



**Minutes of Ordinary Meeting  
Held Wednesday 9 December 2020**

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

**Present**

Cr Graeme Lehmann	(Mayor)
Cr Helen Brieschke	(Deputy Mayor)
Cr Sean Choat	(Councillor)
Cr Cheryl Gaedtke	(Councillor)
Cr Kylee Isidro	(Councillor)
Cr Jason Wendt	(Councillor)
Cr Bob Whalley	(Councillor)
Mr A Johnson	(Chief Executive Officer)
Mr 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 S Pitkin	(Minute Secretary / Executive Assistant)
Ms M Maeseele	(Communications and Marketing Manager)

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**Opening of Meeting**

The Mayor, Cr Graeme Lehmann, opened the meeting at 9.02 am.

**Leave of Absence**

Nil

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

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT the Minutes of the Ordinary Meeting held 25 November 2020 as circulated to all Members of Council be confirmed.”

Carried

*Vote - Unanimous*

**Business arising out of minutes of previous meeting**

Nil

**Matters of Public Interest****Cr Brieschke - Matters of Public Interest**

I would like to acknowledge the Toogoolawah, Esk and Blackbutt kindergartens for their recent program *Making a Mark on our Community*, a presentation of children’s work. Last Saturday was really nice and very well attended. A very positive project.

**Cr Gaedtke - Matters of Public Interest**

The Red Bench campaign has been given some really great support by our Councillors who have met on the Red Bench in Lowood to discuss what this initiative represents. I would like to express my sincere appreciation of the time and advice offered by Senior Constable Toni Hay (Lowood Police) whilst we talked profundity about the available resources, programs and services here to help. I acknowledge the support also offered by the Somerset Community Men’s Shed by their generous offer to paint a Red Bench in one of our towns. We all seek to create pathways for a life free from violence and fear.

COVID-19 has tragically worsened domestic and family violence, with almost 1 in 10 women in a relationship experiencing domestic violence during the crisis, with two-thirds saying attacks started to become worse. \$152 million has been committed to the safety of Queensland women and girls and delivered 140 recommendations made in the Special Taskforce on Domestic and Family Violence report, *Not Now, Not Ever, Putting an End to Domestic and Family Violence in Queensland*.

The State Government has re-introduced legislation to ban single-use plastic items in Queensland, items such as straws, stirrers, cutlery and plates. Following community consultation, 94 percent of the 20,000 respondents supported the proposal to ban single-use plastic items. As this has been a difficult year the ban start date will be no earlier than

1 September 2021. Local government, retailer associations and environment groups have all called for expanded polystyrene products to be included in the plastics ban. There are preferred alternatives available that are less harmful to the environment.

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

##### *December*

- 10 Talk from the Red Bench, Lowood
- 10 Volunteers lunch, Linville
- 11 Working bee, Greenhide Reserve, Linville

Pay tribute that today is the official last day for the school year with the next two days being student free days. Thanks to all the school principals, heads of departments, teachers, students and parents for their efforts in 2020. Parents have taken on new roles this year with home learning, and I congratulate students across the region who have received academic and special awards. Congratulations to all students getting through 2020.

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

Saturday 5 December, just gone, was international Volunteers day. I would like to acknowledge the huge number of volunteers throughout our region. You are an integral part of our community and without your efforts our region would not be the fantastic place that it is to live and visit. From our schools to our emergency services to our visitor information centres, churches and community groups, your input and dedication is sincerely appreciated. Thank you!

I had the opportunity this year for the first time to look at the Christmas light displays through the eyes of a judge. Before this week I just used to see colourful lights but now I see effort by people to development themes within their displays, variation in their light numbers and arrangements and a significant amount of labour involved in providing something for our communities that contribute to the joy of Christmas. Thank you to all the people that have gone to the effort to help keep the festive spirit alive

#### **Adjournment of meeting**

The meeting adjourned at 9.06 am for 10 minutes to address difficulties with the audio stream, resuming at 9.15 am.

#### **Declarable / Prescribed Conflicts of Interest**

Cr Isidro stated she will be making a Declarable Conflict of Interest in agenda item 18, Esk Recreation Grounds Advisory Committee Meeting and item number 19, Fernvale Recreation Ground Advisory Committee meeting.

Cr Isidro stated she will be making a Declarable Conflict of Interest in the late agenda item regarding the Kilcoy Library Air-conditioning system.

<b>Subject:</b>	<b>Application for Keeping more than maximum number of animals – 11 S31107 - 02472-15000-000 - 445 - 453 Vernor Road Wivenhoe Pocket</b>
<b>File Ref:</b>	<b>Licencing - local laws - Keeping of Animals</b>
<b>Action Officer:</b>	<b>RSO (Sharmaine Hunter)</b>

## Background/Summary

### Application Details

On 6 November 2020, Council received an application to keep four dogs from the occupier of 445 - 453 Vernor Road, Wivenhoe Pocket. The application relates to medium and large breeds including one Cane Corso X Bull Mastiff, one Border Collie X Maremma, one Border Collie X Kelpie and one Golden Retriever.

Regulatory Services Officers conducted an inspection of the site with the property occupier on 23 November 2020 and noted the following:

- There is one dwelling located on the property.
- All dogs are de-sexed and two dogs are microchipped (other two are not due to age).
- The dogs have access to an area around the house.
- The property fencing is constructed of dog fencing, hidden electric fence and chain wire and is in good condition and adequate to contain dogs at time of inspection.

### Assessment Summary

#### *Complaint History*

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

#### *Submissions*

During the submission period, Council received one (1) submission a from person who was in receipt of the notification. The submission was relating to keeping dog numbers low due to damage to stock from unknown dogs.

#### *Local Law Assessment*

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

<i>Criteria:</i>	<i>Compliance (Y/N)</i>
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Yes
Comments: The fencing and enclosures for the animals appeared at the time of inspection to be able to effectively and comfortably house the dogs being kept at the property.	
(2) Whether a residence exists on the premises.	Yes
Comments: Both residents are a one storey timber home	
(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No 2 (Animal Management) 2011.</i>	

Comments: The property fencing is constructed of four-foot dog proof wiring and electric invisible fence and is adequate to contain the dogs being kept on the property.	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Yes
Comments: The applicant resides at the property	
(5) Whether the animal or animals will be properly supervised.	Yes
Comments: The applicant's daughter is at home	
(6) If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local government.	Yes
Comments: RUFUS and MORGAN are currently registered the other two dogs MILLIE AND GEORGIA will be registered on approval of the permit.	
<p>(7) If section 14 of the Animal Management Act applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.</p> <p><i>14. Owner must ensure cat or dog is implanted</i></p> <p>1) <i>A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i>  <i>Maximum penalty—20 penalty units.</i>  <i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p>2) <i>It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p>a) <i>here is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or dog; or</i></p> <p>b) <i>for a dog, the ownership is to use it as—</i></p> <p>(i) <i>a government entity dog; or</i></p> <p>(ii) <i>a working dog; or</i></p> <p>(iii) <i>another class of dog prescribed under a regulation.</i></p>	
Comments: RUFUS AND MILLIE are microchipped the other two MORGAN and GEORGIA are not required to due to their age.	
(8) Whether the applicant is a suitable person to hold the approval.	
Comments: Council does not have any information that indicates that the applicant is not a suitable person.	
(9) Whether the grant of the approval for the prescribed activity on the premises is likely to –	NO

a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or b) affect the amenity of the surrounding area; or c) have a deleterious effect on the local environment or cause pollution or other environmental damage.	
Comments: Council has no information to indicate that the number of dogs proposed to be kept on the allotment are likely to cause a nuisance.	
(10) If the application relates to the keeping of cats –	N/A
a) whether the cats have been desexed; and b) whether the cats have been fitted with an approved microchip.	
Comments:	
(11) If the application relates to the keeping of an animal or animals on multi residential premises –	N/A
a) whether the applicant - is entitled to make use of a common area; and b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.	
Comments:	
(12) Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments:	
(13) Whether the applicant has been refused a similar type of approval by the local government or another local government.	
Comments: To council's knowledge the applicant has not been refused a similar type of approval.	
(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	No
Comments: There are no regulated dogs kept on the property	
(15) If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m <sup>2</sup> or more – whether the applicant for the approval is a current member of an approved entity.	Yes
Comments: The application is for the keeping of 4 dogs on an allotment outside the designated area with an area of 34Ha. The dog owner is a member of the Lockyer Valley	

Kennel Club.	
(16) If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m <sup>2</sup> or more – whether the applicant for the approval is an accredited breeder.	N/A
Comments:	

### Attachments

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

### Recommendation

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

1. On land described as Lot 11 on S31107, situated at 445 - 453 Vernor Road, Wivenhoe Pocket;
2. For dogs described in **Schedule 1** below; and
3. Subject to the conditions set out in **Schedule 2** below.

### Schedule 1

Description of dogs:					
Name	Breed	Colour	Sex (M/F)	Desexed (Y/N)	Microchip No
Rufus	Cane Corso X Bull Mastiff	Brindle	M	Y	953010003469150
Georgia	Border Collie X Maremma	Wheat and Cream	F	Y	Not microchipped due to age
Morgan	Golden Retriever	Wheat	F	Y	Not microchipped due to age
Millie	Border Collie X Kelpie	Black Merle and White	F	Y	953010004223010

### Schedule 2

No	CONDITION
1.0	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No. 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is



	kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in:  (i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .

**Resolution**

Moved – Cr Choat

Seconded – Cr Isidro

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

1. On land described as Lot 11 on S31107, situated at 445 - 453 Vernor Road, Wivenhoe Pocket;
2. For dogs described in **Schedule 1** below; and
3. Subject to the conditions set out in **Schedule 2** below.

**Schedule 1****Description of dogs:**

Name	Breed	Colour	Sex (M/F)	Desexed (Y/N)	Microchip No
Rufus	Cane Corso X Bull Mastiff	Brindle	M	Y	953010003469150
Georgia	Border Collie X Maremma	Wheat and Cream	F	Y	Not microchipped due to age
Morgan	Golden Retriever	Wheat	F	Y	Not microchipped due to age
Millie	Border Collie X Kelpie	Black Merle and White	F	Y	953010004223010

**Schedule 2**

No	CONDITION
<b>1.0</b>	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.

1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> <li>(i) a clean and sanitary condition and disinfected regularly; and</li> <li>(ii) an aesthetically acceptable condition.</li> </ul>
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .  <div style="text-align: right;"><u>Carried</u></div> <i>Vote - Unanimous</i>

<b>Subject:</b>	<b>Application for Keeping more than maximum number of animals – 1 RP160248 - 80779-00000-000 - 18 Mary Smokes Creek Road Royston</b>
<b>File Ref:</b>	<b>Licencing - local laws - Keeping of Animals</b>
<b>Action Officer:</b>	<b>RSO (Malcolm Clark)</b>

### Background/Summary

#### Application Details

On 29 September 2020, Council received an application to keep six dogs from the occupier of 18 Mary Smokes Creek Road, Royston. The application relates to small and large breeds including one Bull Arab, one Pomeranian and four Pomeranian x Terrier's.

Regulatory Services Officers conducted an inspection of the site with the property occupier on 10 November 2020 and noted the following:

- There is one dwelling located on the property.
- All dogs are microchipped and de-sexed.
- All dogs have access to an area surrounding the house which is enclosed by a newly

- constructed wire fence with electric fence top and bottom.
- The property fencing is constructed of metal posts and 1200mm high equine mesh attached to three strand wire. The fencing is in good condition and adequate to contain dogs at time of inspection.

