



**Minutes of Ordinary Meeting  
Held Wednesday, 11 November 2020**

---

*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 M McGoldrick	(Director Corporate and Community Services)
Mr C Young	(Director Operations)
Mr L Hannan	(Director Planning and Development)
Mr G Smith	(Director Finance)
Mrs K Jones	(Director HR and Customer Service)
Mrs T Hurley	(Minute Secretary / Executive Assistant)
Ms M Maeseele	(Communications and Marketing Manager)

**Remembrance Day:** As a matter of respect, Council observed a minutes' silence at 11:00am to remember the dedicated soldiers who died to protect the nation.

## C O N T E N T S

Australian Government Local Roads and Community Infrastructure Program extension - Landfill cell stage 4 .....	31	Further Administrative Amendment – Somerset Region Planning Scheme Version 4.....	15
Business arising out of minutes of previous meeting.....	3	Items for reports for future meetings .....	49
Changes to 2020 Christmas Lights Competition.....	42	Leave of Absence .....	3
Closure of Meeting .....	50	Matters of Public Interest .....	3
Community Assistance Grants – Somerset Excellence Bursary .....	40	Mayor and Councillor Reports.....	47
<i>Community Assistance Grants 2020 - 2021 – Toogoolawah Christmas Tree Sub Committee.</i> .....	5, 41	Mayor Lehmann – Councillor Report.....	47
Confidential Closed session .....	46	Mayor Lehmann - Matters of Public Interest.....	3
Confirmation of Minutes .....	3	Meetings authorised by Council .....	47
Consideration of notified motions .....	49	Opening of Meeting.....	3
Council Meeting Dates – 2021 .....	34	Prescribed Conflict of Interest - Cr Brieschke .....	17
Cr Brieschke - Councillor .....	47	Receipt of Petition.....	49
Cr Brieschke - Items for reports for future meetings .....	49	Reception of notices of motion for next meeting .....	49
Cr Brieschke - Matters of Public Interest .	3	Regional Road and Transport Group 2020-21 to 2024-25 Program Review	39
Cr Choat - Councillor Report.....	49	Somerset Community Wellness Hubs ...	33
Cr Choat - Matters of Public Interest .	4, 48	Tender 1188-1191 – Installation of LED Lighting Infrastructure at the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields.....	37
Cr Gaedtke - Councillor Report .....	48	Tender 1192 – Sale of Land – 27 Constable Street, Moore .....	36
Cr Gaedtke - Matters of Public Interest ...	3	Tourism and Promotions Report October 2020.....	43
Cr Isidro - Matters of Public Interest ..	4, 48	Vandalism – October 2020.....	35
Cr Whalley - Matters of Public Interest ....	5	Waiver of Rental Fees .....	47
Declarable Conflict of Interest - Cr Brieschke .....	41	Waste and free tree vouchers .....	32
Declarable/Prescribed Conflicts of Interest .....	5		
Development Application No. DA19819 - 31 Duke Court, Mount Hallen .....	5		
Development Application No. 19320 - 98 Fulham Street, Toogoolawah .....	17		
Financial reports .....	26		

**Opening of Meeting**

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

**Leave of Absence**

Nil

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

Moved – Cr Wendt

Seconded – Cr Brieschke

“THAT the Minutes of the Ordinary Meeting held 28 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****Mayor Lehmann - Matters of Public Interest**

Nil

**Cr Brieschke - Matters of Public Interest**

Time to get your Christmas on Somerset – just a call out to the community that the Christmas Light Competition has opened and entries close 26<sup>th</sup> November. I can't wait to see what amazing displays our residents will come up with this year and I hope to see more businesses displaying the Christmas cheer.

21<sup>st</sup> Nov The Linville Progress Association will open the first stage of their Community Garden at 2.30 pm.

**Cr Gaedtke - Matters of Public Interest**

It is with a heavy heart that I share the sad news of a 20-year-old Mt Kilcoy resident who lost his life in a car accident on Monday morning 9<sup>th</sup> November 2020. The accident occurred on the D'Aguilar Highway between Kilcoy and the turn off to Harlin.

I would encourage our residents to attend the Linville Heritage Festival to be held 20 -22 November 2020. There is lots of information on the Linville Progress Assn. Inc. Website.

Mortgage repayments are now cheaper than rents in many Brisbane suburbs, and it has been reported that making the switch to home ownership are saving hundreds a month. Kilcoy was mentioned as where buyers will see the greatest savings, around \$470 per month cheaper than typical rent costs. The report discloses the tendency is evident in all property types, however most common in units and houses in fringe locations where values are around \$300,000 or lower.

Congratulations to Brisbane Valley Protein for receiving the Ipswich Region Food and Agribusiness Award presented at the City of Ipswich Business Excellence Awards. Tough competition was provided by agribusinesses from across Ipswich, Scenic Rim, Lockyer and Somerset regions.

#### **Cr Isidro - Matters of Public Interest**

##### **November**

- 11 Apex meeting, Esk
- 12 Brisbane Valley Interagency meeting, via Zoom
- 16 RADF meeting, via Zoom
- 16 Somerset Health Hubs Community Cooperative Launch
- 17 Economic Development and Tourism Committee meeting, Esk
- 17 Esk reserve committee meeting
- 21 Linville and District Progress Association community garden opening

#### **Cr Wendt - Matters of Public Interest**

Nil

#### **Cr Choat - Matters of Public Interest**

Over the past couple of weeks there has been a heightened awareness in our community of the damage being caused to the mid-Brisbane River and surrounds by groups of people camping and four-wheel-driving. Councillors would be aware of deaths and accidents through the stretch from Twin Bridges to Hills Crossing in recent times.

Persons who could be described at best as ingrates continue to trash public and private areas and reserves or nearby Twin Bridges, Savages and Hills Crossings. The wanton destruction of banks and the river bed, damage to fences and trespassing on properties of nearby residents as well as the rubbish and filth left behind is worse now than ever and something must be done.

Council's Operations Department tries hard to address this damage in the interests of public amenity and safety, and I thank them. The State which controls the river and adjoining reserves must act to ensure its protection. Council has for years tried hard with the assistance of local police to address the problem however for reasons unknown the State refuses to amend legislation to enable sanction to be brought against individuals who are ruining this once tranquil section of river.

Local families should be able to enjoy our natural assets without risk of being struck by four wheel drives, being cut with broken glass and having to avoid contact with the filth strewn around. Water quality and bank stability is being affected greatly and local farmers have to put up with crops being destroyed and livestock terrorised and let out.

With a simple Amendment Bill in the Parliament, the State could address this matter once and for all enabling environmental protection and Council to create an attraction for local residents and visitors alike.

#### **Resolution**

Moved – Cr Choat

Seconded – Cr Whalley

“THAT Council writes to the new incoming Minister or Department of Natural Resources, Mining and Energy requesting action and a change in Legislation be taken on managing antisocial behaviour and environmental damage within the Mid Brisbane River.”

*Carried*

*Vote - Unanimous*

**Cr Whalley - Matters of Public Interest**

Nil

**Declarable/Prescribed Conflicts of Interest**

Cr Brieschke noted she will be making a Prescribed Conflict of Interest in late Agenda item – *Change Application to Development Approval – Minor Change under section 81 of the Planning Act 2016*.

Cr Brieschke noted she will be making a Declarable Conflict of Interest in Agenda item at page 71 – *Community Assistance Grants 2020 - 2021 – Toogoolawah Christmas Tree Sub Committee*.

<b>Subject:</b>	<b>Development Application No. DA19819 - Application for a Development Permit for a Material Change of Use for a Dwelling House (Secondary dwelling)</b>
<b>File No:</b>	<b>DA19819</b>
<b>Assessment No:</b>	<b>04223-13000-000</b>
<b>Action Officer:</b>	<b>SP-MW</b>

**1.0 APPLICATION SUMMARY****Subject Land**

Location	31 Duke Court, Mount Hallen
Real Property Description	Lot 37 RP819204
Area	4.00 ha
Current land use	Existing Dwelling house and outbuildings
Easements and Encumbrances	Nil

**Somerset Region Planning Scheme Version Three**

Zone	Rural zone
Overlays	Biodiversity Bushfire High Impact Activity Management Scenic amenity

**Shaping SEQ: SEQ Regional Plan 2017**

Land Use Category	Regional Landscape and Rural Production Area
-------------------	--

**Application**

Proposed development	Dwelling House (Secondary Dwelling)
Level of Assessment	Code assessable
Applicant/s	Kate and Clayton White 31 Duke Court
Applicants contact details	Mount Hallen Qld 4312
Date application received	8 October 2020
Date properly made	22 October 2020

**Referral Agencies**

Concurrence Agencies	Not applicable
Advice Agencies	Not applicable

Third Party Advice Agencies Not applicable

Approve the Development Application No. DA19819 subject to the requirements and conditions contained in the Schedules and Attachments.

## **2.0 PROPOSAL**

The applicant has submitted an application for a material change of use to establish a Secondary dwelling on the subject property, Lot 37 RP819204 situated at 31 Duke Court, Mount Hallen.

The site has an existing Dwelling house with a gross floor area of 225.18 square metres and a roofed area of 511.68 square metres. The site contains three outbuildings set back behind the house.

The proposed Secondary dwelling will be a single storey brick veneer house with a gross floor area of 83.52 square metres and a roofed area of 141.12 square metres. The Secondary dwelling will contain one bedroom and office, along with a bathroom, kitchen, laundry and living areas. The building is proposed to have a double carport, located in front of the building.

The new dwelling is to be setback adjacent to the existing house on the site, and approximately 16 metres from the Duke Court frontage of the site. The building is approximately 50 metres from the eastern side boundary of the site.

The Secondary dwelling is proposed to be for the owner's grandmother.

Vehicular access to the Secondary dwelling is provided via the existing driveway that serves the house.

The proposed development is subject to code assessment for a Secondary dwelling. While the property is subject to several overlays, none of the overlays affect the proposed Secondary dwelling site.

A site plan, floor plans and elevations are provided as Attachments.

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

The property is described as 37 RP819204 situated at 31 Duke Court, Mount Hallen. The property is a rural property with an area of 4.0 ha. The property is grazing land predominantly devoid of vegetation and has frontage to Esk Crows Nest Road. The property is generally regular in shape and slopes generally towards the north and west in the vicinity of the existing and proposed building.

The site has been improved with a dwelling house and outbuildings.

The property is surrounded by similar sized rural properties that typically contain detached dwellings and associated out buildings. The property is not located in proximity to any known extractive resource activities or intensive animal industries.

