and
- The construction of a pedestrian bridge from Hassall St, across Sandy Creek, to the Sandy Creek trail.

The total budget of the approved project is \$1,281,593.38; \$635,680.51 from the LER Program, matched by \$645,912.87 investment from Council.

Per the terms of the Project Funding Schedule, the projects are to be completed by 30 June 2022.

## Feasibility and Implementation Planning

A feasibility and implementation planning process will include (but not be limited) to the following;

- A proposed MTB trail network and concept designs;
- A proposed walking trail network and concept designs;
- Proposed lookout location/s and concept designs;
- Investigations into potential for appropriate and compatible recreational uses at the Mount Glen Rock site (eg rock climbing, orienteering, scout activities);
- An outline of all further supporting infrastructure required (eg amenities, picnic shelter, entry into the site, kiosk, equipment storage, drainage facilities);
- An analysis of ongoing maintenance costs;
- An economic impact report;
- An environmental impact report;
- Cultural heritage analysis of trails;
- A terrain survey for heavy infrastructure in the area;
- Preliminary investigations into the potential to extend into adjacent and nearby freehold sites into the future;
- Canvassing community support for a concept design; and
- Investigating potential opportunities to establish an outdoor recreation or mountain bike club at the site.

The approximate cost to develop the feasibility and implementation plan would be between \$100,000 to \$120,000. This amount was budgeted in the LER Program funding application.

The Mount Glen Rock Recreation and Nature Park will seek to leverage the momentum created by other projects such as the Blue Derby mountain bike trails in Tasmania and transfer their success to the Somerset Region.

There is no other development quite like the Blue Derby project within Queensland or Australia in terms of scale or success. The project was led by a local council with the support various state departments, national government funding and private sector investments, utilising a combination of freehold and state reserves.

The \$3.1 million, 80km network of mountain bike trails is reportedly attracting more than 30,000 visitors every year, who spend four to five nights in Derby. The return on investment has been estimated at \$30 million per year (see Attachment 2 for further information).

## Fast-Tracked Developments

To capitalise on the momentum of public and commercial interest in the development of this project 'fast-tracked cost-effective' outcomes have been identified. These developments will be instigated concurrently to the feasibility and implementation plan and have been identified based on their ability to deliver short-term outcomes without impacting the long-term viability of the site.

The following projects have confirmed co-funding from the QRA LER program and will be budgeted by Council in the 2021-22 financial year.

### Sandy Creek Fire Break Trail

The Sandy Creek Fire Break Trail will run on an established fire break along the western base of Mount Glen Rock on Lot 2 RP156580. The length of the trail will be approximately 850m, commencing from Francis Terrace (near the Esk Sewerage Treatment Plant), heading south adjacent to Sandy Creek and terminating near State Highway 17 across from Middle St (refer to Attachment 3 for further information).



The trail will be a two-way multi-purpose low grade trail similar to the well-developed sections of the Brisbane Valley Rail Trail (BVRT), meaning that people with a disability can complete the trail with assistance. Works to construct the trail would also include refurbishments to the Francis Terrace access bridge, as well as new traffic, direction and interpretive signage.

The detailed cost estimate to construct the trail is \$223,504.60 excluding GST (refer to Attachment 4 for further information), with construction to take three to five months.

### **Highland Trail**

The Highland Trail will run adjacent to Highland St from Lakeview Park to Wattle Street utilising available road verge space. The length of trail will be approximately 1700m (refer to Attachment 5 for further information).

The trail will be a two-way, medium difficulty, walking trail. The trail will incorporate natural terrain as much as possible. Users will require some experience and fitness to complete the trail. Mountain bike trails for this site will likely not be a viable inclusion given the number of road crossings and driveways. For example, the distance between Ridge Street and Outlook Drive is approximately 500m and features eight driveways.

There is potential to include exclusive mountain bike trails from Outlook Drive to Wattle Street and connect with the BVRT via state land off Wattle Street. This would bypass the playground and picnic equipment though it would run along the northern and western boundaries of the Esk Cemetery creating potential decorum issues.

The preliminary cost estimate to construct the trail is \$123,412.86 excluding GST (refer to Attachment 6 for further information), with construction to take three to five months. The preliminary cost estimate, which includes a 20 per cent contingency, was developed to inform the QRA LER program funding application and requires further exploration.

### **Summit Trail**

The Summit Trail will run from the Sandy Creek Fire Break Trail to the highest peak of Mount Glen Rock. The trail will be a two-way walking trail of medium difficulty. The trail will be approximately 3km one-way and will largely utilise natural terrain and materials found on site. The trail will incorporate a small clearing / lookout area at the summit, as well signage and minimal trail supporting infrastructure.