### Assessment Summary

#### Complaint History

Council officer noted a wandering dog from this property and the keeping of excess dogs. A Wandering at Large and Excess Dog Notices were issued to the property in July 2020.

#### Submissions

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

#### Local Law Assessment

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

Criteria:	Compliance (Y/N)
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Yes
Comments: The enclosure is suitable for the subject dogs.	
(2) Whether a residence exists on the premises.	Yes
Comments: There is a residence on the premises.	
(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No. 2 (Animal Management) 2011.</i>	Yes
Comments: The fencing was deemed adequate at the time of inspection.	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Yes
Comments: The applicant resides on the property and can supervise the animals.	
(5) Whether the animal or animals will be properly supervised.	Yes
Comments: The applicant resides on the property and can supervise the animals.	
(6) If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local government.	Yes
Comments: Two of the subject dogs are currently registered with the Somerset Regional Council.	
(7) If section 14 of the <i>Animal Management Act</i> applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.	Yes
14. Owner must ensure cat or dog is implanted	

<p>1) <i>A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i>  <i>Maximum penalty—20 penalty units.</i>  <i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p>3) <i>It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p>a) <i>here is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or dog; or</i></p> <p>b) <i>for a dog, the ownership is to use it as—</i></p> <p style="padding-left: 40px;">(i) <i>a government entity dog; or</i>  (ii) <i>a working dog; or</i>  (iii) <i>another class of dog prescribed under a regulation.</i></p>	
Comments: All of the six dogs listed on this application are microchipped.	
(8) Whether the applicant is a suitable person to hold the approval.	Yes
Comments: Nothing adverse recorded.	
<p>(9) Whether the grant of the approval for the prescribed activity on the premises is likely to –</p> <p>a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or</p> <p>b) affect the amenity of the surrounding area; or</p> <p>c) have a deleterious effect on the local environment or cause pollution or other environmental damage.</p>	No
Comments: (a) No complaints received, (b) rural setting nil effect on surrounding area; (c) nil effect.	
<p>(10) If the application relates to the keeping of cats –</p> <p>a) whether the cats have been desexed; and</p> <p>b) whether the cats have been fitted with an approved microchip.</p>	N/A
Comments: N/A	
<p>(11) If the application relates to the keeping of an animal or animals on multi residential premises –</p> <p>a) whether the applicant - is entitled to make use of a common area; and</p> <p>b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and</p> <p>c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area,</p>	N/A

or a part of the common area, for the purpose of keeping the animal or animals.	
Comments: N/A	
(12) Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments: The applicant is the owner of the property.	
(13) Whether the applicant has been refused a similar type of approval by the local government or another local government.	N/A
Comments: First application submitted by the applicant to the Somerset Regional Council.	
(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	N/A
Comments: There are no regulated dogs listed within this application.	
(15) If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m <sup>2</sup> or more – whether the applicant for the approval is a current member of an approved entity.	N/A
Comments: This application relates to six (6) dogs.	
(16) If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m <sup>2</sup> or more – whether the applicant for the approval is an accredited breeder.	Yes
Comments: The application is for six dogs kept on an allotment outside the designated area with an area of 2.51 Ha. The applicant's breeder number is BIN0002999788146.	

#### Attachments

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

#### Recommendation

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

1. On land described as Lot 1 on RP160248, situated at 18 Mary Smokes Creek Road, Royston;
2. For dogs described in **Schedule 1** below; and
3. Subject to the conditions set out in **Schedule 2** below.

**Schedule 1**

<b>Description of dogs:</b>					
<b>Name</b>	<b>Breed</b>	<b>Colour</b>	<b>Sex (M/F)</b>	<b>Desexed (Y/N)</b>	<b>Microchip No.</b>
Millie	Bull Arab	Brindle and White	F	Y	953010001258639
Honey	Pomeranian	Cream	F	Y	978101081694935
Poppy	Pomeranian X Terrier	Fawn	F	Y	978101081849878
Daisy	Pomeranian X Terrier	Red	F	Y	978101081849928
Bohdi	Pomeranian X Terrier	Fawn	M	Y	978101081850032
Louie	Pomeranian X Terrier	Sable	M	Y	978101081850685

**Schedule 2**

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

1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .
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**Resolution**

Moved – Cr Brieschke

Seconded – Cr Wendt

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

1. On land described as Lot 1 on RP160248, situated at 18 Mary Smokes Creek Road, Royston;
2. For dogs described in **Schedule 1** below; and
3. Subject to the conditions set out in **Schedule 2** below -

**Schedule 1****Description of dogs:**

Name	Breed	Colour	Sex (M/F)	Desexed (Y/N)	Microchip No.
Millie	Bull Arab	Brindle and White	F	Y	953010001258639
Honey	Pomeranian	Cream	F	Y	978101081694935
Poppy	Pomeranian X Terrier	Fawn	F	Y	978101081849878
Daisy	Pomeranian X Terrier	Red	F	Y	978101081849928
Bohdi	Pomeranian X Terrier	Fawn	M	Y	978101081850032
Louie	Pomeranian X Terrier	Sable	M	Y	978101081850685

**Schedule 2**

No	CONDITION
<b>1.0</b>	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No. 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in:

	(i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition.
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval.
1.7	The approval holder must be a current accredited breeder.
1.8	The dogs identified in Schedule 1 of this approval must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .  <div style="text-align: right;"><u>Carried</u></div> <i>Vote - Unanimous</i>

<b>Subject:</b>	<b>Application for Keeping more than maximum number of animals – 1 RP193331 - 05182-00000-000 - 340 Little Road Ivory Creek</b>
<b>File Ref:</b>	<b>Licensing - local laws - Keeping of Animals</b>
<b>Action Officer:</b>	<b>RSO (David Wiseman)</b>

### Background/Summary

#### Application Details

On 12 June 2020, Council received an application to keep four (4) dogs from the occupier of 340 Little Road, Ivory Creek. The application relates two Border Collie crosses and a Springer Spaniel. The fourth dog is to be advised when suitable dog located.

Regulatory Services Officers conducted an inspection of the site with the property occupier on 27 August 2020 and noted the following:

- There is one dwelling located on the property.
- All dogs are microchipped and de-sexed.
- Entire property is fence adequately to contain dogs.
- These dogs have access to the house yard throughout the day, primary area for dogs to exercise.
- These dogs have access under the house at night, which has adequate enclosures to contain dogs.
- The property has new fencing that is constructed of timber post, steel pickets and dog mesh and is in good condition and adequate to contain dogs at time of inspection.

#### Assessment Summary

##### *Complaint History*

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

##### *Submissions*

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

##### *Local Law Assessment*

The below table is an assessment of the application based on *Subordinate Local Law No. 1.5*



*(Keeping of Animals) 2011, Schedule 1, number 4.*

<i>Criteria:</i>	<i>Compliance (Y/N)</i>
(1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises.	Yes
Comments: Suitable enclosures given the size of the subject dogs.	
(2) Whether a residence exists on the premises.	Yes
Comments: There is a high set timber house on the premises.	
(3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No. 2 (Animal Management) 2011</i> .	Yes
Comments: There are 4 enclosures on the premises and the fencing on each enclosure was deemed adequate at the time of inspection.	
(4) Whether the applicant for the approval or some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.	Yes
Comments: The applicant and her husband reside on the property and can supervise the animals.	
(5) Whether the animal or animals will be properly supervised.	Yes
Comments: The applicant and her husband reside on the property and can supervise the animals.	
(6) If the application relates to the keeping of dogs or cats – whether the animals identified in the application are registered with the local government.	Yes
Comments: Two of the three dogs are currently registered with Somerset Regional Council.	
<p>(7) If section 14 of the Animal Management Act applies to the applicant for the approval - whether the applicant has complied with the requirements of the section.</p> <p><i>14. Owner must ensure cat or dog is implanted</i></p> <p><i>A person who is or becomes an owner of a cat or dog that is not implanted with a PPID must ensure the cat or dog is implanted with a PPID before it is 12 weeks old unless the person has a reasonable excuse.</i></p> <p><i>Maximum penalty—20 penalty units.</i></p> <p><i>Note — A cat or dog that is more than 12 weeks old on the commencement of this section need not be implanted with a PPID unless it is supplied. See section 43Y.</i></p> <p><i>It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</i></p> <p><i>here is a signed veterinary surgeon's certificate for the cat or dog stating that implanting it with a PPID is likely to be a serious risk to the health of the cat or</i></p>	Yes

<p><i>dog; or</i></p> <p><i>b) for a dog, the ownership is to use it as—</i></p> <p><i>(i) a government entity dog; or</i></p> <p><i>(ii) a working dog; or</i></p> <p><i>(iii) another class of dog prescribed under a regulation.</i></p>	
Comments: All three dogs listed on the application are microchipped.	
(8) Whether the applicant is a suitable person to hold the approval.	Yes
Comments: Nothing adverse recorded.	
<p>(9) Whether the grant of the approval for the prescribed activity on the premises is likely to –</p> <p>a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or</p> <p>b) affect the amenity of the surrounding area; or</p> <p>c) have a deleterious effect on the local environment or cause pollution or other environmental damage.</p>	No
Comments: (a) No complaints received, (b) rural setting nil effect on surrounding area; (c) nil effect.	
<p>(10) If the application relates to the keeping of cats –</p> <p>a) whether the cats have been desexed; and</p> <p>b) whether the cats have been fitted with an approved microchip.</p>	N/A
Comments: N/A	
<p>(11) If the application relates to the keeping of an animal or animals on multi residential premises –</p> <p>a) whether the applicant - is entitled to make use of a common area; and</p> <p>b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and</p> <p>c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.</p>	N/A
Comments: N/A	
(12) Where the animal or animals are to be kept on premises other than multi residential premises and the applicant is not the owner of the premises - whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.	N/A
Comments: The applicant is the owner of the property.	
(13) Whether the applicant has been refused a similar type of approval by the local government or another local government.	N/A

Comments: Applicant had prior approval at previous address.	
(14) If the application relates to the keeping of dogs on an allotment, the local government may only grant an approval if it is satisfied that no dog which is a regulated dog is kept on the allotment.	N/A
Comments: No regulated dogs apply to this application.	
(15) If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m <sup>2</sup> or more – whether the applicant for the approval is a current member of an approved entity.	Yes
Comments: If the application relates to the keeping of up to 4 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 10,000m <sup>2</sup> or more – whether the applicant for the approval is a current member of an approved entity.	
(16) If the application relates to the keeping of up to 6 dogs over the age of 3 months on an allotment which is located outside a designated area and has an area of 20,000m <sup>2</sup> or more – whether the applicant for the approval is an accredited breeder.	N/A
Comments: N/A	

#### Attachments

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

#### Recommendation

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

1. On land described as Lot 1 on RP193331, situated at 340 Littles Road, Ivory Creek;
2. For dogs described in **Schedule 1** below; and
3. Subject to the conditions set out in **Schedule 2** below.