## **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**

As the Minister has identified that the State Planning Policy (SPP) has been reflected in the Somerset Region Planning Scheme (per section 2.1 of the planning scheme), the proposed development does not require assessment against the SPP's 'assessment benchmarks'.

#### **4.2. VEGETATION MANAGEMENT ACT 1999**

There is minimal regulated vegetation on site as per the Queensland government mapping. There is a small strip of vegetation that runs north south across the site, and follows an existing tributary of Running Creek. The proposed development does not require the removal of vegetation.

#### **4.3 ENVIRONMENTAL PROTECTION ACT 1994**

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

### **5.0 COUNCIL ASSESSMENT**

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

#### **5.1 Strategic Framework**

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

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

<b>Applicable Code</b>	<b>Performance Outcome Compliance</b>	<b>Is Alternative Solution Provided?</b>
Rural Zone Code	Yes	Complies with the relevant Acceptable Outcomes
Dwelling House Code	Yes	Complies with the relevant Acceptable Outcomes
Transport, access and parking code	Yes	Complies with the relevant Acceptable Outcomes
<b>Applicable Overlay Code</b>	<b>Performance Outcome Compliance</b>	<b>Is Alternative Solution Provided?</b>
Biodiversity	Yes	Complies with the relevant Acceptable Outcomes
Bushfire	Yes	Complies with the relevant Acceptable Outcomes
Scenic Amenity	Yes	Complies with the relevant Acceptable Outcomes

The proposed development complies with all the relevant performance outcomes of the above codes.

### **6.0 OTHER PLANNING CONSIDERATIONS**

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

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

#### **6.1 Water Supply and Sewerage**

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

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

#### **6.2 Stormwater/Drainage**

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. The site is remote from reticulated water.

#### **6.3 Transport Network**

The subject property has frontage to Duke Court which is a sealed, Council controlled road.

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

#### **6.4 Parks and Open Space Network**

The proposed development is not considered to have any adverse impacts upon Council's parks and open space network.

#### **6.5 Services**

Electricity to the Secondary dwelling will be provided by way of the existing electricity service to the site.

#### **6.6 Infrastructure Charges**

Infrastructure charges are applicable for the development of a Secondary Dwelling. In this instance, the premises fall within Council's infrastructure catchments for the Transport Network only. An infrastructure charges notice has been prepared in accordance with Council's Infrastructure Charges Resolution (No. 1) 2019 and will be supplied to the applicant.

#### **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 State Queensland Heritage Register or Council's Local Heritage Register.

### **7.0 STATE AGENCY REFERRALS**

#### **Concurrence Agencies**

There are no Concurrence Agencies relating to this application.

#### **Advice Agencies**

There are no Advice Agencies relating to this application.

### **8.0 CONCLUSION**

The proposed development application is for a Material Change of Use for a Secondary dwelling on Rural zone property. The proposed development generally achieves the intended outcomes required under the Somerset Region Planning Scheme Version Three.

The proposed development complies with the acceptable outcomes of the relevant assessment benchmarks or provided alternative solutions for the performance outcomes. Conditions have been applied such that the development will be in compliance with the intentions of the Transport, access and parking code and in accordance with Council's design standards. The proposed development will be conditioned to be carried out generally in accordance with the development conditions attached to the Decision Notice.



## 9.0 ATTACHMENTS

1. Site Plan, Proposed Relative Apartment for Mr & Mrs White, Drawn by Barry Murphy, Drawing No. 1120/1-3, Dated August 2020.
2. Floor Plan, Drawn by Barry Murphy, Drawing No. 1120/2-3, Dated August 2020.
3. Elevations, Drawn by Barry Murphy, Drawing No. 1120/3-3, Dated August 2020.
4. Existing House Floor Plan, Drawn by McKiernan Design Drafting, Drawing No 12.1750/03 Revision A, Dated May 2012.
5. Draft Infrastructure Charges Notice

## RECOMMENDED DECISION

THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 37 on RP819204 and situated at 31 Duke Court, Mount Hallen subject to the requirements and conditions contained in the Schedules and Attachments.

<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. Site Plan, Proposed Relative Apartment for Mr & Mrs White, Drawn by Barry Murphy, Drawing No. 1120/1-3, Dated August 2020. Floor Plan, Drawn by Barry Murphy, Drawing No. 1120/2-3, Dated August 2020. Elevations, Drawn by Barry Murphy, Drawing No. 1120/3-3, Dated August 2020. Existing House Floor Plan, Drawn by McKiernan Design Drafting, Drawing No 12.1750/03 Revision A, Dated May 2012.	At all times
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme Version Three, 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	On-site effluent disposal is to be compliant with the relevant Australian standards.	Before the change happens

1.6	<p>Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the development.</p> <p>OR</p> <p>Unless connected to a reticulated water supply network, provide the development with a drinkable water supply from an approved bore, and a tank with a minimum water supply storage capacity of 10,000 litres connected to service all domestic water consumption needs of the development.</p> <p><i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i></p>	Before the change happens and maintained at all times
1.7	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of building works
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Before the change happens
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Before the change happens
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
<b>Stormwater</b>		
2.4	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
<b>Erosion and Sediment Control</b>		
2.5	<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
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>

3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> <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
3.4	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

#### **SCHEDULE 4 – ADVISORY NOTES**

##### *Assessment Manager*

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

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

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

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

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

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

Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.
Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.
A legible copy of this development approval package is to be available on the premises, at all times, during construction.
Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land, before the change happens.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 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> ).

**Attachments for the Decision Notice include:**

1. Site Plan, Proposed Relative Apartment for Mr & Mrs White, Drawn by Barry Murphy, Drawing No. 1120/1-3, Dated August 2020.
2. Floor Plan, Drawn by Barry Murphy, Drawing No. 1120/2-3, Dated August 2020.
3. Elevations, Drawn by Barry Murphy, Drawing No. 1120/3-3, Dated August 2020.
4. Existing House Floor Plan, Drawn by McKiernan Design Drafting, Drawing No 12.1750/03 Revision A, Dated May 2012.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) on land described as Lot 37 on RP819204 and situated at 31 Duke Court, Mount Hallen subject to the requirements and conditions contained in the Schedules and Attachments.

**SCHEDULE 1 – GENERAL CONDITIONS**

*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Site Plan, Proposed Relative Apartment for Mr & Mrs White, Drawn by Barry Murphy, Drawing No. 1120/1-3, Dated August 2020. Floor Plan, Drawn by Barry Murphy, Drawing No. 1120/2-3, Dated August 2020. Elevations, Drawn by Barry Murphy, Drawing No. 1120/3-3, Dated August 2020. Existing House Floor Plan, Drawn by McKiernan Design Drafting, Drawing No 12.1750/03 Revision A, Dated May 2012.	At all times

1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme Version Three, 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	On-site effluent disposal is to be compliant with the relevant Australian standards.	Before the change happens
1.6	<p>Unless connected to a reticulated water supply network, provide a minimum water supply storage capacity of 45,000 litres capable of capturing roof run-off and connected to service all domestic water consumption needs of the development.</p> <p>OR</p> <p>Unless connected to a reticulated water supply network, provide the development with a drinkable water supply from an approved bore, and a tank with a minimum water supply storage capacity of 10,000 litres connected to service all domestic water consumption needs of the development.</p> <p><i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i></p>	Before the change happens and maintained at all times
1.7	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of building works
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	Before the change happens
2.2	Meet the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Before the change happens
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Before the change happens
<b>Stormwater</b>		
2.4	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
<b>Erosion and Sediment Control</b>		

2.5	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	At all times
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> <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
3.4	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 – ADVISORY NOTES</b>		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.		
<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 *Planning Act 2016*.

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

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

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

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

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

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

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

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

Carried

Vote – Unanimous

<b>Subject:</b>	<b>Further Administrative Amendment – Somerset Region Planning Scheme Version 4</b>
<b>File Ref:</b>	<b>Somerset Region Planning Scheme Amendments</b>
<b>Action Officer:</b>	<b>SP – MJ</b>

### Background/Summary

Council at its Ordinary Meeting of 14 October 2020 resolved to adopt a Major Amendment and Administrative Amendment to the Somerset Region Planning Scheme. Since its adoption, the Somerset Region Planning Scheme Version Four became effective on 2 November 2020. As part of the adoption process several minor errors were identified within the planning scheme.

These errors include:

1. The map reference identified on the Catchment Management Overlay Map incorrectly states, OM004a and OM004b instead of OM005a and OM005b.
2. Toogoolawah Zone Map ZM006 and Kilcoy Zone Map ZM004 – The zoning of several properties has been altered in error as part of the map amendment process.

3. The Table of Contents of the document requires updating to ensure all relevant sections of the document are included.

The Ministers Guidelines and Rules (MGR) identify that Administrative Amendments can be made to planning schemes in the following circumstances:

- a) the local government is satisfied corrects or changes—
- i. an explanatory matter about the instrument;
  - ii. the format or presentation of the instrument;
  - iii. a spelling, grammatical or mapping error in the instrument that does not materially affect the remainder of the instrument;
  - iv. a factual matter incorrectly stated in the instrument;
  - v. a redundant or outdated term in the instrument;
  - vi. inconsistent numbering of provisions in the instrument; vii. cross-references in the instrument

It is considered that the changes required to rectify the above-mentioned errors can be achieved through an Administrative Amendment.

As per the MGR, the following process is required for an Administrative Amendment:

- The local government must decide to adopt or not proceed with the proposed amendment.
- If the local government decides to adopt the proposed amendment, the local government must publish a public notice in accordance with the Act and the requirements prescribed in Schedule 5 (of the MGR).
- The local government must, within 10 days of publishing a public notice, give the chief executive— a) a copy of the public notice; and b) a certified copy of the administrative amendment, as adopted, including—
  - i. an electronic copy of the amendment or instrument; and
  - ii. a copy of any electronic planning scheme spatial data files (mapping) relevant to the administrative amendment

#### Attachments

Nil

#### Recommendation

THAT Council adopt the Administrative Amendment to the Somerset Region Planning Scheme Version Four.

THAT Council publish a public notice in accordance with the Ministers Guidelines and Rules.

#### Resolution

Moved – Cr Choat

Seconded – Cr Wendt

“THAT Council adopt the Administrative Amendment to the Somerset Region Planning Scheme Version Four.

THAT Council publish a public notice in accordance with the Ministers Guidelines and Rules.”