The preliminary cost estimate to construct the trail is \$120,000.00 excluding GST. The timeline for constructing the trail is to be determined. The preliminary cost estimate, which includes a 25 per cent contingency, was developed to inform the QRA LER program funding application and requires further exploration.

### **Hassall Street Bridge**

The Hassall Street Bridge will be a pedestrian bridge commencing from the western side of Sandy Creek off the BVRT Horse Bypass and over to the Sandy Creek Fire Break Trail (please refer to Attachment 7 for further information).

The preliminary cost estimate utilised to inform the QRA LER program funding application was for a multi-span fibre-reinforced polymer bridge. The bridge would be 60m long x 2.5m wide, with a centre span of 40m and two approach spans of 10m each. The estimated cost to construct the bridge is \$587,475 excluding GST and would take approximately 16 weeks to construct (please refer to Attachment 8 for further information). The preliminary cost estimate, which includes a 25 per cent contingency, was developed to inform the QRA LER program funding application and requires further exploration.

Once constructed, a pedestrian would be able to walk from any one of the cafes or restaurants in the Esk town centre across the Hassall Street Bridge, north along the Sandy Creek Fire Break Trail and ascend the Summit Trail to the top of Mount Glen Rock.

### **Native Land Title and Cultural Heritage**

Native land title presently exists on the four reserve parcels; Lot 242 CSH2097, Lot 243 CSH2097, Lot 141 CSH2097 and Lot 239 CA1444.

Native land title has been extinguished on Lot 2 RP156580.

There is currently one active Native Land Title claim over Mount Glen Rock, which was filed by the Jagera Yagara Gurrangnam people on 31 October 2019. The claim was not accepted by the National Native Land Title Tribunal on 7 February 2020 and 22 June 2020. The future of this claim is currently unknown.

Council has sort advice regarding the progression of the Mount Glen Rock Recreation and Nature Park on the reserve parcels with consideration to native land title. Council received advice from Jenny Humphris, Holding Redlich, on 9 September 2020 (see Attachment 9). The advice received is that there is a pragmatic approach that may be taken under section 24JA of the *Native Title Act 1993*.

*"In our view the construction of walking trails has the potential to be inconsistent with the exercise of native title on the basis that it will involve, at the least, clearing of vegetation and that during construction will prevent access to the area. Therefore, in our view they are likely to be future acts.*

*We are of the view that Council can validate the construction of walking trails under s 24JA NTA.*

*Section 24JA applies to activities undertaken on a reserve, provided that the reserve was dedicated before 23 December 1996. That is the situation with respect to each of the Reserves in this case."*

Furthermore, the advice obtained from Holding Redlich states that:

*"If Council proceeds under s 24JA NTA, the State, not Council is liable for any compensation that may be payable for the impact of the walking trails on native title"*

Separate to native title Council should consider its duty of care under the *Aboriginal Cultural Heritage Act 2003* prior to constructing trails. This should be conducted on a needs basis in conjunction with the feasibility and implementation plan.

### **Steering Committee Establishment**

Given the scale, significance and uniqueness of this project it would be considered best practice that an overarching committee be formed to guide the short to medium term development of the Mount Glen Rock Recreation and Nature Park, including Stages 1 and 2 of the Mountain to Mountain project implementation. A steering committee is one such option. In addition to guiding the project, the committee could provide advice regarding community consultation and communication, as well as feeding information back to the various established advisory committees with an interest in the project.

In the future Council may wish to establish an Advisory Committee to oversee long-term development.

A steering committee could feature representatives of Council, the Executive and various Officer disciplines, including Planning, Civil Design, Natural Resource Management, Marketing and Communications and Sport and Recreation.

A steering committee could meet quarterly or as necessary and be chaired by the CEO or other.