#### Schedule 1

Description of dogs:					
Name	Breed	Colour	Sex (M/F)	Desexed (Y/N)	Microchip No.
Bill	Border Collie (cross)	Black and White	M	Y	900012000976355
River	Border Collie (cross)	Black, White and Tan	M	Y	953010001353923
Jett	Springer Spaniel cross Border Collie	Black	M	Y	956000010259320

#### Schedule 2

No	CONDITION
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<b>1.0</b>	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
1.2	The approval holder must at all times maintain a proper enclosure in accordance with Schedule 8 of <i>Subordinate Local Law No. 2 (Animal Management 2011)</i> .
1.3	The approval holder must ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises.
1.4	The approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person.
1.5	The approval holder must ensure that any enclosure in which the dogs are kept is maintained in: <ul style="list-style-type: none"> <li>(i) a clean and sanitary condition and disinfected regularly; and</li> <li>(ii) an aesthetically acceptable condition.</li> </ul>
1.6	The approval is limited to the dogs identified in Schedule 1 of this approval and one (1) additional dog.
1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval and one (1) additional dog must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .

<b>Resolution</b>	Moved – Cr Gaedtke		Seconded – Cr Choat		
	“THAT Council grant approval to keep more than the maximum number of dogs under <i>Local Law No 1 (Administration) 2011</i> and <i>Subordinate Local Law No. 1.5 (Keeping of Animals) 2011</i> :				
	1. On land described as Lot 1 on RP193331, situated at 340 Littles Road, Ivory Creek;				
	2. For dogs described in <b>Schedule 1</b> below; and				
	3. Subject to the conditions set out in <b>Schedule 2</b> below.				
<b>Schedule 1</b>					
<b>Description of dogs:</b>					
<b>Name</b>	<b>Breed</b>	<b>Colour</b>	<b>Sex (M/F)</b>	<b>Desexed (Y/N)</b>	<b>Microchip No</b>
Bill	Border Collie (cross)	Black and White	M	Y	900012000976355

River	Border Collie (cross)	Black, White and Tan	M	Y	953010001353923
Jett	Springer Spaniel cross Border Collie	Black	M	Y	956000010259320

**Schedule 2**

No	CONDITION
<b>1.0</b>	<b>LOCAL LAW</b>
1.1	The approval holder must take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises.
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1.7	The approval holder must be a current member of an approved entity. Upon expiry of the approved entity membership, the approval holder is to forward a copy of the renewed membership to Council.
1.8	The dogs identified in Schedule 1 of this approval and one (1) additional dog must hold registration with Somerset Regional Council.
1.9	The approval holder must at all times comply with provisions of the <i>Animal Management (Cats and Dogs) Act 2008</i> .  <i>Carried</i>  <i>Vote - Unanimous</i>

<b>Subject:</b>	<b>Development Application No 19880 - Combined Development Application for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling) and Building Work Assessable Against the Planning Scheme for a Domestic outbuilding (Exceeding two domestic outbuildings)</b>
<b>File No:</b>	<b>DA19880</b>
<b>Action Officer:</b>	<b>PO-MS</b>
<b>Assessment No:</b>	<b>00566-00000-000</b>

## 1.0 APPLICATION SUMMARY

### Subject Land

Location	13 Wattle Street, Esk
Real Property Description	Lot 2 SP225656
Area	4,022 square metres
Current land use	Dwelling house and domestic outbuildings
Easements and Encumbrances	Nil

### Somerset Region Planning Scheme Version Three

Zone	General Residential
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### Shaping SEQ: SEQ Regional Plan 2017

Land Use Category	Urban Footprint
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### Application

Proposed development	Dwelling House (Secondary dwelling) and Domestic Outbuilding (Carport)
Level of Assessment	Code assessable
Applicant/s	Rachell and Glenn Edwards
Applicants contact details	13 Wattle Street ESK QLD 4312
Landowner/s	Rachell Edwards
Date application received	29 October 2020
Date properly made	30 October 2020

<b>Referral Agencies</b>	Nil
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## RECOMMENDED DECISION

Approve the Development Application No 19880 subject to the requirements and conditions contained in the Schedules and Attachments.

## 2.0 PROPOSAL

The application consists of two components:

1. Material change of use for a dwelling house (secondary dwelling); and,
2. Building work assessable against the Planning Scheme for a domestic outbuilding (for exceeding two domestic outbuildings).

The proposal involves the demolition of an existing domestic outbuilding to make way for the secondary dwelling, as well as construction of a new domestic outbuilding being a carport.

The secondary dwelling is to be 10 metres by 8 metres, and consist of two bedrooms, kitchen, combined dining and living, laundry, and bathroom. The secondary dwelling is to include a carport attached to the front of the structure. The secondary dwelling is single story with an overall building footprint of approximately 107.6 square metres. The existing dwelling house has a building footprint of about 200m<sup>2</sup>. The Secondary dwelling is to be occupied by the mother of the landowner.

The additional domestic outbuilding component is to construct a carport to the side of an existing shed on the property. The new carport is to be 12 metres by 6.2 metres, and 3.9 metres to the eaves. The building footprint of the new carport is approximately 74.4 square metres.

The applicant has provided architectural plans of the secondary dwelling (with attached carport) and new domestic outbuilding (carport) as per Attachment 1. The domestic outbuilding component will be classified as a Class 10a structure – not for habitable purposes.

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

The subject site is a slightly irregular shaped lot identified as being in the General Residential zone and is 4,022 square metres in size. The property contains a dwelling house, and three domestic outbuildings. The property has frontage onto Wattle Street. Surrounding land use is residential to the south and west, and community usage to the north as well as east, across the road from the subject premises.

The property is affected by the Bushfire Hazard and HIA Management Area overlays. In this case, the proposal does not require assessment against any overlay codes.

### **4.0 STATE ASSESSMENT**

#### **STATE LEGISLATION**

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

#### **4.1. STATE PLANNING POLICY**

Since the Somerset Region Planning Scheme came into effect, the State Planning Policy (SPP) 2017 has been updated. In relation to the subject property, the Natural hazards risk and resilience State interest mapping has altered the Bushfire hazard mapping for the property. The updated SPP states the following:

These performance outcomes apply to the following development applications, to the extent the SPP has not been identified in a local planning instrument as being appropriately integrated.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:

(3) Development avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.

All natural hazard areas:

(4) Development supports and does not hinder disaster management response or

recovery capacity and capabilities.

(5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.

(6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.

(7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.

With respect to the subject property, the Bushfire hazard mapping has undergone minor changes. Under previous mapping, a small portion of the property is mapped as being within the Potential Impact Buffer. Under updated mapping, the Potential Impact Buffer affects more of the property. The application was made while Planning Scheme Version Three was in effect. Under the applicable Bushfire Hazard Overlay Code (v3), there are no assessment criteria for a property contained within the impact buffer

#### **4.2. SOUTH EAST QUEENSLAND REGIONAL PLAN**

The proposed development is located within the Urban Footprint of the South East Queensland Regional Plan. The proposed use did not require assessment or referral under the provisions of Schedule 10, Part 16 of the *Planning Regulation 2017*.

#### **4.3 VEGETATION CLEARING MATTERS (PLANNING REGULATION 2017 AND VEGETATION MANAGEMENT ACT 1999)**

According to the State Government Development Assessment Mapping System (DAMS), the property is not mapped as containing any vegetation regulated under the *Vegetation Management Act 1999*. Additionally, the property is not mapped as containing Koala Habitat Area regulated under the *Planning Regulation 2017*. Minor or incidental vegetation clearing may be required on site, such as removal of up to one or two trees. There are no requirements with respect to the removal of these trees, either under State legislation or under Planning Scheme requirements.

#### **4.4 ENVIRONMENTAL PROTECTION ACT 1994**

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

### **5.0 COUNCIL ASSESSMENT**

#### **LOCAL GOVERNMENT LEGISLATION**

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 ASSESSMENT**

As stated in section 2 of this report, this application consists of two components:

1. Material change of use for a dwelling house (secondary dwelling); and
2. Building work assessable against the Planning Scheme for a domestic outbuilding (for exceeding two domestic outbuildings).



Correspondingly, the code assessment of this application has been separated into these two components.

The Somerset Region Planning Scheme identifies assessment benchmarks which development is to be assessed against, with proposed solutions measured against the performance outcome proposed by the Code. An assessment against the relevant parts of the Planning Scheme is set out below. In instances where alternative solutions are provided in lieu of the acceptable outcomes they are discussed below.

#### MATERIAL CHANGE OF USE COMPONENT – CODE ASSESSMENT SUMMARY

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
General residential zone code	Yes	Achieves acceptable outcomes applicable
Dwelling house code	Yes	Achieves acceptable outcomes applicable
Transport, access and parking code	Yes	Achieves acceptable outcomes applicable
Applicable Overlay Code	Compliance with Overall Outcomes	Performance Outcomes
-	-	-

The material change of use component achieves all Acceptable Outcomes required under the applicable assessment benchmarks. Further assessment of proposed alternative solutions against applicable performance criteria is not required in this instance.

#### BUILDING WORK COMPONENT – CODE ASSESSMENT SUMMARY

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Dwelling house code	Yes	PO3
Applicable Overlay Code	Compliance with Overall Outcomes	Performance Outcomes
-	-	-

Where the building work component does not achieve an applicable acceptable outcome, an assessment against the performance outcome criteria is presented in the following tables.

##### Dwelling house code

Performance outcomes	Acceptable outcomes
<b>For accepted development subject to requirements and assessable development</b>	
<b>Domestic outbuildings</b>	
<b>PO3</b> <i>Domestic outbuildings</i> do not dominate the streetscape or create unacceptable visual impacts when viewed from the street.	<b>AO3.1</b> A maximum of two <i>domestic outbuildings</i> are constructed on the <i>premises</i> in the: <ul style="list-style-type: none"> <li>(a) Centre zone;</li> <li>(b) Emerging community zone;</li> <li>(c) General residential zone;</li> <li>(d) Rural residential zone; and</li> <li>(e) Township zone.</li> </ul>

**Performance outcome assessment***Alternative solution*

The proposal involves adding a new carport, plus a carport attached to the secondary dwelling. This will result in the property containing 4 domestic outbuildings (including the carport attached to the secondary dwelling).

*Planning comments*

The proposal involves demolition of one domestic outbuilding sited adjacent and to the rear of the dwelling, to be replaced with a secondary dwelling and attached carport which will be sited in a similar position. Additionally, the proposal involves construction of an additional carport to be attached to the existing shed sited towards the front of the property. The secondary dwelling with attached carport is sited behind the front building line of the existing dwelling and will appear subordinate in scale. The proposed additional carport, while sited directly to the street frontage, is an open structure and will not add significant bulk to the property. Finally, the property is in a location where impacts would be minimal. Considered to achieve PO3.

**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 property is serviced by reticulated water and sewerage supply networks. The development will be conditioned to connect to the respective networks.

**6.2 Stormwater/Drainage**

The proposed development is not considered to have any adverse impacts upon stormwater and drainage. The development will be conditioned to ensure that stormwater is non-worsening for adjoining, upstream, or downstream properties.

**6.3 Transport Network**

The development is not considered to unreasonably burden upon local transport networks. The property has frontage onto Wattle Street, identified as a sealed road. The property has sealed crossovers and driveways. The development will be conditioned to ensure that vehicle access is safe and in accordance with Council's Design Standards.

**6.4 Parks and Open Space Network**

The subject land is contained within the Public Parks and Community Land Service Catchment as per the Local Government Infrastructure Plan.

**6.5 Infrastructure Charges**

Infrastructure charges are applicable for a secondary dwelling. In this instance, the premises fall within Council's infrastructure catchments for the Stormwater Network, Parks and Open Space Network, and Transport Network. 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.