Carried

Vote - Unanimous



<b>Subject:</b>	<b>Development Application No. 19320</b>
	<b>Change Application to Development Approval – Minor Change under section 81 of the Planning Act 2016</b>
<b>File No:</b>	<b>DA19320</b>
<b>Action Officer:</b>	<b>SP-MJ</b>
<b>Assessment No:</b>	<b>04973-50000-000</b>

### Prescribed Conflict of Interest - Cr Brieschke

I inform this meeting that I have a prescribed conflict of interest in this matter (as defined in section 150EI (c) (i) of the *Local Government Act 2009*). The nature of my interest is as follows:

- My spouse, David Brieschke and myself own the property described in Development Application 19320 and stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter.

In accordance with section 150EM of the *Local Government Act 2009* I will now leave the meeting and stay away from the meeting while the matter is discussed and voted on.

Cr Brieschke left the meeting at 9.15am

## 1.0 APPLICATION SUMMARY

### Subject Land

Location	98 Fulham Street, Toogoolawah
Real Property Description	Lot 11 SP245914
Area	25.0853ha

### Planning Scheme

Planning Scheme	Somerset Region Planning Scheme Version Four
Zone	Emerging Community and Rural

### ShapingSEQ

Land Use Category	Urban Footprint and Regional Landscape and Rural Production Area
-------------------	--

### Application

Original Category of Assessment	Impact assessment
Original Date of Approval	12 August 2020
Applicants contact details	ONF Surveyors P.O. Box 896 KINGAROY QLD 4610
Land Owner	David and Helen Brieschke
Date application received	30 October 2020

### State Agency Referrals

Concurrence	Nil
Advice	Nil
Third Party Advice	Nil

## RECOMMENDED DECISION

Approve the request to change the development approval for Development Application No. 19320 subject to the amended conditions and requirements contained in the Schedules.

## 2.0 BACKGROUND TO APPROVAL

Council at its Ordinary Meeting of 12 August 2020 approved the development application for a Reconfiguration of a Lot (1 into 2 lots). On Friday 30 October 2020, Council received representations from the applicant seeking to alter two conditions of development.

### **3.0 REPRESENTATIONS AND OFFICER COMMENT**

The applicant on behalf of their client have made the following representations:

#### **Condition 2.2**

##### **Applicant's representations**

Request change to Condition 2.2 pertaining to connecting the proposed new lot to reticulated water supply. We request that a potable water supply (by way of rainwater tanks/bore installation) be acceptable to connect to the proposed new lot, independent of Queensland Urban Utilities' (QUU) reticulated water supply. Following contact with QUU it was found that the new lot is located outside of QUU's connection area and future connection area. QUU would not require the new lot to be connected to the reticulated water supply network. Whilst properties outside of the connection areas can be connected to the QUU network, QUU do not guarantee their service standards to those areas. A Non-Standard Connection process with QUU was extremely expensive, was not feasible for the development of one lot and the service could not be guaranteed to QUU service standards. For these reasons, we ask that Council change the condition to allow for an alternative water supply option.

**Condition 2.2** currently states:

Connect the development to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.

Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.

Timing: Prior to application to approve plan of subdivision.

##### **Officer comment**

A review of the subject land has identified that only part of 98 Fulham Street is within Council's Priority Infrastructure Area (PIA) and QUU's connection area (i.e. only the area equivalent to 800-1000m<sup>2</sup> lots along the Fulham Street frontage) with the majority of the balance falling outside the connection area due to site and service constraints. The approved development proposes to create an additional lot with an area of 4,150m<sup>2</sup>. QUU have confirmed the site constraints and service limitations to the balance of the 98 Fulham Street (and the newly approved lot) will likely require the construction of a booster pump station (or alternate) in the future if further residential density is to be achieved. The development of both allotments is possible but requires further detailed infrastructure design.

It is understood the newly created lot can practicably be serviced by reticulated water, however at a lower (non-guaranteed) service standard and may require the installation of pumps to achieve a more desirable service standard. In addition, it is arguable this development represents only an 'interim subdivision approval' until the full development yield occurs. QUU have not provided confirmation whether the approved connection infrastructure will likely become redundant when future development occurs on the balance of the lot/s.

Given the unique situation of site and service constraints it is recommended that the condition be amended to remove the requirement for connection to the reticulated water network.

#### **Condition 2.6**

##### **Applicant's representations**

Request change to Condition 2.6 pertaining to bitumen sealing of the access for Proposed Lot 14. We request that the option of concrete sealing of the access be included in this condition. We also request that a monetary bond be allowed to be paid for the sealing of the access until construction works (dwelling and sheds) are completed on site. This is to avoid any damage to the access by heavy vehicles. The access would be formed and pipes installed with sealing of the access to take place following construction works. The bond would be refundable on completion of the sealing of the access by way of two coat bitumen OR concrete.

**Condition 2.6** currently states:

The Applicant is to construct a vehicle access for proposed lot 14 in accordance with Council's standard drawing SRC-ROAD-016. The access is to be sealed with a minimum of a two-coat bitumen seal.

Timing: Prior to application to approve plan of subdivision.

#### **Officer comment**

The condition in its current form identifies that the access is to be constructed to a minimum of a two-coat bitumen seal. The applicant has requested that the condition be amended to include the ability to construct the access using concrete. Concrete and asphalt are considered to be of a higher construction standard than a two coat bitumen seal standard and as such the condition does not need to be altered.

The applicant has further requested that the timing of construction of the access be bonded to be completed at the completion of a future dwelling house. The bonding of driveway/access works is not generally accepted by Council unless there are mitigating circumstances (i.e. no reasonable alternate can be provided) and the increased risk of compliance issues and liabilities to Council. As such, the construction is maintained to occur prior to the sealing of the survey plan.

## **4.0 PLANNING CONSIDERATIONS**

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

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

## **5.0 OTHER PLANNING CONSIDERATIONS**

### **5.1 Referral Agencies**

There were no concurrence, advice, or third party advice referrals as part of the original development application.

### **5.2 Public awareness of the proposed development**

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

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

## **7.0 ATTACHMENT**

1. Proposed subdivision – Drawing No. 4879P/2 Sheet 1 of 1 Revision A – prepared by ONF Surveyors – dated 18 February 2020

## **RECOMMENDED DECISION**

THAT Council approves the Change Application under section 81 of the *Planning Act 2016* for DA19320 for a Development Permit for a Reconfiguration of a Lot (1 into 2 lots) on land described as Lot 11 SP245914, situated at 98 Fulham Street, Toogoolawah subject to the conditions contained in the Schedules and Attachments.

## **SCHEDULES**

<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.  Proposed Subdivision, designed by NB for ONF Surveyors, Drawing Number: 4879P/2, Sheet 1 of 1, dated 18 February 2020.	At all times.
1 . 2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1 . 3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase.
1 . 4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to application to approve plan of subdivision.
1 . 5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Natural Resources, Mines and Energy  Currently, the amount is set at \$38 per allotment.	Prior to application to approve plan of subdivision.
1 . 6	A Licensed Surveyor must certify in writing that:  (a) any structures located over any new boundary have been removed. Relevant approvals must be gained for the removal of any structures.  (b) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the <i>Building Act 1975</i> (unless varied by this Decision Notice).	Prior to application to approve plan of subdivision.
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
2 . 1	<b>GENERAL SERVICES</b>	

	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to application to approve plan of subdivision.
2 2	<del>Connect the development to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.</del>  <del>Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.</del>	<del>Prior to application to approve plan of subdivision.</del>
2 2	Connect the development to an underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.  Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.	Prior to application to approve plan of subdivision.
2 3	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	As part of application to approve plan of subdivision.
2 4	Any existing roofwater conduits, electrical conduits, irrigation pipes, Telstra conduits, reticulated water conduits and any other utility conduits common to both proposed lots shall be terminated within each proposed lot.	Prior to application to approve plan of subdivision.
	<b>VEHICLE ACCESS</b>	
2 5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with Somerset Regional Council Design Standards.	Prior to application to approve plan of subdivision.
2 6	The Applicant is to construct a vehicle access for proposed lot 14 in accordance with Council's standard drawing SRC-ROAD-016. The access is to be sealed with a minimum of a two-coat bitumen seal.	Prior to application to approve plan of subdivision.
	<b>STORMWATER</b>	
2 7	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
	<b>EROSION AND SEDIMENT CONTROL</b>	
2 8	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:  • Be required to install additional measures.	At all times.

	<ul style="list-style-type: none"> <li>Be responsible for the restoration work.</li> </ul> <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> <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.
3.4	<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]		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> - for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within four years after the approval starts to have 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.

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."

Attachments for decision notice:

1. Proposed subdivision – Drawing No. 4879P/2 Sheet 1 of 1 Revision A – prepared by ONF Surveyors – dated 18 February 2020

#### **Resolution**

Moved – Cr Isidro

Seconded – Cr Wendt

"That Council approves the Change Application under section 81 of the *Planning Act 2016* for DA19320 for a Development Permit for a Reconfiguration of a Lot (1 into 2 lots) on land described as Lot 11 SP245914, situated at 98 Fulham Street, Toogoolawah subject to the conditions contained in the Schedules and Attachments.

#### **SCHEDULE 1 – GENERAL CONDITIONS**

*Assessment Manager*

<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. Proposed Subdivision, designed by NB for ONF Surveyors, Drawing Number: 4879P/2, Sheet 1 of 1, dated 18 February 2020.	At all times.
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase.
1.4	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to application to approve plan of subdivision.

1.5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Natural Resources, Mines and Energy  Currently, the amount is set at \$38 per allotment.	Prior to application to approve plan of subdivision.
1.6	A Licensed Surveyor must certify in writing that:  (a) any structures located over any new boundary have been removed. Relevant approvals must be gained for the removal of any structures.  (b) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the <i>Building Act 1975</i> (unless varied by this Decision Notice).	Prior to application to approve plan of subdivision.
<b>SCHEDULE 2 – ENGINEERING</b> <i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
2.1	<b>GENERAL SERVICES</b>	
	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	Prior to application to approve plan of subdivision.
2.2	<del>Connect the development to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.</del>  <del>Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.</del>	<del>Prior to application to approve plan of subdivision.</del>
2.2	Connect the development to an underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.  Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.	Prior to application to approve plan of subdivision.
2.3	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	As part of application to approve plan of subdivision.
2.4	Any existing roofwater conduits, electrical conduits, irrigation pipes, Telstra conduits, reticulated water conduits and any other utility conduits common to both proposed lots shall be terminated within each proposed lot.	Prior to application to approve plan of subdivision.
<b>VEHICLE ACCESS</b>		



2.5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with Somerset Regional Council Design Standards.	Prior to application to approve plan of subdivision.
2.6	The Applicant is to construct a vehicle access for proposed lot 14 in accordance with Council's standard drawing SRC-ROAD-016. The access is to be sealed with a minimum of a two-coat bitumen seal.	Prior to application to approve plan of subdivision.
<b>STORMWATER</b>		
2.7	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
<b>EROSION AND SEDIMENT CONTROL</b>		
2.8	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul> <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
<b>SCHEDULE 3 – ENVIRONMENTAL</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> <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.
3.4	<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,</li> </ul>	During construction phase.