### Attachments

1. Mount Glen Rock Recreation and Nature Park Links to Corporate Plan
2. Blue Derby Case Study – 2018
3. Sandy Creek Fire Break Trail – Trail Design (Commercial in Confidence)
4. Sandy Creek Fire Break Trail – Construction Cost Estimate (Commercial in Confidence)
5. Highland Trail – Site Map
6. Highland Trail – Construction Cost Estimate (Commercial in Confidence)
7. Hassall Street Bridge – Site Map
8. Hassall Street Bridge – Budget Proposal (Commercial in Confidence)
9. Correspondence from Holding Redlich – Mount Glen Rock Reserves; Advice re Native Title (Commercial in Confidence)

### Recommendations

1. THAT Council authorises Mayor Graeme Lehmann, Councillor ....., Mr Andrew Johnson, Chief Executive Officer, Mr Craig Young, Director Operations and Mr Daniel Rowe, Sports and Recreation Officer to travel to Dorset Council in Tasmania to undertake a fact-finding tour of the Derby Mountain Bike Trails.
2. THAT Council authorise the establishment of a Steering Committee to guide the implementation Stages 1 and 2 of the Mountain to Mountain project featuring representatives of Council and internal Council disciplines of Planning, Civil Design, Natural Resource Management, Marketing and Communications and Sport and Recreation.

### Resolution

Moved – Cr Brieschke

Seconded – Cr Isidro

- “1. THAT Council authorises Mayor Graeme Lehmann, Cr Bob Whalley, Cr Cheryl Gaedtke, Mr Andrew Johnson, Chief Executive Officer, Mr Craig Young, Director Operations and Mr Daniel Rowe, Sports and Recreation Officer to travel to Dorset Council in Tasmania to undertake a fact-finding tour of the Derby Mountain Bike Trails.
2. THAT Council authorise the establishment of a Steering Committee to guide the implementation Stages 1 and 2 of the Mountain to Mountain project featuring representatives of Council and internal Council disciplines of Planning, Civil Design, Natural Resource Management, Marketing and Communications and Sport and Recreation.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Tourism and Promotions Report - September 2020</b>
<b>File Ref:</b>	<b>Tourism - Promotions</b>
<b>Action Officer:</b>	<b>CMM</b>

### Background

The following is the September 2020 summary of activities for Somerset visitor information centres and the communications and marketing team members.

### Statistics

	Somerset	Brisbane	Other SEQ	Rest of state	Interstate	International	Total
<b>Esk VIC</b>	87	189	129	61	13	1	480
<b>Kilcoy VIC</b>	67	180	200	92	29	18	586
<b>Fernvale VIC</b>	111	194	92	13	13	1	424
<b>SRAG / Toogoolawah VIC</b>	61	151	127	50	3	0	392

### Motivators

	First	Second	Third
<b>Esk</b>	Maps and Directions	Glen Rock Gallery	Brisbane Valley Rail Trail
<b>Kilcoy</b>	Maps and Directions	Other	Caravanning and Camping
<b>Fernvale</b>	Brisbane Valley Rail Trail	Maps and Directions	Other
<b>SRAG / TVIC</b>	Gallery	Maps and Directions	Heritage

### Merchandise

	First	Second	Third	Total value
<b>Esk</b>	Fridge Magnets	Postcards	Drink Bottles, bumper sticker, stubby cooler	\$29
<b>Kilcoy</b>	Postcards	Water bottles	Stubby coolers	\$78
<b>Fernvale</b>	Postcards	Water bottles	Magnet and stubby cooler	\$17
<b>SRAG / TVIC</b>	Postcards	Bumper sticker	Stubby cooler	\$18

### Volunteers

	Active	Non-active	Total	Resignations	New
<b>Esk</b>	7	3	10	0	1
<b>Kilcoy</b>	9	3	12	0	0
<b>Fernvale</b>	20	1	21	1	0
<b>SRAG / TVIC</b>	8	5	13	0	0

### Volunteer acknowledgement and engagement

No famils were held. Planning is underway for a get together/celebration in December to acknowledge and thank the tourism volunteers.

**Room bookings**

	Number	Total value
<b>Esk VIC</b>	0	\$0
<b>Kilcoy VIC</b>	7	\$0
<b>Fernvale VIC</b>	3	\$0
<b>Fernvale Community Hall</b>	13	\$489
<b>Fernvale Showgrounds</b>	1	\$890

**Somerset Regional Art Gallery – The Condensery**

Artist, Robbie Greer's exhibition, Rusticated Art, and Jonathan Jones and Patricia Wheatstone's, On the Walls Exhibitions, were on display at the gallery until Sunday, 27 September 2020. The gallery was closed from Monday, 28 September until Wednesday, 30 September for the installation of Budding Talents by the Kilcoy Senior Students in Gallery one and Chapter Two by Jonathon Jones and Patricia Wheatstone.

The Somerset Regional Art Gallery – The Condensery and Toogoolawah Visitor Information Centre reopened on weekends from Saturday, 19 September.