**6.6 Environment**

The proposed development will not result in environmental degradation.

**6.7 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

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

## 8.0 CONCLUSION

The proposed development consists of two components:

1. Material change of use for a dwelling house (secondary dwelling); and
2. Building work assessable against the Planning Scheme for a domestic outbuilding (for exceeding two domestic outbuildings).

The proposal is for a small, low-key, secondary dwelling for an additional family member to reside on the property. The secondary dwelling will have an attached carport. An additional carport is also proposed.

The proposed development complies with the acceptable outcomes of all relevant assessment benchmarks or provided alternative solutions for the performance outcomes. 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. Architectural plans, prepared by Sims White Architects Pty Ltd, Project No. 2026, Dated 30 October 2020
2. Draft Infrastructure Charges Notice

## RECOMMENDED DECISION

1. THAT Council approve the Development Application No 19880 for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling), and Building Work Assessable against the Planning Scheme for a Domestic outbuilding (exceeding two Domestic outbuildings), on land described as Lot 2 on SP225656, and situated at 13 Wattle Street, Esk, subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT Council's report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
Assessment Manager		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	1. Site plan – Drawing No. A01.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20	

	2. Proposed Secondary Dwelling Floor Plan – Drawing No. A02.01 Issue 1 – prepared by Sims White Architects – dated 07/27/20	
	3. Proposed Domestic Outbuilding Floor Plan – Drawing No. A02.02 Issue 1 – prepared by Sims White Architects – dated 10/16/20	
	4. Secondary Dwelling Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20	
	5. Domestic Outbuilding Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 10/16/20	
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 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	Unless otherwise approved by Council, the domestic outbuilding is never to be occupied by persons on a permanent, semi-permanent or intermittent basis, or any other residential use associated with a Class 1 building as defined by the Building Codes of Australia.	At all times
1.6	On-site effluent disposal is to be compliant with the relevant Australian standards.	Before the change happens
1.7	Provide the development with standard household utility connections for reticulated water, sewerage, power and telecommunications.  Evidence of connections is to be provided to Council.	Before the commencement of new use
1.8	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.9	Building works and plumbing and drainage works approvals must be gained.	Before the change happens
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Public Utilities/Infrastructure</b>	
2.1	Bear the cost of any alterations necessary to public utilities	At all times

	resulting from compliance with the conditions of this approval.	
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions whether carried out by Council, or otherwise.	At all times
2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
	<b>Stormwater drainage</b>	
2.4	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	<b>Vehicle access</b>	
2.5	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
	<b>Erosion and sediment control</b>	
2.7	<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	During construction phase

	otherwise authorised by Council.	
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> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Operations department if in Council's opinion a dust nuisance exists.		
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i> ).		

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

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

**Attachments for the Decision Notice include:**

1. Site plan – Drawing No. A01.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20
2. Proposed Secondary Dwelling Floor Plan – Drawing No. A02.01 Issue 1 – prepared by Sims White Architects – dated 07/27/20
3. Proposed Domestic Outbuilding Floor Plan – Drawing No. A02.02 Issue 1 – prepared by Sims White Architects – dated 10/16/20
4. Secondary Dwelling Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20
5. Domestic Outbuilding Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 10/16/20

<b>Resolution</b>	Moved – Cr Isidro	Seconded – Cr Choat
	<p>“1. THAT Council approve the Development Application No 19880 for a Development Permit for a Material Change of Use for a Dwelling house (Secondary dwelling), and Building Work Assessable against the Planning Scheme for a Domestic outbuilding (exceeding two Domestic outbuildings), on land described as Lot 2 on SP225656, and situated at 13 Wattle Street, Esk, subject to the requirements and conditions contained in the Schedules and Attachments.</p> <p>2. THAT Council's report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the <i>Planning Act 2016</i>.</p>	

**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.	At all times
	1. Site plan – Drawing No. A01.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20	
	2. Proposed Secondary Dwelling Floor Plan – Drawing No. A02.01 Issue 1 – prepared by Sims White Architects – dated 07/27/20	
	3. Proposed Domestic Outbuilding Floor Plan – Drawing No. A02.02 Issue 1 – prepared by Sims White Architects – dated 10/16/20	

	4. Secondary Dwelling Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 08/17/20	
	5. Domestic Outbuilding Elevations – Drawing No. A04.01 Issue 1 – prepared by Sims White Architects – dated 10/16/20	
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 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	Unless otherwise approved by Council, the domestic outbuilding is never to be occupied by persons on a permanent, semi-permanent or intermittent basis, or any other residential use associated with a Class 1 building as defined by the Building Codes of Australia.	At all times
1.6	On-site effluent disposal is to be compliant with the relevant Australian standards.	Before the change happens
1.7	Provide the development with standard household utility connections for reticulated water, sewerage, power and telecommunications.  Evidence of connections is to be provided to Council.	Before the commencement of new use
1.8	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	Before the change happens
1.9	Building works and plumbing and drainage works approvals must be gained.	Before the change happens
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>Public Utilities/Infrastructure</b>	
2.1	Bear the cost of any alterations necessary to public utilities resulting from compliance with the conditions of this approval.	At all times
2.2	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 whether carried out by Council, or otherwise.	At all times



2.3	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	At all times
	<b>Stormwater drainage</b>	
2.4	Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
	<b>Vehicle access</b>	
2.5	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> .	At all times
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times
	<b>Erosion and sediment control</b>	
2.7	<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> </ul>	At all times

	<ul style="list-style-type: none"> <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>	
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> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the ‘currency period’ – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant’s appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant’s appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant’s responsibility. The applicant must comply with any lawful instruction from Council’s Operations department if in Council’s opinion a dust nuisance exists.		
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i> ).		
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council’s standards.		

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

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Development Application No 19770 - Development Application for a Development Permit for a Material Change of Use for Animal Keeping (Horse keeping – 1 horse)</b>
<b>File No:</b>	<b>DA19770</b>
<b>Action Officer:</b>	<b>PO-MS</b>
<b>Assessment No:</b>	<b>02771-40000-000</b>

## 1.0 APPLICATION SUMMARY

### Subject Land

Location	18 Beacon Road, Lowood
Real Property Description	Lot 4 RP836066
Area	7,000 square metres
Current land use	Dwelling house and domestic outbuildings
Easements and Encumbrances	Nil

### Somerset Region Planning Scheme Version Three

Zone	Emerging Community
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### Shaping SEQ: SEQ Regional Plan 2017

Land Use Category	Urban Footprint
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### Application

Proposed development	Animal keeping (Horse keeping – 1 horse)
Level of Assessment	Impact assessable
Applicant/s	Colleen Ormond and Bradley Delaforce
Applicants contact details	18 Beacon Road LOWOOD QLD 4311
Landowner/s	B Delaforce
Date application received	21 September 2020
Date properly made	2 October 2020

### Referral Agencies

Nil

### Public Notification

Public notification was required.  
Council received one properly made submission.

## RECOMMENDED DECISION

Approve the Development Application No 19770 subject to the requirements and conditions contained in the Schedules and Attachments.

## 2.0 PROPOSAL

The applicant is seeking to formalise the keeping of one horse on the property that has been occurring since January 2018. The applicant has provided to Council that the horse is kept in

a fenced paddock, with a single shelter approximately the size of a carport. The horse is fed horse feed by hand and is kept for companionship for the residents of the property.

Ordinarily, the keeping of animals is regulated under Somerset's Subordinate Local Law No. 2 (Animal Management) 2011. With respect to horses, the keeping of equine animals is prohibited by the local law where the property is within the '*designated area*' (being the Urban Footprint as per the South-East Queensland Regional Plan) or where the lot is outside the Urban Footprint, but has an area less than 10,000 square metres. In this case the property is both contained within the Urban Footprint, and is 7,000 square metres, therefore rendering the keeping of a horse on the property as an issue of non-compliance with the local law.

In circumstances where the local law cannot be satisfied, the assessment of the proposal falls under the Somerset Region Planning Scheme. In this way, Council is able to make use of an accepted process established under planning law which considers the impacts of the animal keeping on a case by case basis, those affected may make submissions on the relevant issues, and Council can exercise discretion with respect to the local law.

The applicant has provided a mud-map of the property and horse paddock as per Attachment 1.

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

The subject property is irregular in shape, is identified as being in the Emerging Community zone and is 7,000 square metres in size. The property currently contains a dwelling and two domestic outbuildings, one being the horse shelter sited to the rear of the dwelling. Roughly the rear half of the property has been fenced for keeping the horse contained. The property has frontage onto Beacon Road. Surrounding land use is residential in nature.

The property is affected by the Biodiversity, Bushfire Hazard, HIA Management Area, and Scenic Amenity overlays. For this proposal, assessment is required against the Bushfire Hazard and Scenic Amenity overlays.

### **4.0 STATE ASSESSMENT**

#### **STATE LEGISLATION**

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

#### **4.1 STATE PLANNING POLICY**

Since the Somerset Region Planning Scheme came into effect, the State Planning Policy (SPP) 2017 has been updated. With respect to the subject property, the State interest mapping for Bushfire hazard has been updated. The development site is located within the Potential Impact Buffer, and this has not significantly changed between mapping updates. Under the Bushfire Hazard Overlay code, there are no assessment benchmarks applicable for a material change of use located within the Potential Impact Buffer. Additionally, with reference to the assessment benchmarks under the SPP, none of the State interest policies are identified as being applicable for the proposed animal keeping.

#### **4.2 SOUTH EAST QUEENSLAND REGIONAL PLAN**

The proposed development is located within the Urban Footprint of the South-East Queensland Regional Plan. The proposed use did not require assessment or referral under the provisions of Schedule 10, Part 16 of the *Planning Regulation 2017*.

### 4.3 VEGETATION CLEARING MATTERS (*PLANNING REGULATION 2017 AND VEGETATION MANAGEMENT ACT 1999*)

According to the State Government Development Assessment Mapping System (DAMS), the property is not mapped as containing any vegetation regulated under the *Vegetation Management Act 1999*. The property and development site is mapped as containing Koala Habitat Area regulated under the *Planning Regulation 2017*, however no vegetation clearing has been proposed or is required as part of this application. If any clearing of single trees on the property is proposed or required in future, this would most likely fall under relevant exemptions of the Regulation

### 4.4 ENVIRONMENTAL PROTECTION ACT 1994

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

## 5.0 COUNCIL ASSESSMENT

### LOCAL GOVERNMENT LEGISLATION

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

### 5.1 STRATEGIC FRAMEWORK

The proposed development is categorised as impact assessable development. Assessment against the Strategic Framework of the planning scheme is required. The Strategic Framework sections of the planning scheme have been reviewed with respect to the proposed development.

Under section 3.3.2 Element – Urban growth management, the subject property has been mapped on Desired Settlement Pattern: Emerging Community Areas SPM-001g as being within the Future Park Residential land for Lowood. The property is currently 7,000 square metres and further subdivision is unlikely, unless the property is purchased to form part of a future master planned estate. The use of the property for the keeping of one horse is not considered to be incompatible with current or future land uses for the immediate locality.

No further sections of the Strategic Framework are identified as being relevant to the proposed land use.