	<ul style="list-style-type: none"> <li>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>	
<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> - for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within four years after the approval starts to have 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.		
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."		
<i>Vote - Unanimous</i>		<u><i>Carried</i></u>

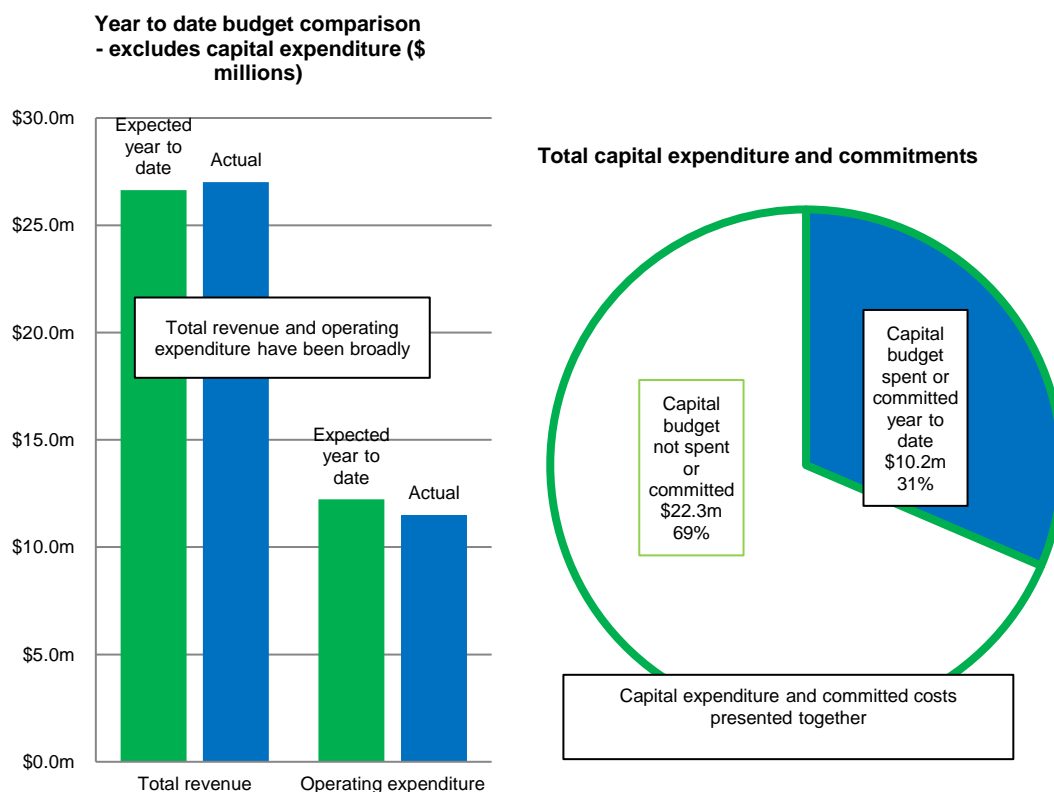
Cr Brieschke returned to the meeting at 9.18am

<b>Subject:</b>	<b>Financial reports</b>
<b>File Ref:</b>	<b>Monthly financial statements</b>
<b>Action Officer:</b>	<b>DFIN</b>

### Background/Summary

#### Financial reports

Month end financial reports for the period 1 July 2020 to 28 October 2020 are attached detailing the progress that has been made in relation to Council's FY2020 budget as required by section 204 of the Local Government Regulation 2012. Financial results are broadly summarised as follows:



A list of payments is provided as previously requested. This is not a statutory requirement.

### Grants

- Council officers have submitted applications under the joint Australian Government/ Queensland Government bushfire local economic recovery (LER) program after being invited to do so by Queensland Reconstruction Authority. These are for a Local Business Recovery Officer and for Brisbane Valley Rail Trail improvements to user experience including trailhead access and parking areas.
- Council officers have been preparing for upcoming rounds of the Building Better Regions Fund and Local Government Grants and Subsidies Program and preparing the annual Queensland Local Government Grants Commission return.

### Investments

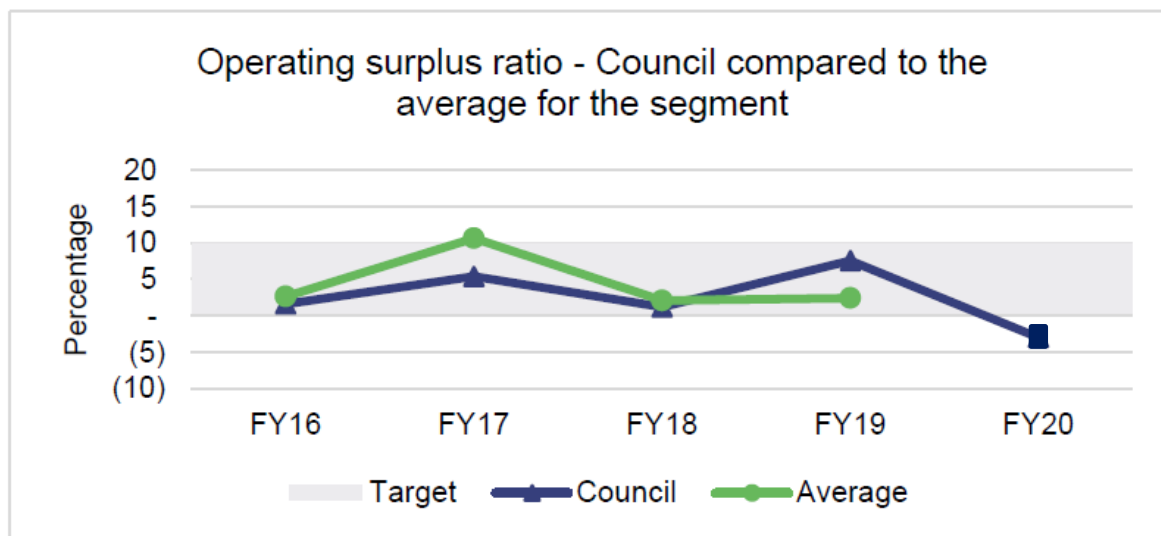
Council's FY2021 budgeted interest revenue represents \$161 per rateable property. Interest rates have been decreasing. Council's investment policy requires that Council maximize earnings within approved risk guidelines.

Consistent with the policy, Council applied for a second credit facility with Urban Utilities (UU) which was recently approved by the State Government. UU expect to draw down this \$30M facility in coming weeks once final documents have been executed by Queensland Treasury Corporation. Council already has one UU credit facility of \$13.8M in place.

### Highlighted FY2020 matters

Council's audited financial statements are available on Council's website. The following charts are from Queensland Audit Office representing two statutory measures of financial sustainability that the State uses to assess councils. The "segment" used for comparison is larger population inland regional councils.

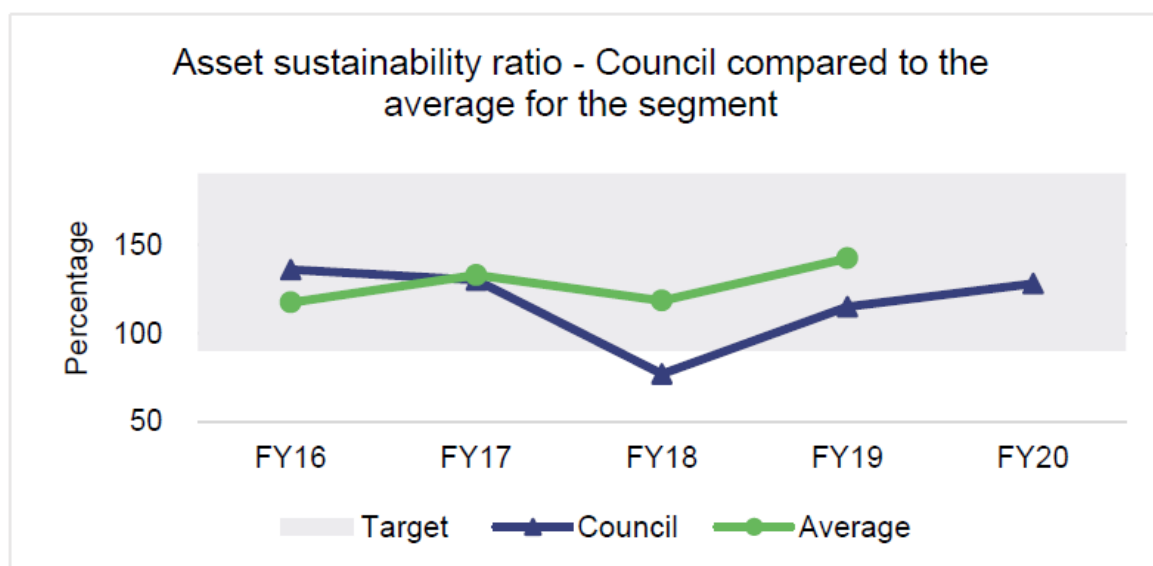
## Operating surplus ratio



Council's operating surplus ratio fell to (negative) -3% in FY2020.

The State Government target range is between 0% and 10%. Council's operating loss for the year was \$1.341M. The average operating surplus ratio for our segment for FY2020 is not yet known.