**Glen Rock Art Gallery (Esk Visitor Information Centre)**

The Kilcoy Art Society Inc. exhibition, Kilcoy Rocks, was on display from 3 September until 1 October 2020.

**Events**

The Events Officer has provided support to the corporate services team with programming and delivery of the 2020 Spring School Holiday program. The outdoor movie program was well attended with positive feedback received across all events.

The 2021 Somerset Australia Day Awards nomination process is open with a new online awards submission method. This process is being trialled for the 2021 awards to improve community engagement and investigate efficiencies within the management of the awards process.

Logistical and ticketing support is being provided to the Regional Librarian for the staging of four ArTour performances at the Somerset Civic Centre in October and November 2020. Bookings for the Funny Mummies Comedy Gala are underway. Ticketing and publicity for the other events will be released soon.

A full day of Citizenship Ceremonies were held at the Simeon Lord room on 17 September with registration and COVID safe event support provided by the Events Officer.

Assistance and consultation is being provided across various departments and to community stakeholders to ensure events in Council venues can meet Industry requirements for COVID Safe events including Council's free tree give-a-way events and Flood Mitigation Strategy community consultation events. This has included a review of the Venue Hire agreements.

**Promotions and graphic design**

Creating online content for free listings with the Australian Tourism Data Warehouse (ATDW) is ongoing. Operators have been encouraged to create their own ATDW listing. Regional events have also been added to ATDW to be distributed to various websites including Visit Brisbane and Queensland.com. The event page is currently disabled on the Experience Somerset website due to COVID-19 restrictions. Graphic design and promotional material and merchandise to support events and promotions is being outsourced and/or developed with the

help of a customer service officer.

## Social media

### Facebook

- Experience Somerset: 2,573 likes (+29)
- Somerset Regional Art Gallery – The Condensery: 609 (+10)
- Somerset Rail Trail Fun Run: 1570 (+12)
- Tourism pages are also active for each Visitor Information Centre (four in total)

### Instagram

- Experience Somerset: 1152 (+93)

## Experience Somerset website

- Pageviews: 8954
- Visitors: 83% new, 17% returning
- Peak time: 240 sessions on 27 September 2020
- Most popular pages: Somerset Park Campground, Somerset home page and Boating and Fishing in Somerset
- Device: 58% mobile, 37% desktop and 5% tablet
- Referrals: Visit Brisbane (227), Queensland.com (58), Facebook (49),

### Other:

- The tourism team started operator visits in September to collect content and images for the SEQ Food Trails website and to discuss with operators additional ways to promote their businesses and in return Somerset (eg ATDW, SEQ Food Trails, social media, VICs, etc). Council's presence on this food trails page is not yet active.

An expression of interest was sent to tourism food operators to join the SEQ Food trails website. The SEQ Food Trails website is expected to be created over the next month to give the tourism team time to capture the required imagery and content from food operators.

- Tourism and Events Queensland organised a media famil on Wednesday, 2 September and visited Woongooroo Estate and the Linville Hotel. Renowned food blogger Kerry Heaney toured the region.
- Content was provided to the Brisbane Economic Development Agency for inclusion of Somerset in upcoming promotions.
- Visit Brisbane will showcase Somerset on Instagram and Facebook for a week from Monday, 31 August. The social media promotion increased Experience Somerset's Instagram page by 76 and 11 new page likes on Facebook over the week.
- The Fernvale, Toogoolawah and Kilcoy visitor information centres participated in the Driver Reviver program over the September school holidays.
- Work on the Somerset Tourism Strategy is continuing. The team are providing support and guidance to consultants, SC Lennon and Associates. The tourism team and tourism volunteers will participate in consultation on the Somerset tourism strategy in October as will members of the tourism industry and Somerset community.

## Attachments

Nil

### Recommendations

THAT Council receive the Tourism and Promotions Report for the month of September 2020 and the contents be noted.

#### Resolution

Moved – Cr Choat

Seconded – Cr Isidro

“THAT Council receive the Tourism and Promotions Report for the month of September 2020 and the contents be noted.”

Carried

Vote - Unanimous

### Meetings authorised by Council

Nil

### Mayor and Councillor Reports

#### Cr Brieschke - Councillor report

##### October

- 14 Ordinary Council Meeting, Esk
- 16 Youth Wellbeing in Lowood with West Moreton Health
- 19 - 21 Local Government Association Queensland Conference
- 27 Esk Tennis and Girl Guides Clubhouse Steering committee meeting

I would like to thank Council for allowing me to attend this years Local Government Association Queensland Conference.