### 5.2 CODE ASSESSMENT

The Somerset Region Planning Scheme identifies assessment benchmarks which development is to be assessed against, with proposed solutions measured against the performance outcome proposed by the Code. An assessment against the relevant parts of the Planning Scheme is set out below. In instances where alternative solutions are provided in lieu of the acceptable outcomes they are discussed below.

Applicable Code	Compliance with Overall Outcomes	Performance Outcomes
Emerging community zone code	Yes	Achieves acceptable outcomes applicable
Animal keeping code	Yes	PO2, PO7, PO9, PO10, PO11, PO12
Applicable Overlay Code	Compliance with Overall Outcomes	Performance Outcomes
Bushfire hazard overlay code	Yes	Achieves acceptable outcomes applicable
Scenic amenity overlay code	Yes	Achieves acceptable outcomes applicable

Where the proposal does not achieve the required acceptable outcome, an assessment against the performance outcome criteria is presented in the following tables.

### Animal keeping code

<b>Performance outcomes</b>		<b>Acceptable outcomes</b>
<b>Horse keeping</b>		
<b>PO2</b> The activity is located on <i>premises</i> that: <ul style="list-style-type: none"> <li>(a) is of sufficient size to accommodate the use;</li> <li>(b) is of a scale and intensity that does not result in <i>environmental harm</i> or <i>environmental nuisance</i>; and</li> <li>(c) sited to maintain the character of the locality.</li> </ul>		<b>AO2.1</b> The <i>site</i> area is a minimum one hectare for <i>horse keeping</i> .
<b>Performance outcome assessment</b>		
<p><i>Alternative solution</i></p> <p>The subject property is 7,000 square metres. The site area set aside for the horse is approximately 3,500 square metres, or slightly more (with the property fenced roughly in half).</p> <p><i>Planning comments</i></p> <p>Council's planning officer undertook a site inspection of the premises. Based upon site inspection it appears that:</p> <ul style="list-style-type: none"> <li>(a) the premises are of a sufficient size to accommodate the use.</li> <li>(b) the activity/use is of a scale and intensity that does not result in any significant environmental harm or environmental nuisance.</li> <li>(c) the activity is sited to maintain character of the locality.</li> </ul> <p>The horse keeping appears to have very minimal or negligible impacts on the surrounding locality. The horse keeping may cause some dust if/when the animal becomes restless or if the animal experiences a fright or other external factors occur that agitate the animal. Based on the state of the site at time of inspection, this does not appear to be a significant issue – there is a small area of the site central to the property next to the horse shelter, where the ground is soft and worn, however impacts over the rest of the site appear to be minor. A search of Council's records does not return any history of complaints about the horse, whether from dust or otherwise. To err on the side of caution, and to provide Council with some recourse should issues arise, the development has been accordingly conditioned to manage any potential future impacts.</p>		
<b>Built form and character</b>		
<b>PO7</b> The character of <i>buildings</i> and <i>animal enclosures</i> maintains the amenity and character of the local area.		<b>AO7.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>		
<p>The proposal involves no <i>animal enclosures</i> as defined under the planning scheme. The proposal has one horse shelter, and this is consistent with the amenity and character of the local area. Therefore, considered to achieve PO7.</p>		

<b>Managing operational impacts</b>	
<b>PO9</b> Liquid and solid waste disposal, and carcass disposal does not result in <i>environmental harm, environmental nuisance or adversely impact on water quality</i> .	<b>AO9.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>	
Impacts are considered to be very minimal. Nonetheless, development will be conditioned accordingly to achieve PO9.	
<b>PO10</b> Air quality is managed to acceptable levels and standards and does not cause <i>environmental harm or environmental nuisance</i> .	<b>AO10.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>	
As with PO9 above. Development will be conditioned accordingly to achieve PO10.	
<b>Waste management</b>	
<b>PO11</b> Disposal of solid waste and liquid waste generated by the use does not result in any <i>on-site or off-site</i> contamination of soil, surface water and ground water, or create any nuisance from odour, dust or vermin.	<b>AO11.1</b> No acceptable outcome provided.
<b>Performance outcome assessment</b>	
As above with PO9 and PO10. Development will be conditioned accordingly to achieve PO11.	
<b>Managing boundary interfaces</b>	
<b>PO12</b> The activity achieves a high standard of visual amenity and provides a physical <i>buffer</i> between areas of different character.	<b>AO12.1</b> Where the activity adjoins land located in any zone other than the Rural zone, a screen fence not less than 1.8 metres in height but not more than 2 metres in height is provided along the common boundary.
<b>Performance outcome assessment</b>	
<i>Alternative solution</i> The property adjoins other residential properties identified as being in the Emerging Community zone. The horse paddock is not fenced with a 1.8 metre screening fence.	
<i>Planning comments</i> Lot sizes within the locality are generally reflective of the Park Residential precinct. The character of the locality is general reflective of that of a bushland or rural type setting. Within this location it is considered that installing a 1.8 – 2 metres screening fence would be out of character and amenity of the locality. The keeping of the horse does not have a detrimental impact on the visual amenity or character of the locality. Generally speaking, it is considered that the keeping of a horse is consistent with the expected character of the area. Whereas installing a screen fence would represent a break from the existing bushland or rural	

character. Therefore, the proposal is considered to achieve the requirements of PO12.

## **6.0 OTHER PLANNING CONSIDERATIONS**

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

The subject property is serviced by reticulated water supply. The existing water supply arrangement is considered sufficient to service potable water needs.

### **6.2 Stormwater/Drainage**

The proposed development is not considered to have any adverse impacts upon stormwater and drainage.

### **6.3 Transport Network**

The development is not considered to unreasonably burden upon local transport networks. The property has frontage onto a sealed road.

### **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 Infrastructure Charges**

The proposal does not involve the construction of any structures, nor does the proposed development add significant impacts or demand to Council's infrastructure networks. No infrastructure charges are applicable.

### **6.6 Environment**

The proposed development will not result in environmental degradation.

### **6.7 Heritage**

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

## **7.0 PUBLIC NOTIFICATION**

The application was categorised as impact assessable and therefore required public notification in accordance with requirements of the *Planning Act 2016*. Public notification of the application commenced on 27 October 2020 and concluded 18 November 2020, being a period of 16 business days, as per requirements under the *Development Assessment Rules*.

During the public notification part, Council received one properly made submission for the proposal. The submission received was against the proposed development. The relevant planning matters raised in the single submission were as follows:

1. Lack of sufficient space to accommodate the proposed use.
2. The proposed use is causing environmental nuisance (specifically dust and noise).

Planning comments regarding the matters raised in the submission are presented below:

**Matter 1:** Lack of sufficient space to accommodate the proposed use.

### **Officer comment**

This is a relevant planning matter and has been assessed as part of the code assessment criteria required for this application. Council's planning officer undertook a site inspection of the property. The horse paddock consists of approximately half of the property, being 3,500



square metres. Based on Council's observations at the time of inspection, it appeared that the horse had sufficient space to live comfortably. Additionally, the horse paddock appeared to be in a reasonable state – i.e. there was no signs of any significant harm caused to the environment that would cause detrimental impacts. The paddock was well treed and had reasonable grass cover given the prevailing environmental conditions including lack of rain, and soil quality.

**Matter 2:** The proposed use is causing environmental nuisance (specifically dust and noise).

**Officer comment**

This is a relevant planning matter and has also been considered as per Council's code assessment criteria. There is a possibility that some environmental nuisance could arise from the proposed land use activity. However, the development will be conditioned such that if there is a significant issue of environmental nuisance brought to Council's attention that is also deemed to be non-vexatious, Council can take compliance action to mitigate potential issues.

Additionally, upon site inspection it was observed that the ground within the horse paddock generally appeared to be in a good condition. It was noted that a small area around the horse shelter and feeding area where the horse frequents the most has been softened and turned to dust. This may cause some dust; however, this is not likely to be of a significant volume or be for a prolonged period. During site inspection, the horse appeared to be placid and quiet natured. Occasionally the animal may become restless or influenced by external stimuli, however these occurrences are likely to be short and infrequent and not of a significant magnitude to cause nuisance.

Finally, a search of Council's records was conducted. Council has no prior records of any dust complaints or noise complaints relating to this property.

## **8.0 STATE AGENCY REFERRALS**

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

## **9.0 CONCLUSION**

The proposed development is to formalise the keeping of one horse on the subject property. Due to the size and location of this property, keeping a horse on the premises would not be in accordance with Somerset's Subordinate Local Law No. 2 (Animal Management) 2011. In keeping with Somerset's current policy with respect to animal keeping, residents of Somerset may make a development application for the keeping of animals. This provides Council with a lawful process to assess the impacts, follow an established public notification and submission process, and arrive at an informed decision.

The application was subject to impact assessment, and Council received one submission in relation to the proposed development. Based on Council's assessment and onsite inspection, the proposal is considered to be in keeping with local character and amenity. No significant environmental harm or nuisance was observed, and the development will be conditioned to provide Council with compliance mechanisms to resolve potential future issues, however unlikely.

The proposed development complies with the acceptable outcomes of the relevant assessment benchmarks or provided alternative solutions for the performance outcomes. The proposed development will be conditioned to be carried out generally in accordance with the development conditions attached to the Decision Notice.

## 10.0 ATTACHMENTS

1. Mud map of property, horse paddock and horse shelter, provided by the Applicant, annotations by Council, received by Council 6 October 2020.
2. Site inspection photo, taken by Council officer, 18 November 2020.

## RECOMMENDED DECISION

1. THAT Council approve the Development Application No. DA19770 for a Development Permit for a Material Change of Use for Animal Keeping (horse keeping – 1 horse) on land described as Lot 4 on RP836066, and situated at 18 Beacon Road, Lowood, subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT Council's report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

<b>SCHEDULE 1 – GENERAL CONDITIONS</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.  Mud map of property, horse paddock and horse shelter, provided by the Applicant, annotations by Council, received by Council 6 October 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	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
1.4	A maximum of one horse is to be kept on the subject land.	At all times
1.5	Any future <i>animal enclosures</i> (other than fences) must achieve the following separation distances:  (a) 50 metres to a <i>road</i> frontage; (b) 15 metres from side and rear boundaries; (c) 15 metres from a <i>dwelling</i> on the same <i>premises</i> ; (d) 50 metres from a <i>dwelling</i> on another <i>premises</i> ;  <i>Note – animal enclosure</i> has the following definition under Schedule 1 of the Somerset Region Planning Scheme:  <b><i>animal enclosure</i></b> means a <i>building</i> or <i>structure</i> or other thing used for concentrating animals in a specific place. This can include roofed and unroofed enclosures e.g. pens, stockyards, roundyards, holding yards or stables. It does not include a normal stock fence for a paddock or a stock fence on a	At all times

	property boundary.  Any future structures may require additional development permits.	
1.6	The approved development shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
1.7	<p>If Council receives future complaints of <i>environmental harm</i> or <i>environmental nuisance</i> that Council considers in its opinion as being non-vexatious, the property owner will be required to:</p> <ul style="list-style-type: none"> <li>• Take restorative action as considered necessary by Council to rectify issues of <i>environmental harm</i>; or</li> <li>• Take preventative measures as considered necessary by Council to reduce or rectify issues causing <i>environmental nuisance</i>.</li> </ul> <p><i>Note</i> – the definitions for <i>environmental harm</i> and <i>environmental nuisance</i> are as per the administrative definitions of Schedule 1 of the Somerset Region Planning Scheme as in effect.</p> <p><i>Note</i> that <i>environmental nuisance</i> includes issues such as noise, dust, and odour that may be caused by the land use activity approved under this permit, and are deemed as interfering with neighbouring premises.</p>	At all times
<b>SCHEDULE 2 – 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> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful		

instruction from Council's 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*).