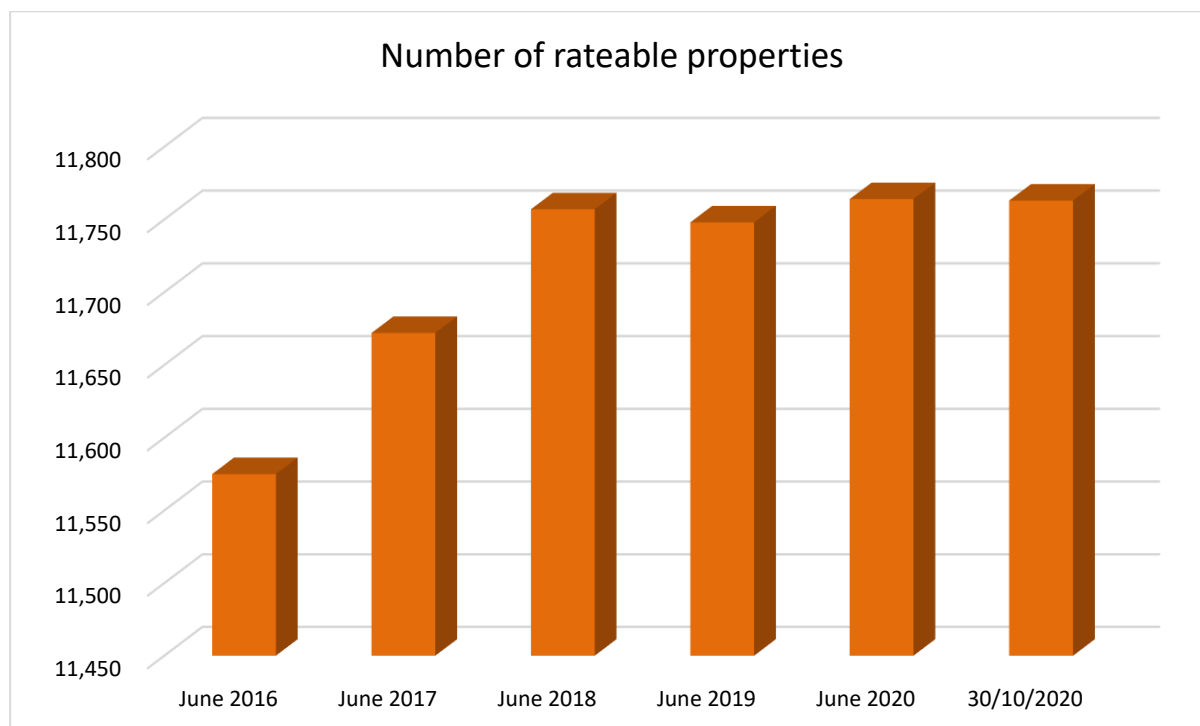
## Asset sustainability ratio



The asset sustainability ratio indicates the extent to which assets are being replaced as they reach the end of their useful lives and is calculated as capital expenditure on replacement of assets (renewals) divided by depreciation. Council's asset sustainability ratio for FY2020 was 128% which was above the State Government target of 90%. Our asset renewal projects for FY2020 included bridge replacements and Kilcoy grandstand/ dining facility.

## Growth

Rateable property data provides an indication of regional growth. The total number of rateable properties increased to June 2018 as follows:

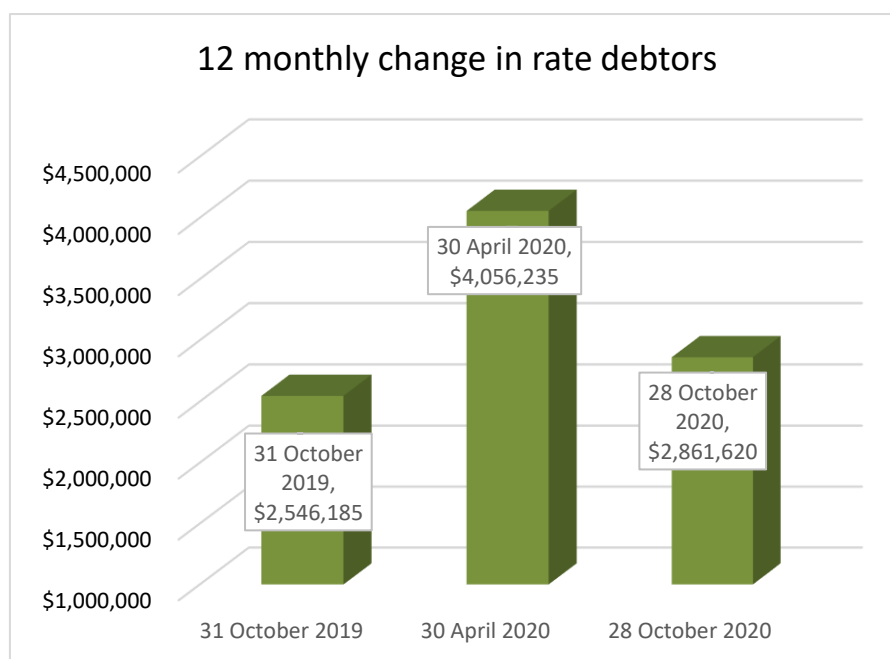


### Rates

Consistent with Council's new revenue policy, Council authorised the commencement of one sale of lands action on 27 May 2020.

A notice of intention to sell a property for overdue rates and charges of \$248,384 was issued on 24 June 2020. This notice is still outstanding.

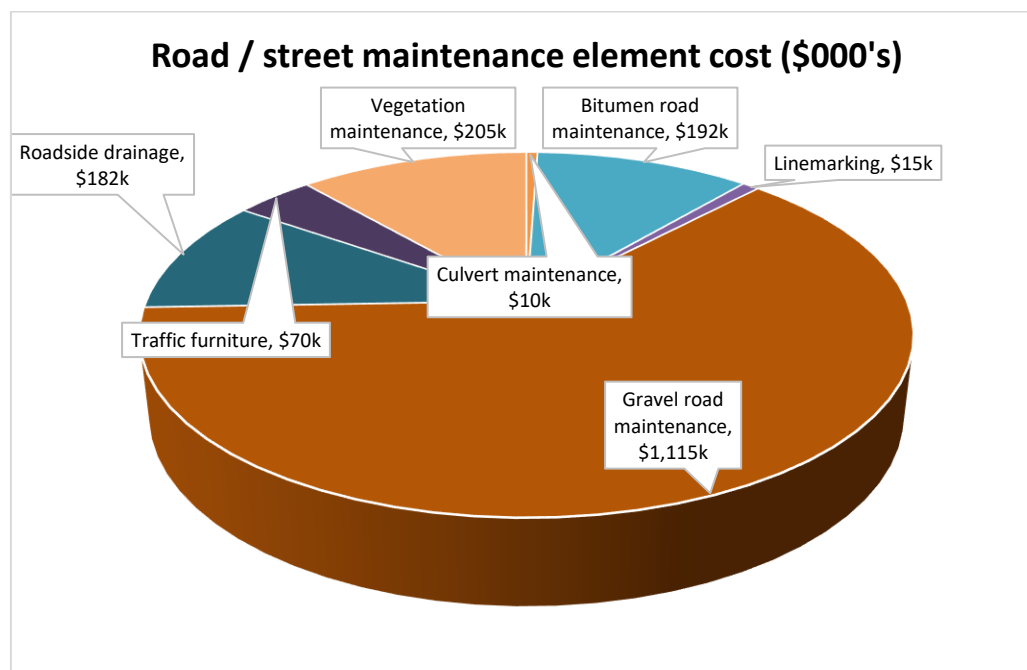
Rates are issued in six monthly cycles. Total rate debtors at comparable dates over the past year were as follows:



**Road maintenance detail**

Councillors have previously requested additional information about road maintenance:

Maintenance type	Rural (\$000's)	Urban (\$000's)	Total (\$000's)
Bitumen road maintenance	141	51	192
Gravel road maintenance	1,107	8	1,115
Roadside drainage	140	42	182
Culvert maintenance	9	1	10
Vegetation maintenance	133	72	205
Traffic furniture	61	9	70
Linemarking	5	10	15
Total actual year to date	1,596	193	1,789
Expected pro-rata budget year to date	1,452	244	1,696



As previously requested, Council's 30 most costly road segments for maintenance were:

Road segment	(\$000's)
Esk Crows Nest (gravel) Ch26120-Ch34090	79
Monsildale Rd (gravel) Ch1630-Ch10200	57
Mt Stanley Rd (bitumen) Ch0-Ch7420	46
Eastern Branch (gravel) Ch11720-Ch16480	44
Banks Creek Rd (gravel) Ch4670-Ch12870	42
Monsildale Rd (gravel) Ch29340-Ch33440	36
Monsildale Ck Rd (gravel) Ch1540-Ch4500	34
Kimballa Rd (gravel) Ch0-Ch5680	32
Eastern Branch (gravel) Ch6010-Ch11570	29
Eastern Branch Rd (gravel) Ch880-Ch5930	28
Monsildale Rd (gravel) Ch12000-Ch19100	28
Morden Rd (gravel) Ch1880-Ch6470	28
Schmidt Rd (bitumen) Ch0-Ch1100	27
Seib St (gravel) Ch0-Ch340	25
Muckerts La (gravel) Ch1370-Ch2780	24
Kimballa Rd (gravel) Ch5680-Ch9850	23

Diaper Rd (gravel) Ch3000-Ch6200	23
Avoca Creek Rd (gravel) Ch1220-Ch2710	23
Muddy Creek Rd (gravel) Ch0-Ch3980	23
Leschkes Rd (gravel) Ch230-Ch1790	22
Louisavale Rd (gravel) Ch5010-Ch5810	22
MaronghiCkDM61ScourCh2720-2720	22
Wanora Rd (gravel) Ch1200-Ch3160	20
Diaper Rd (gravel) Ch0-Ch3000	20
Gregors Creek RdCh1.49JonessGul	19
MonsildaleDM238WOCh20540-21010	18
Langtons La (gravel) Ch5050-Ch6050	18
Tableland Rd Mons (gravel) Ch0-Ch4750	18
Esk Crows Nest RdCh13.39TaylorsBr	17
Banks Ck/ England Ck Rd (gravel) Ch0-Ch2900	17
Subtotal	864

### Attachments

Financial reports and payment listings

### Recommendation

THAT Council receive the financial reports for 1 July 2020 to 28 October 2020 including payments presented for the period 2 October.

#### Resolution

Moved – Cr Isidro

Seconded – Cr Whalley

“THAT Council receive the financial reports for 1 July 2020 to 28 October 2020 including payments presented for the period 2 October.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Australian Government Local Roads and Community Infrastructure Program extension - Landfill cell stage 4</b>
<b>File Ref:</b>	<b>LRCI</b>
<b>Action Officer:</b>	<b>DFIN</b>

### Background/Summary

The Deputy Prime Minister, the Honourable Michael McCormack MP has advised the Mayor of a further \$1,347,745 in economic stimulus funding under the Local Roads and Community Infrastructure Program (LRCI).

The email to the Mayor of 30 October 2020 indicates that “this funding will be available from 1 January 2021 with the program being extended until the end of 2021.”

Council’s current landfill cell at Esk was constructed in 2014 and is reaching end of life. The current cell had an expected life of five years in Council’s asset register.

Cost estimates and plans for the next stage landfill cell (stage 4) are attached showing an estimated cost for this project of \$1,303,223.

It is recommended that the LRCI extension funding be earmarked for Esk landfill cell stage 4 because of the advanced stage of planning for this project and because of its community need.

Council engineers consider that a minor adaption in the plan can be achieved to increase the area of stage 4 to account for the entire LCRI extension funding amount.