The opportunity to talk with Councillors from other regions and attend the information sessions and speeches has been interesting in both contrast and similarity to the Somerset Region. The Annual General Meeting and in particular the debate of motions, reinforces the importance of support and advocacy the LGAQ provides to Queensland Councils.

Mayor Lehmann spoke to the matters submitted by Somerset Regional Council of Mitigating the Threat of Bushfire on State Government Controlled Land and Livestock Effluent Control Measures and both motions were carried.

As always, I enjoyed ‘window shopping’ at the Trade Display and have several brochures to give to Council officers.

#### Cr Gaedtke - Councillor report

##### October 2020

- 19 Linville – Exercise group
- 20 Kilcoy State High School – Review
- 20 Brisbane Valley Kilcoy Landcare Group Monthly Meeting

A recent request I made on behalf of our residents and supported by the two Kilcoy schools for a continuation in an identified school bus service was rejected by DTMR. The department outlined the reasons why the request was denied and offered advice as to how to approach this matter in the future.

**Cr Isidro - Councillor report***October 2020*

- 16 Friends of the Forest working bee, Greenhide Reserve
- 17 Visited Open Gardens – SRC Garden Competition
- 19-21 LGAQ Conference, Gold Coast
- 26 Kilcoy and District Progress Association meeting - Kilcoy
- 27 Kilcoy Interagency Meeting – Zoom
- 27 Tennis Club Steering Committee meeting – Esk

**Cr Wendt - Councillor report***October 2020*

- 14 Ordinary Council Meeting – Esk  
Workshop Meeting – Esk
- 19-21 LGAQ Conference – Gold Coast
- 27 Fernvale Lions Meeting – Fernvale

Cr Wendt commented on his attendance at the LGAQ Conference last week, noting that it was a very busy conference, and that he had come away with valuable information and understandings about local government, and the role of Councillors. Cr Wendt commented further on various conversations he had had with councillors from across Queensland and noted their passion and dedication to their communities.

**Cr Choat – Councillor Report**

Cr Choat stated that we desperately need Cr Wendt to go to Australian Local Government Association meeting to see the contrast between local government in action in Queensland and the rest of Australia.

Cr Choat also thanked Cr Isidro for her attendance at the Open Gardens, which was very well received.

**Cr Lehmann - Mayor's Report of Activities**

Thursday 15 October 2020	9 am	Met with Mr Utz with Director Planning regarding compliance issues.
	9.30 am	SEQCMA Board Meeting via Zoom
	1 pm	SEQCMA Community Consultative Committee meeting via Zoom
Friday 16 October 2020	9.30 am	Visited Studio of Bod Muche with CEO at Colinton.
	1 pm	Virtual meeting - Council of Mayors SEQ and John Paul Langbroek re election matters.
	1.30 pm	Met with West Moreton Health representatives regarding Youth Mental Health Suicide meeting at Esk with Deputy Mayor Brieschke
Saturday 17 October 2020		Visited several garden entries in the Somerset Open Garden. Amazing to see what people can achieve during drought. Well done to everyone.



Sunday 18 October 2020	11.30 am Brisbane Valley Rattlers presentation at Fernvale Sports Park - presented trophies. Great to see the club growing and being an important part of our community.
Monday 19 October - Wednesday 21 October 2020	Attended the LGAQ Conference at the Gold Coast with Deputy Mayor Brieschke, Cr Isidro, Cr Wendt and the Chief Executive Officer. Though the conference numbers were limited due to Covid, it was very informative and good to catch up with fellow Mayors and Councillors. Everyone seems to be working through the same issues in 2020 and water security and waste and recycling are just two of the issues affecting all Councils.
Friday 23 October 2020	12 noon SEQ Regional Waste Workshop, City Hall, Brisbane
Monday 26 October 2020	9 am Local Government Mayors Teleconference with Director-General, Department of Premier and Cabinet regarding current Covid situation. Good to see positive results. 10 - 12 noon Mental Health Foundation Australia Symposium via Zoom, with Lyn Buchanan. Some very interesting speakers, but mainly focused on South Australian issues. 7 pm Lowood Lions meeting
Tuesday 27 October 2020	10 am Council of Mayors teleconference briefing regarding Resilient Rivers.

**Decision:**

Moved – Cr Isidro

Seconded – Cr Whalley

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

Carried

Vote - Unanimous

**Receipt of Petition**

Nil

**Consideration of notified motions**

Nil

**Reception of notices of motion for next meeting**

Nil

**Items for reports for future meetings**

Nil

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

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.13 am.