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

**Attachments for the Decision Notice include:**

1. Mud map of property, horse paddock and horse shelter, provided by the Applicant, annotations by Council, received by Council 6 October 2020.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Wendt

1. THAT Council approve the Development Application No 19770 for a Development Permit for a Material Change of Use for Animal Keeping (horse keeping – 1 horse) on land described as Lot 4 on RP836066, and situated at 18 Beacon Road, Lowood, subject to the requirements and conditions contained in the Schedules and Attachments.
2. THAT Council's report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

**SCHEDULE 1 – GENERAL CONDITIONS**

*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Mud map of property, horse paddock and horse shelter, provided by the Applicant, annotations by Council, received by Council 6 October 2020.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times
1.3	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
1.4	A maximum of one horse is to be kept on the subject land.	At all times
1.5	Any future <i>animal enclosures</i> (other than fences) must achieve the following separation distances:	At all times
	(a) 50 metres to a <i>road</i> frontage;	
	(b) 15 metres from side and rear boundaries;	
	(c) 15 metres from a <i>dwelling</i> on the same <i>premises</i> ;	

	<p>(d) 50 metres from a <i>dwelling</i> on another <i>premises</i></p> <p><i>Note – animal enclosure</i> has the following definition under Schedule 1 of the Somerset Region Planning Scheme:</p> <p><b><i>animal enclosure</i></b> means a <i>building</i> or <i>structure</i> or other thing used for concentrating animals in a specific place. This can include roofed and unroofed enclosures e.g. pens, stockyards, roundyards, holding yards or stables. It does not include a normal stock fence for a paddock or a stock fence on a property boundary.</p> <p>Any future structures may require additional development permits.</p>	
1.6	The approved development shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, smell, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times
1.7	<p>If Council receives future complaints of <i>environmental harm</i> or <i>environmental nuisance</i> that Council considers in its opinion as being non-vexatious, the property owner will be required to:</p> <ul style="list-style-type: none"> <li>• Take restorative action as considered necessary by Council to rectify issues of <i>environmental harm</i>; or</li> <li>• Take preventative measures as considered necessary by Council to reduce or rectify issues causing <i>environmental nuisance</i>.</li> </ul> <p><i>Note – the definitions for environmental harm and environmental nuisance are as per the administrative definitions of Schedule 1 of the Somerset Region Planning Scheme as in effect.</i></p> <p><i>Note that environmental nuisance includes issues such as noise, dust, and odour that may be caused by the land use activity approved under this permit, and are deemed as interfering with neighbouring premises.</i></p>	At all times
<b>SCHEDULE 2 – 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> , and development may commence in accordance with section 72.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3,		

part 5, subdivision 2 of the Act.
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's 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> ).
This development approval is for the proposed development only. Any additional structures proposed may require their own planning approval and will be assessed on its own merits."
<u>Carried</u>
<i>Vote - Unanimous</i>

<b>Subject:</b>	<b>Development Application No 19675 - Application for a Development Permit for a Material Change of Use for a Dwelling house – Overlays and Secondary Dwelling</b>
<b>File No:</b>	<b>DA19675</b>
<b>Action Officer:</b>	<b>SP-MW</b>
<b>Assessment No:</b>	<b>02433-95000-000</b>

## 1.0 APPLICATION SUMMARY

### Subject Land

Location	Brisbane Valley Highway, Wivenhoe Pocket
Real Property Description	Lot 4 RP156368
Area	6.403 ha
Current land use	Vacant land
Easements and Encumbrances	Nil

### Somerset Region Planning Scheme Version Three

Zone	Rural zone
Overlays	Bushfire hazard Scenic amenity

### Shaping SEQ: SEQ Regional Plan 2017

Land Use Category	Regional Landscape and Rural Production Area
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### Application

Proposed development	Dwelling House and Secondary Dwelling
Level of Assessment	Code assessable
Applicant/s	Shaun Marx C/- Plan A Town Planning
Applicants contact details	PO Box 1661 Milton Qld 4064

Date application received 24 August 2020  
 Date properly made 24 August 2020

### Referral Agencies

Concurrence Agencies Referral to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) was required for the following trigger:

- Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the Planning Regulation 2017 for Development application for a Material Change of Use within 25m of a State-controlled road

Advice Agencies Not applicable  
 Third Party Advice Agencies Not applicable

**Public Notification** Not applicable

### RECOMMENDED DECISION

Approve the Development Application No 19675 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 new Dwelling house and Secondary dwelling on the subject property, Lot 4 RP156368 situated at Brisbane Valley Highway, Wivenhoe Pocket.

The proposed new residence will be a large two storey brick veneer house with a gross floor area of 426.27 square metres and an attached secondary dwelling, described as a granny flat, with a gross floor area of 68.825 square metres. The dwelling will contain five bedrooms, living areas, two bathrooms, two en-suites, along with a kitchen, laundry and office, gym and play room. The secondary dwelling is for a family member and includes a single bedroom and a kitchen, bathroom, toilet and integrated laundry. The secondary dwelling is connected to the main house by an internal doorway.

The new dwelling is to be setback approximately 76 metres from the Brisbane Valley Highway frontage of the site, which is approximately halfway back on the site. The dwelling is proposed to be more than 15 metres from all other property boundaries.

The site is currently vacant.

The proposal triggers code assessment under the requirements of the Somerset Region Planning Scheme. A Dwelling house is subject to Accepted development where the lot complies with all the identified requirements in the Dwelling house code and Transport, access and parking code. The proposal does not comply with all identified requirements.

The property is affected by the Biodiversity, Bushfire hazard, Catchment management, Infrastructure, Scenic amenity and Stock route overlays. In this instance, the development proposal is assessable against the Biodiversity, Bushfire hazard and Scenic amenity overlays.

The applicant has provided detailed plans for the proposal including a site plan, floor plans, elevation plans, and other details as per Attachment 1.

### 3.0 SITE DETAILS AND SURROUNDING LAND USES

The subject site is an irregular shaped lot zoned as Rural and has an area of 6.404 hectares. The premises has frontage onto Brisbane Valley Highway.

The site slopes generally to the northeast toward a drainage line that bisects the northern corner of the site, adjacent to the Brisbane Valley Highway. Slopes in the vicinity of the house are approximately 1 in 10. It is proposed to bench the house site to enable a slab on ground. The majority of the site is vegetated in a parkland form, with spaced trees and minimal understorey.

Surrounding land uses are predominantly rural in nature, with houses located on larger rural properties. 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

##### **Bushfire Hazard**

Since the Somerset Region Planning Scheme came into effect, the State Planning Policy (SPP) 2017 has been updated. In relation to the subject property, the Natural hazards risk and resilience State interest mapping has altered the Bushfire hazard mapping for the property. The updated SPP states the following:

These performance outcomes apply to the following development applications, to the extent the SPP has not been identified in a local planning instrument as being appropriately integrated.

Bushfire, flood, landslide, storm tide inundation, and erosion prone areas outside the coastal management district:

- (3) Development avoids natural hazard areas, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level.

All natural hazard areas:

- (4) Development supports and does not hinder disaster management response or recovery capacity and capabilities.
- (5) Development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties.
- (6) Risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard are avoided.



- (7) The natural processes and the protective function of landforms and the vegetation that can mitigate risks associated with the natural hazard are maintained or enhanced.

With respect to the subject property, the Bushfire hazard mapping has undergone changes. Under previous mapping, the property was mapped as being within the High Potential Bushfire Area, Medium Potential Bushfire Area and Potential Impact Buffer. Under updated mapping, the property is almost completely impacted by the Medium Potential Bushfire Area. The application was made while Planning Scheme Version Three was in effect. The location of the dwelling house is to be within an area mapped under both versions of the mapping as being Medium Potential Bushfire Area. As such, the development application has been assessed against the Bushfire hazard overlay code within the Somerset Region Planning Scheme.

### **Koala Habitat Mapping**

The State government mapping identifies that the subject land is almost completely impacted by Core Koala Habitat. The applicant has advised that the proposed development will result in less than 500m<sup>2</sup> of koala habitat being removed. As such, the development did not trigger assessment against the State provisions and did not require referral to the State Assessment and Referral Agency.

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

The majority of the site contains regulated vegetation on site as per the State Government mapping.

### **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	Alternative solutions provided for PO7.
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	Alternative solutions provided for PO2, PO4 and PO6.
Bushfire hazard	Yes	Complies with the relevant Acceptable Outcomes.
Scenic amenity	Yes	Alternative solutions provided for PO1

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

codes, however the following alternative solutions are provided.

#### Dwelling house code

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>
<b>For accepted development subject to requirements and assessable development</b>	
<b>Secondary dwellings</b>	
<p><i>Secondary dwellings:</i></p> <p>(a) are designed and sited to maintain local character and amenity;</p> <p>(b) are visually compatible with the existing <i>dwelling house</i>; and</p> <p>(c) are located in proximity to the principal <i>dwelling</i>.</p>	<p><b>AO7.1</b> The <i>secondary dwelling</i> is no closer to the front boundary of the <i>premises</i> than the principal <i>dwelling house</i>.</p> <p><b>AO7.3</b> The <i>secondary dwelling</i> is provided with at least one covered parking space.</p>
<b>Performance outcome assessment</b>	
<p>The secondary dwelling section of the house is closer to the Brisbane Valley Highway than the rest of the house, however the building presents as a single dwelling due to the secondary dwelling being under the same roof as the dwelling house.</p> <p>The development does not show a covered parking space for the secondary dwelling. There is sufficient area on the site to accommodate parking for the secondary dwelling.</p>	

#### Biodiversity overlay code

<b>Performance outcomes</b>	<b>Acceptable outcomes</b>
<b>For accepted development subject to requirements and assessable development</b>	
<b>Matters of State Environmental Significance</b>	
<p><b>PO2</b> Vegetation clearing in areas mapped as containing Matters of State Environmental Significance (MSES) is avoided unless:</p> <p>(a) it is demonstrated that the area does not support MSES as mapped; or</p> <p>(b) the loss or reduction in MSES is for <i>community infrastructure</i>, or any purpose associated with an Airport, or extractive resources in a key resource area.</p> <p><i>Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.</i></p>	<p><b>AO2.1</b> <i>Buildings and structures</i> are not located within areas mapped as containing Matters of State Environmental Significance (MSES) on the <b>Biodiversity overlay maps OM003a-b</b>.</p>
<b>Performance outcome assessment</b>	
<p>AS- The proposed dwelling house is located within an MSES area however on Council mapping this only relates to koala habitat areas.</p> <p>The clearing that will occur on site is limited to the clearing required for the proposed dwelling house. Fire breaks around the house will be carried out in accordance with the bushfire mitigation report submitted as part of the information response.</p>	

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

Council's mapping shows the site does not contain regulated vegetation, however this is not reflected on state mapping.

The bushfire mitigation report indicates minimal vegetation will require removal.

In this instance, the development is considered to satisfy the performance outcome.