#### Attachments

Email to the Mayor of 30 October 2020  
Cost estimate and plans - stage 4 Esk landfill cell

#### Recommendation

THAT Council endorse the nomination of Esk landfill cell stage 4 for funding under the Local Roads and Community Infrastructure Program extension.

#### Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council endorse the nomination of Esk landfill cell stage 4 for funding under the Local Roads and Community Infrastructure Program extension.”

Carried

Vote - Unanimous

**Subject:** Waste and free tree vouchers  
**File Ref:** Rate notices  
**Action Officer:** DFIN

#### Background/Summary

Council has been issuing waste and free tree vouchers as follows:

Voucher	When	How	Who to
Free tree voucher	September/ October	With newsletter	Recipients of newsletters
Domestic waste vouchers	February	Separate voucher distributed with most rate notices	Property owners with a waste charge

Free tree day events have been postponed in response to continuing health restrictions. Council Officers are presently reviewing options for the 2020/21 free tree day with a separate report to come back to Council.

Council officers have been liaising with our rate notice printers to streamline voucher printing and distribution for the February 2021 rate notice print run. There is a long lead time involved with changing the layout of rate notices.

Endorsement is sought for the following change which will be simpler to print and distribute and which will see all vouchers reach all ratepayers annually:

Voucher	When	How	Who to
Free tree voucher	February 2021	Printed on rate notices	All ratepayers
Domestic waste vouchers	February 2021	Printed on rate notices	All ratepayers



### Attachments

Example rate notice layout

### Recommendation

THAT Council endorse the distribution of waste and free tree vouchers annually to all ratepayers via rate notices.

#### Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council endorse the distribution of waste and free tree vouchers annually to all ratepayers via rate notices.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Somerset Community Wellness Hubs</b>
<b>File Ref:</b>	<b>Community serviceds - service provision - Community Development</b>
<b>Action Officer:</b>	<b>CDC</b>

### Background

As reported in June 2020, it is well recognised that residents living in Somerset are disadvantaged by not having suitable public transport services. This makes it particularly difficult for the most vulnerable (seniors, disengaged youth, disabled, physically or mentally unwell and the economically disadvantaged) to be able to access services and supports which have the potential to not only make their lives easier, but also help promote social and economic participation. Research shows that people living with disadvantage are impacted by access and equity barriers and Somerset's large area and dispersed population, coupled with transport issues exacerbates this problem.

As it is highly unlikely that public transport will be increased in our region, alternative methods to connect people with services have been explored. An alternative is to bring the services to the region.

In Kilcoy, there is an opportunity to utilise the former GP Clinic in the grounds of the Kilcoy Hospital as a “Wellness Hub”. After discussions with the executive director and property manager from Metro North, a verbal offer was made to provide a license to use the premises, whilst a peppercorn lease is being drawn up, to be signed by the Queensland Governments treasurer and health minister. The agreement would see Council maintain the building and pay for electricity, water and communications.

To facilitate this, a detailed business model including a plan outlining the types of services which would use the building needs to be prepared for submission. Services which have already expressed interest include child, youth and adult mental health services, family support services and child health. These services are funded by either state or federal funding and as such are able to be provided free of charge, subject to a suitable space being made available.

Allied health services including speech therapy, occupational therapy, physiotherapy, audiology and optometry amongst others would also be sought. To make this proposal most attractive to such allied health services, it is proposed that this “Wellness Hub” should be one of a number of similar centres in some if not all of the other four towns in the region. This would have the potential to provide a substantial client base, not present in one town alone. It is also

proposed that these services, receiving fee for service, be requested to pay a hire fee, after a window of perhaps six months free use, while building their client base.

#### Recommendation

THAT Council authorises the Chief Executive Officer with entering into an agreement with Metro North Hospital and Health Service to provide a Wellness Hub in Kilcoy at the former GP Clinic on the Kilcoy Hospital Campus.

#### Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council authorises the Chief Executive Officer with entering into an agreement with Metro North Hospital and Health Service to provide a Wellness Hub in Kilcoy at the former GP Clinic on the Kilcoy Hospital Campus.”

Carried

Vote - Unanimous

**Subject: Council Meeting Dates – 2021**  
**File Ref: Governance – council meetings – Notices of Motion**  
**Action Officer: CCSO**

#### Background/Summary

Council is requested to adopt the Schedule of Meeting dates for the period January to December 2021 set out below:

2021 Council Meeting Dates	
20 January	28 July
10 February	11 August
24 February	25 August
10 March	8 September
24 March	22 September
14 April	13 October
28 April	27 October
12 May	10 November
26 May	24 November
9 June (Budget)	8 December
23 June	16 December (Thursday)
14 July	

It is suggested due to COVID-19 restrictions meetings be closed to the public for health and safety reasons and audio streams be made available on Council's website.

#### Attachments

Nil

#### Recommendation

THAT Council adopt the meeting dates as proposed in the below schedule of meeting dates for the period January to December 2021.

#### 2021 Council Meeting Dates

20 January	28 July
10 February	11 August
24 February	25 August
10 March	8 September
24 March	22 September
14 April	13 October
28 April	27 October
12 May	10 November
26 May	24 November
9 June (Budget)	8 December
23 June	16 December (Thursday)
14 July	

Further THAT Council close the meetings to the public for health and safety reasons and make audio streams available to the public through Council's website.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Brieschke

“THAT Council adopt the meeting dates as proposed in the below schedule of meeting dates for the period January to December 2021.

<b>2021 Council Meeting Dates</b>	
20 January	28 July
10 February	11 August
24 February	25 August
10 March	8 September
24 March	22 September
14 April	13 October
28 April	27 October
12 May	10 November
26 May	24 November
9 June (Budget)	8 December
23 June	16 December (Thursday)
14 July	

Further THAT Council close the meetings to the public for health and safety reasons and make audio streams available to the public through Council's website.”

**Carried***Vote - Unanimous*

<b>Subject:</b>	<b>Vandalism – October 2020</b>
<b>File Ref:</b>	<b>Risk Assessment - Vandalism</b>
<b>Action Officer:</b>	<b>DCORP</b>

**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 October 2020.

Date	Location	Incident
21 October	Colinton toilets	Left hand side door hinge broken
21 October	Lowood Recreation Grounds	External walls and concrete graffitied
21 October	Fernvale Campdraft Grounds	Toilet bowls stuffed with various items causing them to block
22 October	Anzac Park Toilets, Kilcoy	Sharps container and soap dispenser stolen
26 October	Kilcoy Aquatic Centre	Back of storage shed near therapy pool graffitied

The vandalism repair costs until 31 October 2020 are attached.

#### Attachments

Table – Vandalism Repair Costs – October 2020.

#### Recommendation

THAT Council receive the vandalism report for the period 1 October to 31 October 2020 and the contents be noted.

#### Resolution

Moved – Cr Wendt

Seconded – Cr Isidro

“THAT Council receive the vandalism report for the period 1 October to 31 October 2020 and the contents be noted.”

Carried

Vote - Unanimous

**Subject:** Tender 1192 – Sale of Land – 27 Constable Street, Moore  
**File Ref:** Tender1192 Doc Id 1225688,1225684,1207446,1207500,1213599  
**Action Officer:** CCSO

#### Background/Summary

At Council's Ordinary Meeting of 22 July 2020, it resolved to invite tenders for the disposal of Lot 29 RP14964 located at 27 Constable Street Moore.

The outcome of the tender was considered by Council at its meeting of 14 October 2020, at which it resolved “THAT the tender received from Kevin and Jillian Pullen for the sale of Lot 29 RP14964, be accepted and THAT the Chief Executive Officer be authorised to negotiate the sale of Lot 29 RP14964.”

Officers wrote to the tenderer after this meeting and advised of the successful tender.

Upon receiving this information, the successful tenderer requested that the property be sold only to Jillian Pullen. After discussion with the Chief Executive Officer, Officers wrote to the tenderers and advised that a letter signed by both parties acknowledging that the contract would now only be offered to one party instead of two as resolved by Council be provided to allow the contract to progress.

#### Attachments

Nil

<b>Recommendation</b>
-----------------------

THAT the action of the Chief Executive Officer to endorse the contract of sale to Jillian Pullen be endorsed.

<b>Resolution</b>	Moved – Cr Wendt	Seconded – Cr Choat
<p>“THAT the action of the Chief Executive Officer to endorse the contract of sale to Jillian Pullen be endorsed.”</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>		

<b>Subject:</b>	<b>Tender 1188-1191 – Installation of LED Lighting Infrastructure at the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields</b>
<b>File Ref:</b>	<b>Corporate management - tendering – quotations - 2020 – 2021</b>
<b>Action Officer:</b>	<b>SRO</b>

<b>Background/Summary</b>
---------------------------

At the Special Budget Meeting on 10 June 2020, Council resolved to allocate funding toward the installation of LED lighting infrastructure at the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields.

On 17 August 2020 Council announced the successful funding application under the Queensland Government Unite and Recover Community Stimulus Package, which confirmed;

- The provision of upgraded field lighting at multiple sports fields across the region (\$365,000) and
- The provision of LED light lighting installation for the Fernvale Sports Park - \$100,000

Council proceeded with a design and construct tender for electrical contractors to engage and coordinate other engineers, suppliers and trades. The successful contractor is to act as the Principal Contractor to engage specialist subcontractors and suppliers, such as light suppliers, pole supplier and RPEQ engineers to provide suitable designs for Council approval.

Tenderers were required to submit indicative lighting designs, with details on the number of poles, pole heights, LED lighting brands, LUX levels achieved, conduit sizing, switchboard locations, trenching and associated works to achieve the following:

- At the Fernvale Sports Park, 300 LUX on the centre square and 200 LUX on the outfield on the main oval to allow sufficient illumination for cricket competition class III.
- At the Lowood Recreation Complex, 200 LUX across all three rectangular sports fields, utilising existing poles and switchboards.
- At the Esk Football Grounds; 100 LUX across one rectangular sports field, utilising existing poles and switchboards.
- At the Hopetoun Sports Fields, 100 LUX across one rectangular sports field, utilising existing poles and switchboards.

Currently there is no lighting infrastructure at the Fernvale Sports Park. The Lowood Recreation Complex is currently lit to levels of between 120-140 LUX. The Esk Football Grounds has levels of approximately 80 LUX and the Hopetoun Sports Fields have a level of approximately 90 LUX. All established facilities utilise inefficient metal halide lamps that do not feature dimming functions.