#### Biodiversity Corridors – unimpeded movement for wildlife

<p><b>PO6</b> Unimpeded movement of fauna within and through the site via Biodiversity Corridors identified on <b>Biodiversity overlay maps OM003a-b</b> are maintained.</p> <p><i>Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.</i></p>	<p><b>AO6.1</b> Where within a Biodiversity Corridor identified on <b>Biodiversity overlay maps OM003a-b</b>, fauna movement is maintained by:</p> <p>(a) retaining bands of vegetation at least 200 metres wide on a site; and</p> <p>(b) <i>buildings, structures</i> are not located within retained vegetation bands.</p>
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#### Performance outcome assessment

The house site is located relatively centrally on the site. The majority of lots in this area are not large enough to accommodate a house while retaining a 200 metre wide Biodiversity Corridor as shown on Council's mapping.

The site does contain a vegetation band that is over 200 metres wide.

In this instance, the development is considered to satisfy the performance outcome.

#### Scenic amenity overlay code

Performance outcomes	Acceptable outcomes
For accepted development subject to requirements and assessable development	

<b>Buildings within a scenic route section</b>	
<p><b>PO1</b>  <i>Development within a scenic route section buffer identified on the <b>Scenic amenity overlay maps OM012a-b</b>:</i></p> <p>(a) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements, whilst not impeding distant views or view corridors from the <i>scenic route section</i>;</p> <p>(b) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character of the <i>scenic route section</i>; and</p> <p>(c) minimises visual impacts on the <i>scenic route section</i> in terms of:</p> <ul style="list-style-type: none"> <li>(i) building setbacks;</li> <li>(ii) the scale, height and setback of <i>buildings</i>;</li> <li>(iii) the extent of earthworks and impacts on the landform including the location and configuration of <i>roads</i> and <i>driveways</i>; and</li> <li>(iv) the scale, extent and visual prominence of <i>advertising devices (billboard)</i>.</li> </ul>	<p><b>AO1.4</b>  <i>Buildings or structures within a scenic route section buffer identified on the <b>Scenic amenity overlay maps OM012a-b</b> are setback a minimum of 100 metres from the scenic route.</i></p> <p><b>OR</b></p> <p><b>AO1.5</b>  <i>Buildings or structures within a scenic route section buffer identified on the <b>Scenic amenity overlay maps OM012a-b</b> are setback behind the building line of an existing <i>dwelling house</i>.</i></p>
<b>Performance outcome assessment</b>	
<p>The Dwelling house is setback less than 100m from the Brisbane Valley Highway, however the site is well vegetated and will not dominate the view scape from the Brisbane Valley Highway.</p> <p>In this instance, the development is considered to satisfy the performance outcome.</p>	

## 6.0 OTHER PLANNING CONSIDERATIONS

### Trunk Infrastructure and Services

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

#### 6.1 Water Supply and Sewerage

The subject land is not located within an area serviced by a reticulated water supply network, and so a condition will be included requiring the installation of 45,000L of water storage capacity for potable and general use. An additional 40,000L of water storage will also be required for bushfire mitigation purposes.

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 the Brisbane Valley Highway which is a sealed, State-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**

The site is contained in the Rural zone. Council does not require connection to electricity or telecommunications networks for rural zoned properties.

**6.6 Infrastructure Charges**

Infrastructure charges are applicable for the development of a dwelling house, however the existing credit for the property equals the demand generated by the use.

An infrastructure charge is applicable for a Secondary dwelling.

**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**

While a Dwelling house is typically an excluded Material change of use the application was referred to SARA as the site had no approved access to a State-controlled road.

SARA as the concurrence agency has assessed the impact of the proposed development on the State controlled road network and requires Council to include the referral agency response in Council's Schedules of Approval for the development application. The reference response is referenced as 2009-18783 SRA and dated 13 November 2020. Refer to Attachment 8 and Schedule 4 of the recommended conditions.

**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 Dwelling house and Secondary Dwelling on a Rural zoned 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 Bushfire hazard overlay 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. Detail Survey, Drawn by Hilloc Surveyors, Planners and Development Consultants, Job No. 13285C/20, Dated 30 April 2020.
2. Site Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 2 of 13, Dated 23 June 2020.
3. Ground Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 4 of 13, Dated 23 June 2020.
4. Upper Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 5 of 13, Dated 23 June 2020.
5. Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 6 of 13, Dated 23 June 2020.
6. Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 7 of 13, Dated 23 June 2020.
7. Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical Pty Ltd, Dated 1 October 2020.
8. Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.
9. 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 and Secondary dwelling on land described as Lot 4 on RP156368 and situated at Brisbane Valley Highway 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.	At all times
	Detail Survey, Drawn by Hilloc Surveyors, Planners and Development Consultants, Job No. 13285C/20, Dated 30 April 2020.	
	Site Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 2 of 13, Dated 23 June 2020.	
	Ground Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 4 of 13, Dated 23 June 2020.	
	Upper Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 5 of 13, Dated 23 June 2020.	
	Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 6 of 13, Dated 23 June 2020.	
	Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet	

	7 of 13, Dated 23 June 2020.	
	Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical Pty Ltd, Dated 1 October 2020.	
	Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.	
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	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. OR 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.  <i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i>	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of use
	<b>Bushfire Hazard</b>	
1.8	The ongoing management of the site is to be carried out in accordance with the recommendations of the Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical Pty Ltd, Dated 1 October 2020.	At all times
<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	Before the change happens

	compliance with these conditions whether carried out by Council, or otherwise.	
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>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	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
3.2	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
3.3	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 – REFERRAL AGENCY</b>		
<b>Department of State Development, Manufacturing, Infrastructure and Planning</b>		
<i>Concurrence Agency Response</i>		



<i>Agency Response: Recommend Conditions Apply</i>
Pursuant to section 62 of the <i>Planning Act 2016</i> , the Assessment Manager must, other than to the extent a referral agency's response provide advice, comply with all the referral agency responses and include conditions exactly as stated in the response.
The Department of State Development, Manufacturing, Infrastructure and Planning, as a Concurrence Agency has assessed the impact of the proposed development to a state controlled road environment.
Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.
Concurrence Agency response will be attached to Council's Decision Notice for DA19675.
<b>SCHEDULE 5 – 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 <i>Planning Act 2016</i> .
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council's Manager of Operations if in his opinion a dust nuisance exists.
Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.
Comply with relevant provisions of the Somerset Region Planning Scheme; Planning Scheme Policies and Local Laws.
A legible copy of this development approval package is to be available on the premises, at all times, during construction.
Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land, before the change happens.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against

decisions about a development application are set out in chapter 6, part 1 of the *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*)."

**Attachments for the Decision Notice include:**

- Detail Survey, Drawn by Hilloc Surveyors, Planners and Development Consultants, Job No. 13285C/20, Dated 30 April 2020.
- Site Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 2 of 13, Dated 23 June 2020.
- Ground Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 4 of 13, Dated 23 June 2020.
- Upper Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 5 of 13, Dated 23 June 2020.
- Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 6 of 13, Dated 23 June 2020.
- Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 7 of 13, Dated 23 June 2020.
- Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical Pty Ltd, Dated 1 October 2020.
- Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.

**Resolution**

Moved – Cr Wendt

Seconded – Cr Brieschke

"THAT Council approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling house and Secondary dwelling on land described as Lot 4 on RP156368 and situated at Brisbane Valley Highway subject to the requirements and conditions contained in the Schedules and Attachments.

**SCHEDULE 1 – GENERAL CONDITIONS**

*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times
	Detail Survey, Drawn by Hilloc Surveyors, Planners and Development Consultants, Job No. 13285C/20, Dated 30 April 2020.	
	Site Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 2 of 13, Dated 23 June 2020.	
	Ground Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 4 of 13, Dated 23 June 2020.	
	Upper Floor Plan, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 5 of 13, Dated 23 June 2020.	
	Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 6 of 13, Dated 23 June 2020.	
	Elevations, Drawn by P.D. Wilson, Drawing No. W14854, Sheet 7 of 13, Dated 23 June 2020.	
	Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical	

	Pty Ltd, Dated 1 October 2020.	
	Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.	
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	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. OR 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.  <i>Note: The result of the Standard Drinking Water Test is to be provided to Council.</i>	Before the change happens
1.7	Building works and plumbing and drainage works approvals must be gained.	Prior to the commencement of use
	<b>Bushfire Hazard</b>	
1.8	The ongoing management of the site is to be carried out in accordance with the recommendations of the Bushfire Management Plan for Steve Parcell Builders at Lot 4 Brisbane Valley Highway, prepared by Wollemi Eco-Logical Pty Ltd, Dated 1 October 2020.	At all times
<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	Before the change

	during any works carried out in association with the approved development.	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>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
3.1	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
3.2	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
3.3	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 – REFERRAL AGENCY</b>		
<b>Department of State Development, Manufacturing, Infrastructure and Planning</b>		
<i>Concurrence Agency Response</i>		
<i>Agency Response: Recommend Conditions Apply</i>		

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

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

Concurrence Agency response dated 13 November 2020 and referenced as 2009-18783 SRA.

Concurrence Agency response will be attached to Council's Decision Notice for DA19675.

## **SCHEDULE 5 – 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 *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>Contract matter - Fernvale PCYC rooftop solar panel damage</b>
<b>File Ref:</b>	<b>Procurement policy</b>
<b>Action Officer:</b>	<b>DFIN</b>

### Background/Summary

The 60kW rooftop solar panel installation at Fernvale PCYC was damaged by hail in November 2020. This was the first major hail damage to a Council asset in many years.

The facility manager, PCYC pays for the electricity at Fernvale PCYC under contract. The Council-owned solar system assists in reducing the energy costs of the PCYC.

The installer of the solar system, LV Electrical is the only known CEC-accredited PV solar installer in the Somerset Regional Council area and won the quotation process for the original installation which was part-funded by a State Government grant.

LV Electrical was asked to inspect the damage to the Fernvale PCYC system and has provided two estimates:

Replacement of 78 damaged panels on a like for like basis - \$15,210 plus GST

Replacement of all 180 panels on a like for like basis - \$38,000 plus GST

Following their inspection, LV Electrical reported as follows:

*"Hail damage is visually apparent across majority of solar panels. In addition, thermal imaging has been carried which has shown that there is underlying damage to panels. This assessment has shown small cracks and hotspots on panels that do not look smashed. Structural and electrical integrity has been compromised on entirety of pv array."*

It is recommended that all the panels be replaced including panels that are likely to have been damaged.

### Attachments

Nil

### Recommendation

THAT following hail damage to the Fernvale PCYC solar array, Council enter into a medium-sized contractual arrangement with LV Electrical consistent with quotation 1287 of 19 November 2020 because LV Electrical are the only known CEC-accredited PV solar installer in the Somerset Regional Council area, were the winner of the original quotation process to install PV solar at the Fernvale Indoor Sports Centre/ PCYC and have detailed knowledge of the design of this array with funding for this project identified as below-budget FY2021 property insurance premiums (ref 4121-0-18).

### Resolution

Moved – Cr Wendt

Seconded – Cr Brieschke

"THAT following hail damage to the Fernvale PCYC solar array, Council

enter into a medium-sized contractual arrangement with LV Electrical consistent with quotation 1287 of 19 November 2020 because LV Electrical are the only known CEC-accredited PV solar installer in the Somerset Regional Council area, were the winner of the original quotation process to install PV solar at the Fernvale Indoor Sports Centre/ PCYC and have detailed knowledge of the design of this array with funding for this project identified as below-budget FY2021 property insurance premiums (ref 4121-0-18)."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Tender 1195 – Hire of wet hire plant for a 24-month period</b>
<b>File Ref:</b>	<b>Corporate management - tendering - tenders</b>
<b>Action Officer:</b>	<b>SPO</b>

#### **Declarable Conflict of Interest – Cr Wendt**

I inform this meeting 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 -

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

#### *Particulars -*

- (i) Name of related parties: Anthony de Ruiter;
- (ii) The nature of my relationship with this related party is that Anthony de Ruiter's wife is my wife's sister;
- (iii) The nature of the related party's interest in this matter is that Anthony de Ruiter through his company A & M Civil, has provided a tender for this matter.