Following the installation of lighting infrastructure, all four sites will be compliant for hosting evening amateur sport competition (100 LUX). The Lowood Recreation Complex will be lit to a greater standard given the significant use of the site and to assist clubs at the site to attract exhibition and district level sporting events. The Fernvale Sports Park will be lit to the minimum standard to allow for evening cricket matches to occur, which has been supported by the cricket club based at the facility and Queensland Cricket.

A call for tenders was published on Wednesday 26 August, with tenders closing on Wednesday 23 September. Tenders were promoted and collected through Vendor Panel, as well as advertised in local newspapers, the Somerset Newspaper and the Kilcoy Sentinel.

Tender site inspections were held at each of the four sites on Friday 28 August 2020 and Friday 11 September 2020. A total of 27 different contractors attended the site inspections, with 18 contractors submitting tenders across the four sites.

A summary of scoring and prices for tender 1188 – Fernvale Sports Park, 1189 – Lowood Recreation Complex, 1190 – Esk Football Grounds and 1191 – Hopetoun Sports Fields is provided as a confidential attachment to this report. Issues that were considered as part of the assessment included price, relevant experience, key personnel and skills, the tenderer's resources and demonstrated understanding of the project.

A 10 per cent weighting was allowed for tenderers local to the Somerset Region. No tenders were received from local contractors.

Tender documents were also reviewed by independent lighting and electrical engineers, who are appropriately accredited.

The panel reviewed all tenders and found the tenders from Australian Sports Lighting Solutions for 1188, 1189, 1190 and 1191 represented the best value for money for Council.

Acceptance of the four tenders from Australian Sports Lighting Solutions will exceed the total combined budget of all four projects by a total of \$28,000 (excluding GST); refer to attachment 5 for further reference.

#### **Attachments**

1. Confidential summary of Tender Evaluations – Tender 1188 Installation of LED Lighting Infrastructure at the Fernvale Sports Park (Commercial in Confidence)
2. Confidential summary of Tender Evaluations – Tender 1189 Installation of LED Lighting Infrastructure at the Lowood Recreation Complex (Commercial in Confidence)
3. Confidential summary of Tender Evaluations– Tender 1190 Installation of LED Lighting Infrastructure at the Esk Football Grounds (Commercial in Confidence)
4. Confidential summary of Tender Evaluations – Tender 1191 Installation of LED Lighting Infrastructure at the Hopetoun Sports Fields (Commercial in Confidence)
5. Tender Financial Risk Analysis (Commercial in Confidence)

#### **Recommendation**

THAT Council accept Tenders 1188, 1189, 1190 and 1191 from Australian Sports Lighting Solutions Pty Ltd totalling \$843,000 excluding GST for the installation of LED lighting infrastructure at the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council accept Tenders 1188, 1189, 1190 and 1191 from Australian Sports Lighting Solutions Pty Ltd totalling \$843,000 excluding GST for the installation of LED lighting infrastructure at the Fernvale Sports Park, Lowood Recreation Complex, Esk Football Grounds and Hopetoun Sports Fields.”

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>Regional Road and Transport Group 2020-21 to 2024-25 Program Review</b>
<b>File Ref:</b>	<b>Community services - service provision - regional roads and transport group committee</b>
<b>Action Officer:</b>	<b>DDM</b>

**Background/Summary**

The Transport Infrastructure Development Scheme (TIDS) Program requires review due to the extension of increased funding to 2024-25. In the case of Somerset, this will mean Council's TIDS allocation of \$598,746 with an equal amount supplied by Council will extend to 2024-25.

Council is advised that the continued TIDS funding provided to 2024-25 is not guaranteed beyond this time. The program, therefore, may change in future years once the actual budget allocations are realised.

To meet the requirements of the Regional Roads and Transport Alliance, the amended TIDS program needs to be presented to the Northern South-East Queensland Roads and Transport Group (NSEQ RRTG). The NSEQ RRTG Technical Committee is scheduled to meet on 3 December 2020 where this matter will be discussed with endorsement by the Executive Committee in February 2021. It is noted that the NSEQ RRTG is very flexible in regard to member Councils reviewing project delivery, on the proviso that the overall budget allocation remains unchanged.

Attachment one (1) shows the existing 2020-21 to 2023-24 TIDS program as last reviewed by Council in October 2019, and attachment two (2) shows the revised 2020-21 to 2024-25 program. Council officers provide the following commentary with regard to the revised program:

- An emerging pavement rehabilitation issue on Lowood Minden Road at Zabels Road has been added to the 2022/23 program. The section of road had the asphalt repaired following 2011 flooding, but requires additional work to build up the pavement depth to accommodate heavy vehicles using the route.
- The allocation for Esk Crows Nest Road from Ch 3.5 to 4.7 has been allocated over two financial years 2020/21 and 2021/22. With completion, this project will complete widening to double lanes for the full length of the sealed sections of Esk Crows Nest Road.

- Project to widen Fernvale Road from Fox to Honeywood Drive has been added to 2024/25 with the increased funding.
- Toogoolawah Biarra Road rehabilitation and widening from Golinskis Lane to Rosentreter's Crossing has been brought forward with the increased funding.
- Tallegalla Road rehabilitation from Ipswich Council boundary to Warrego Highway has been brought forward with the increased funding.
- Esk Crows Nest Road from Maria Creek Road to the Toowoomba Council boundary has been added to Future Works. With completion this project will complete widening to double lanes for the full length of Council controlled sections of Esk Crows Nest Road.

Council is requested to consider and endorse the revised 2020/21 to 2024/25 TIDS program to allow it to be approved by the NSEQ RRTG.

#### Attachments

Attachment 1 – Existing TIDS Program Development 2020-21 to 2023-24

Attachment 2 – Revised TIDS Program Development 2020-21 to 2024-25

#### Recommendation

THAT Council endorse the revised TIDS Programs 2020-21 to 2024-25 for presentation to the Northern South-East Queensland Regional Roads and Transport Group Executive Meeting for approval.

#### Resolution

Moved – Cr Brieschke

Seconded – Cr Wendt

“THAT Council endorse the revised TIDS Programs 2020-21 to 2024-25 for presentation to the Northern South-East Queensland Regional Roads and Transport Group Executive Meeting for approval.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants – Somerset Excellence Bursary 2020/21– Shari Anderson</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Somerset Excellence Bursaries – Doc Id 1236303</b>
<b>Action Officer:</b>	<b>DHRCS</b>

#### Background/Summary

Council has received an application for financial assistance from Lisa Anderson, on behalf of her daughter Shari from Sandy Creek. Shari 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 Cricket Club from 8-10 November 2020.

The application was received prior to the event date.

Shari has been the recipient of two 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 Lisa Anderson, on behalf of her daughter Shari 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 Brieschke

Seconded – Cr Choat

“THAT Council approve the application as summarised in this report and grant a State Level Sporting Excellence grant of \$300 to Lisa Anderson, on behalf of her daughter Shari 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

<b>Subject:</b>	<b>Community Assistance Grants 2020 - 2021 – Toogoolawah Christmas Tree Sub Committee.</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1234915</b>
<b>Action Officer:</b>	<b>DHRCS</b>

### Declarable Conflict of Interest - Cr Brieschke

I inform that I have a declarable conflict of interest in this matter (as defined in section 150EN of the *Local Government Act* 2009). The nature of my interest is as follows -

Councillor stated -

*This declarable conflict of interest arises because I hold the position of Secretary on the executive committee of the Toogoolawah and District Progress Association Inc., of which the Toogoolawah Christmas Tree is a Subcommittee.*

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr Brieschke left the meeting at 9.43am.

### Background/Summary

To assist with the costs associated with the installation of solar lighting in Cressbrook Street, Toogoolawah for the month of December 2020 as part of the annual Toogoolawah Christmas Tree Celebrations.

Amount requested:	\$ 1,000
Total cost of project:	\$ 1,467
Amount recommended to be granted:	\$ 1,467

### Assessor's Summary

The applicant states:

- The lighting up of the trees in Cressbrook Street, Toogoolawah will bring Christmas joy to families in Toogoolawah and visitors.

- The committee aims to increase their portfolio of solar lights and commercial Christmas decorations for future events with fund raising and decorations.

In addition to the solar lighting, the group run an annual Christmas Tree Carnival celebration which is a night of entertainment in Cressbrook Street, Toogoolawah. All the rides are free, Santa visits and the children receive a gift. Entertainment includes fireworks, face painting for the children and live street entertainment. The event is open to all members of the community.

The Committee has asked Council to consider their application outside of funding rounds with an attached covering letter.

#### Attachments

Nil

#### Recommendation

THAT the application as summarised in this report be approved for funding and \$1,467 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the installation of solar lighting in Cressbrook Street, Toogoolawah for the month of December 2020 as part of the annual Toogoolawah Christmas Tree Celebrations.

#### Resolution

Moved – Cr Choat

Seconded – Cr Wendt

“THAT the application as summarised in this report be approved for funding and \$1,467 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with the installation of solar lighting in Cressbrook Street, Toogoolawah for the month of December 2020 as part of the annual Toogoolawah Christmas Tree Celebrations.”

Carried

*Vote - Unanimous*

Cr Brieschke returned to the meeting at 9.45am

<b>Subject:</b>	<b>Changes to 2020 Christmas Lights Competition</b>
<b>File Ref:</b>	<b>Officers Reports</b>
<b>Action Officer:</b>	<b>Amanda Petersen, Events Officer</b>

#### Background/Summary

With the unknowns of COVID-19 coupled with staff movements Council's communications and marketing team have needed to review the delivery of the 2020 Christmas Lights competition compared to the report that was adopted by Council on 10 June 2020. The intent of the competition has not changed. However, dates have needed to be adjusted, judges reduced, categories revised with prizes respectively. See below table which outlines the updated details.

Due to the need to get marketing collateral distributed, the Chief Executive Officer has approved the changes to the report adopted by council in June with the support of Mayor Lehmann.

Entries Open Wednesday, 4 November 2020
---

Winners announced on Thursday, 10 December 2020 via social media and phone calls to winners. Noting that Toogoolawah Christmas Tree event is cancelled and COVID will make difficult.

Bus tour - no sponsorship secured. Will not occur.

Five Major categories:

Residential

- Best Rural
- Best Urban
- Best Street (minimum of 4 properties)

Business/Community:

- Category A: shopfront display
- Category B: shopfront + additional area display

With bonus categories as:

- Best Small Display (under 5000 lights)
- Best Medium Display (between 5000 and 10000 lights)
- Best Large Display (over 10000 lights)
- Best First Time Entrant

Four x Encouragement Awards

Two judges for the 2020 event.

Christmas Lights trail open to the public from Tuesday, 1 December to Saturday, 26 December 2020

Prizes:

\$500 – Best Street (divided evenly amongst the entrants)

\$300 – each for all other major categories

\$250 – each for bonus categories

\$150 – 4 x Encouragement Awards

### Attachments

Outcome of ordinary committee meeting re Christmas Lights Competition – 10 June 2020.

### Recommendation

THAT Council endorse the actions of the Chief Executive Officer, as detailed in this report, to be made to the 2020 Christmas Lights Competition.

#### **Resolution**

Moved – Cr Whalley

Seconded – Cr Wendt

“THAT Council endorse the actions of the Chief Executive Officer, as detailed in this report, to be made to the 2020 Christmas Lights Competition.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Tourism and Promotions Report October 2020</b>
<b>File Ref:</b>	<b>Tourism – Promotions</b>
<b>Action Officer:</b>	<b>Melanie Maesele, Communications and Marketing Manager</b>

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

**Visitor Statistics**

	Somerset	Brisbane	Other SEQ	Rest of state	Interstate	International	Total
<b>Esk VIC</b>	69	186	186	25	14	5	485
<b>Kilcoy VIC</b>	124	194	198	58	24	0	599
<b>Fernvale VIC</b>	135	141	62	15	14	0	369
<b>SRAG / Toogoolawah VIC</b>	64	122	115	52	4	0	357

**Motivators**

	First	Second	Third
<b>Esk</b>	Maps and directions	Glen Rock Gallery	Tourist drives
<b>Kilcoy</b>	Maps and directions	Caravanning and camping	Outdoor activities
<b>Fernvale</b>	Maps and directions	Brisbane Valley Rail Trail	Tourist drives
<b>SRAG / TVIC</b>	SRAG	Maps and Directions	Heritage

**Merchandise Sold**

	First	Second	Third	Total value
<b>Esk</b>	Fridge magnet and postcards	Stubby cooler	Bumper sticker	\$56
<b>Kilcoy</b>	Stubby cooler	Magnet	Postcard	\$66
<b>Fernvale</b>	Postcards	Magnet	-	\$5
<b>SRAG / TVIC</b>	Postcards	Stubby cooler	Magnet	\$20

**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**

A volunteer famil is scheduled for Thursday, 10 December to celebrate International Volunteers Day and thank the VIC volunteers for their assistance over the past 12 months.

**Room bookings**

	Number	Total value
<b>Esk VIC</b>	-	-

<b>Kilcoy VIC</b>	7	\$0
<b>Fernvale VIC</b>	5	\$1788
<b>Fernvale Community Hall</b>	20	\$631
<b>Fernvale Showgrounds</b>	-	-

### **Somerset Regional Art Gallery – The Condensery**

The gallery is displaying Chapter Two by Sunshine Coast artists Jonathon Jones and Patricia Wheatstone in gallery two and Budding Talents, a Regional Art Development Fund initiative in gallery one. Both exhibitions ran for five weeks from Thursday, 1 October until Sunday, 8 November 2020.

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

Glen Rock Art Gallery is displaying Gwenneth Litfin's exhibition 'This and That', from 1 October to 5 November 2020.

## **Events**

Jacqui Bell's ultra-marathon attempt on the Brisbane Valley Rail Trail, sponsored by Somerset Regional Council, has been moved from November 2020 to February 2021. Date to be confirmed.

The Events officer has successfully supported the delivery of a variety of Queensland government funded Play Local events including the Funny Mummies Comedy Gala at the Somerset Civic Centre to a sold-out crowd on Friday, 23 October 2020. Event support is continuing for the November offering of Sunshine State of Mind and Flipside Circus events.

The tourism team delivered the successful Somerset Garden Competition throughout October and saw a slight increase in entries for the competition. Anecdotal feedback from garden owners suggested an increase in visitors for the open garden weekend.

Entries for the fourth annual Somerset Christmas Lights Competition has opened through a trial version of online judging portal, [www.Judgify.me](http://www.Judgify.me).

The Australia Day Award nominations are open and applications have been received.

Assistance and consultation is continuing to be provided across various departments and to community stakeholders to ensure events in Council venues can meet Industry COVID safe requirements.

### **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, although Council officers have been assisting operators and creating these listings. Regional events have also been added to ATDW to be distributed to various websites including Visit Brisbane and Queensland.com. The event page has been reinstated on the Experience Somerset website. 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: 2583 (+10)
- Somerset Regional Art Gallery – The Condensery: 614 (+0)

- Tourism pages are also active for each Visitor Information Centre (four in total)

#### Instagram

- Experience Somerset: 1160 (8)

#### Experience Somerset website

- Pageviews: 6608
- Visitors: 84% new, 16 % returning
- Peak time: sessions on Sunday 4 October
- Most popular pages: Experience Somerset homepage (541), Somerset Park Campground (529) and Boating and Fishing (414)
- Device: 57% mobile, 38% desktop and 5%tablet
- Referrals: Visit Brisbane (180), Queensland.com (72), SRC website (52),

#### SEQ Food Trails

The tourism team started visiting Somerset operators at the start of September, with 25 operators visited over the past two months.

Content from 10 Somerset food businesses has been provided to Council of Mayors for inclusion in the SEQ Food Trails website. This content is not yet live.

#### Somerset Tourism Strategy

Targeted community consultation on the Somerset Tourism Strategy was undertaken by consultants, SC Lennon and Associates, throughout October. This included meetings with Somerset tourism operators, stakeholders put forward by members of the Economic Development and Tourism Committee, council tourism volunteers, council tourism team and regional stakeholders from various levels of government and government departments.

#### Attachments

Nil

#### Recommendations

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

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

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

Carried

Vote - Unanimous

#### Confidential Closed Session

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

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**Resolution**

Moved – Cr Whalley

Seconded – Cr Choat

“THAT Council move into closed session at 9.47am to discuss the following confidential report -  
1. Waiver of Rental Fees.”

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>Waiver of Rental Fees</b>
<b>File Ref:</b>	<b>Financial Management -Fees and Charges -Waive Fees Doc id 1185188,1185608,1188322,1188165,1191771,1192031,1234345</b>
<b>Action Officer:</b>	<b>DCORP</b>

**Resolution**

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council move out of the closed session at 9.53am and that the meeting be once again open to the public.”

Carried*Vote - Unanimous***Resolution**

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council advise the lessee that as the lessee is unable to comply with National Cabinet Mandatory Code of Conduct SME Commercial Leasing Principles during COVID-19, Council does not support the requests to decrease the rental amount, or waive the rental as Council has previously provided support during the COVID-19 period.”

Carried*Vote - Unanimous***Meetings authorised by Council**

Nil

**Mayor and Councillor Reports****Mayor Lehmann – Councillor Report**

To be reported 25 November 2020

**Cr Brieschke - Councillor Report****October**

28 Ordinary Council Meeting

30 Councillor of Mayors, Councillor Day, Brisbane

**November**

5 Healthy Waterways Report Card Launch, via Zoom, Esk

Inspection of church premises, Toogoolawah

10 Bendigo Bank 11<sup>th</sup> AGM, Lowood Golf Club

I, along with the Mayor and Councillor Isidro attended the Bendigo Bank, Lowood & Fernvale Community Bank Branch 11<sup>th</sup> AGM, last night at Lowood Golf Club.

I would like to congratulate the Board of Directors, Manager and Staff of our local branch on their successful Annual Report and service to the community. This also extends to the branches at Esk and Toogoolawah.

Whilst providing a much-needed banking service, they have also supported many local associations since opening and this year were very proud to announce they had just topped \$1 million in grant support funding to our local communities in 11 years.

Mr Peter Bevan, our Lowood Rail Trail gardener, who has been supported by the Bendigo Bank and West Moreton Landcare, gave an informative visual presentation of plantings to date and I am sure is well on the way to creating a horticultural destination site in our region.

As a footnote to Mr Bevan's presentation is that he is looking forward to seeing the completion of the Rail Trail sealed path in Lowood as he believes the community will benefit in many ways from this connection through the town.

#### **Cr Gaedtke - Councillor Report**

##### **October**

- 28 Ordinary Council Meeting
- 28 Council Committee Meeting
- 29 Human & Social Recovery Group Meeting
- 30 Councillor Day – Victoria Park, Brisbane

##### **November**

- 04 Somerset Dam & District Progress Assn Monthly Meeting
- 05 Brisbane Valley Heritage Trail Committee Monthly Meeting
- 08 SWFSA fish release – The Spit, Lake Somerset
- 08 Inspection 37 Davis Court, Hazeldean

A very enjoyable day held at Victoria Park, Brisbane on Friday 30 October. A day that provided important information sharing and a chance to network with new and returning South East Queensland Councillors. Appreciation to Council of Mayors, South East Queensland for organising the event, I look forward to a future networking opportunity.

A great morning was held with around twenty volunteers releasing between 100,000 and 120,000 Bass fingerlings at The Spit, Lake Somerset and Lake Wivenhoe. Many thanks to Garry Fitzgerald and his crew for an educational morning.

#### **Cr Isidro - Councillor Report**

##### **October**

- 30 Council of Mayors Councillor's day, Brisbane

##### **November**

- 7 SASI general meeting, Esk
- 10 AGM Somerset Region Community Enterprises Ltd, Lowood

#### **Cr Whalley - Councillor Report**

Nil

#### **Cr Wendt - Councillor Report**

##### **October**



- 28 Ordinary Council Meeting – Esk  
Workshop Meeting – Esk  
Fernvale Rural Fire Brigade AGM – Fernvale
- 29 Mt Kilcoy Rural Fire Brigade AGM – Sandy Creek
- 30 SEQ Council of Mayors Day – Herston

### November

- 4 Emergency Services Cadet Preliminary Meeting – Fernvale
- 5 Healthy Waterways AGM via Zoom
- 8 Somerset and Wivenhoe Fishstocking Association Fish Release at Wivenhoe and Somerset Dams
- 10 Fernvale and Lowood Neighbourhood Watch Meeting – Fernvale

### Cr Choat - Councillor Report

I would like to pay tribute to the late Ian McCauley, Ian and Di were residents of Mt Kilcoy. Sadly, Ian passed away. Ian was a supporter of the Kilcoy Race Club and the garden competition.

I would like to pass on my condolences to Di and the family and express my thanks for Ian's contribution to Kilcoy and the Somerset community.

Ian will be sadly missed.

#### **Resolution**

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT the Councillor reports are received and 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

### Cr Brieschke - Items for reports for future meetings

#### **Resolution**

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT a report be brought back to Council about future upgrades of Ivory Creek Road, Toogoolawah.”

Carried

*Vote - Unanimous*

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

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