I propose to remain in the meeting while this matter is discussed and voted on.

#### **Resolution**

Moved – Cr Whalley

Seconded – Cr Choat

"THAT Cr Wendt may remain in the meeting while this matter is discussed and voted on, as Cr Wendt will best perform her responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter."

Carried

*Vote - Unanimous*

#### **Declarable Conflict of Interest – Cr Brieschke**

I inform this meeting 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 -

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

#### *Particulars -*

- (i) Name of related parties: Hayden Brieschke and Jordan Brieschke
- (ii) The nature of my relationship with this related party is that the Hayden and Jordan Brieschke are my sons;
- (iii) The nature of the related party's interest in this matter is that my sons work for Dully's Designer Homes, who have provided a tender to Council.

I intend to leave the meeting while this matter is discussed and voted on.

Cr Brieschke left the meeting at 9.28 am.

#### **Declarable Conflict of Interest – Mayor Lehmann**

I inform this meeting 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 -

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

#### *Particulars -*

- (i) Name of related parties: Matthew Wilson
- (ii) The nature of my relationship with this related party Matthew Wilson is my son-in-law;
- (iii) The nature of the related party's interest in this matter is that my son-in-law owns and runs Matthew Wilson Transport, who have provided a tender to Council.

I intend to remain in the meeting while this matter is discussed and voted on.

#### **Resolution**

Moved – Cr Choat

Seconded – Cr Gaedtke

"THAT Mayor Lehmann may remain in the meeting while this matter is discussed and voted on, as Mayor Lehmann will best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter."

*Carried*

*Vote - Unanimous*

#### **Background/Summary**

Wet plant hire refers to external plant hired with an operator.

Tenders were called via the VendorPanel portal which is an electronic tendering platform.

59 tenders were received for wet hire plant.

16 tenders were rejected due to non-conformances or for pricing that was considered too expensive when compared with similar offers.

Tenders received have been ranked based on price using a notional hire period that is typical for the hire period for that type of plant (e.g. an eight-hour day). As per Councils purchasing policy a 10% advantage has been given to local suppliers, the 10% has been applied by adding 10% to the price of non-local suppliers and the rankings applied to the adjusted price.



The carrying capacity for truck and dog trailers has also been considered. Due to the various size and types of truck and dog trailer combinations available, two rankings have been prepared for truck and dog combinations. The first is to be used when the haulage of bulk material is needed between quarries and/or stockpile sites and expressed in cost per tonne to cart. The second includes an hourly rate for delivery to job sites where the most suitable size truck and dog trailer combination is to be selected (expressed as total hire for an eight-hour day).

All tenders have been scrutinised via set selection criteria encompassing compulsory insurances and work health and safety matters. Information around human and other resource issues that may affect the ability of tenderers to meet Council's needs were also considered. Contractors that do not meet the minimum requirements will not be used.

The tender analysis contains rankings of comparable items of plant in different localities.

Some tenderers have offered miscellaneous equipment that is not readily comparable with any other item offered by other tenderers but which may nevertheless be useful to Council on some occasions (e.g. articulated dump trucks).

The tender analysis excludes the miscellaneous items for size reasons however the recommendation below is worded to accept all offers received for these items. Some contractors will still need to provide evidence of Working in Proximity to Traffic accreditation and the like prior to performing any work under this agreement.

#### Attachments

A commercial in confidence copy of the tender analysis schedules including rankings by tenderer for each category of plant in each locality is provided separately for Councillors.

#### Recommendation

THAT Council confirm that:

- All Contractors listed on the tender analysis schedules be accepted for a 24-month period starting 14 December 2020 and terminating 11 December 2022 as ranked as per the tender analysis including the offers received for various miscellaneous equipment where a pricing schedule has been submitted; and
- Should Council become aware of any contractor not meeting any contract requirement including minimum insurance coverage, licensing, accreditations etc during the term of the contract, the relevant contractor or contractors are to be removed from the tender schedules.

#### Resolution

Moved – Cr Isidro

Seconded – Cr Gaedtke

“THAT Council confirm that:

- All Contractors listed on the tender analysis schedules be accepted for a 24-month period starting 14 December 2020 and terminating 11 December 2022 as ranked as per the tender analysis including the offers received for various miscellaneous equipment where a pricing schedule has been submitted; and
- Should Council become aware of any contractor not meeting any contract requirement including minimum insurance

coverage, licensing, accreditations etc during the term of the contract, the relevant contractor or contractors are to be removed from the tender schedules."

Carried

*Vote - Unanimous*

Cr Brieschke returned to the meeting at 9.33 am.

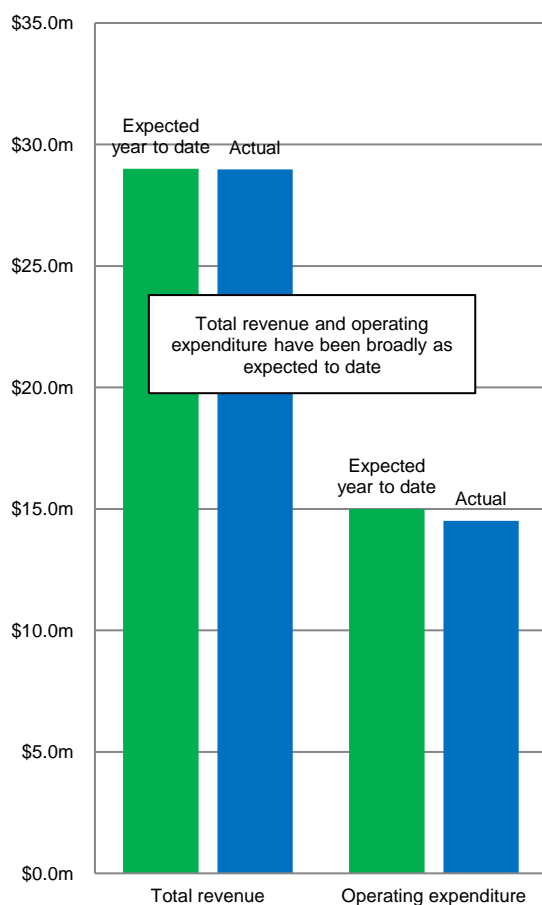
<b>Subject:</b>	<b>Financial reports - 1 July 2020 to 26 November 2020</b>
<b>File Ref:</b>	<b>Monthly financial statements</b>
<b>Action Officer:</b>	<b>DFIN</b>

### Background/Summary

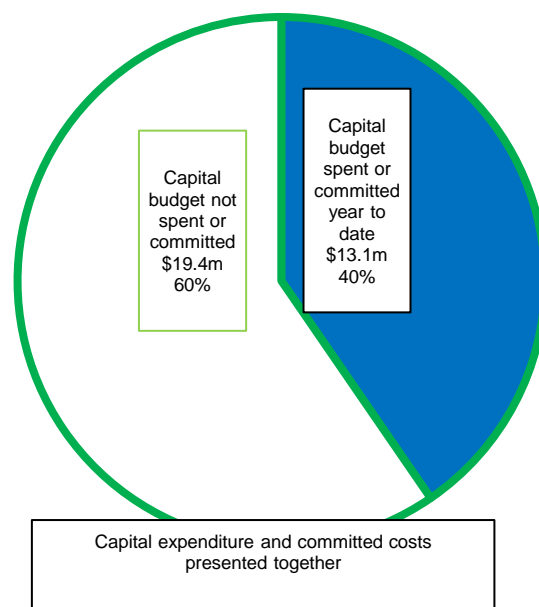
#### Financial reports

Month end financial reports for the period 1 July 2020 to 26 November 2020 are attached detailing the progress that has been made in relation to Council's FY2021 budget as required by section 204 of the Local Government Regulation 2012. Financial results are broadly summarised as follows:

**Year to date budget comparison  
- excludes capital expenditure (\$ millions)**



**Total capital expenditure and commitments**



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.
- An application for funding solar panels on Esk SES headquarters was lodged on 18 November 2020
- Council officers have been preparing for upcoming rounds of the Building Better Regions Fund and Local Government Grants and Subsidies Program and lodged the annual Queensland Local Government Grants Commission return on 17 November 2020

## Investments

Council relies on interest revenue. Interest rates have been rapidly declining with the official RBA rate now at 0.1%. Council's investment policy requires that Council maximize earnings within approved risk guidelines.

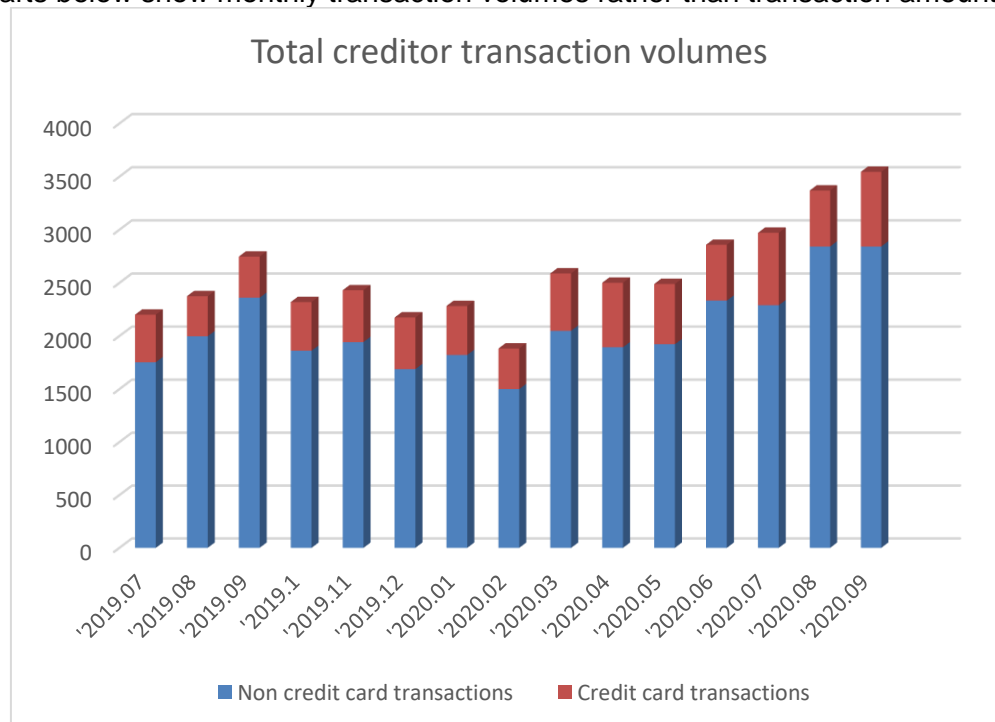
Consistent with the investment policy, Council approved a second credit facility with Urban Utilities (UU) for \$30M. This facility is earning an interest rate of 1.26% per annum which was assessed by Queensland Treasury Corporation on 25 November 2020.

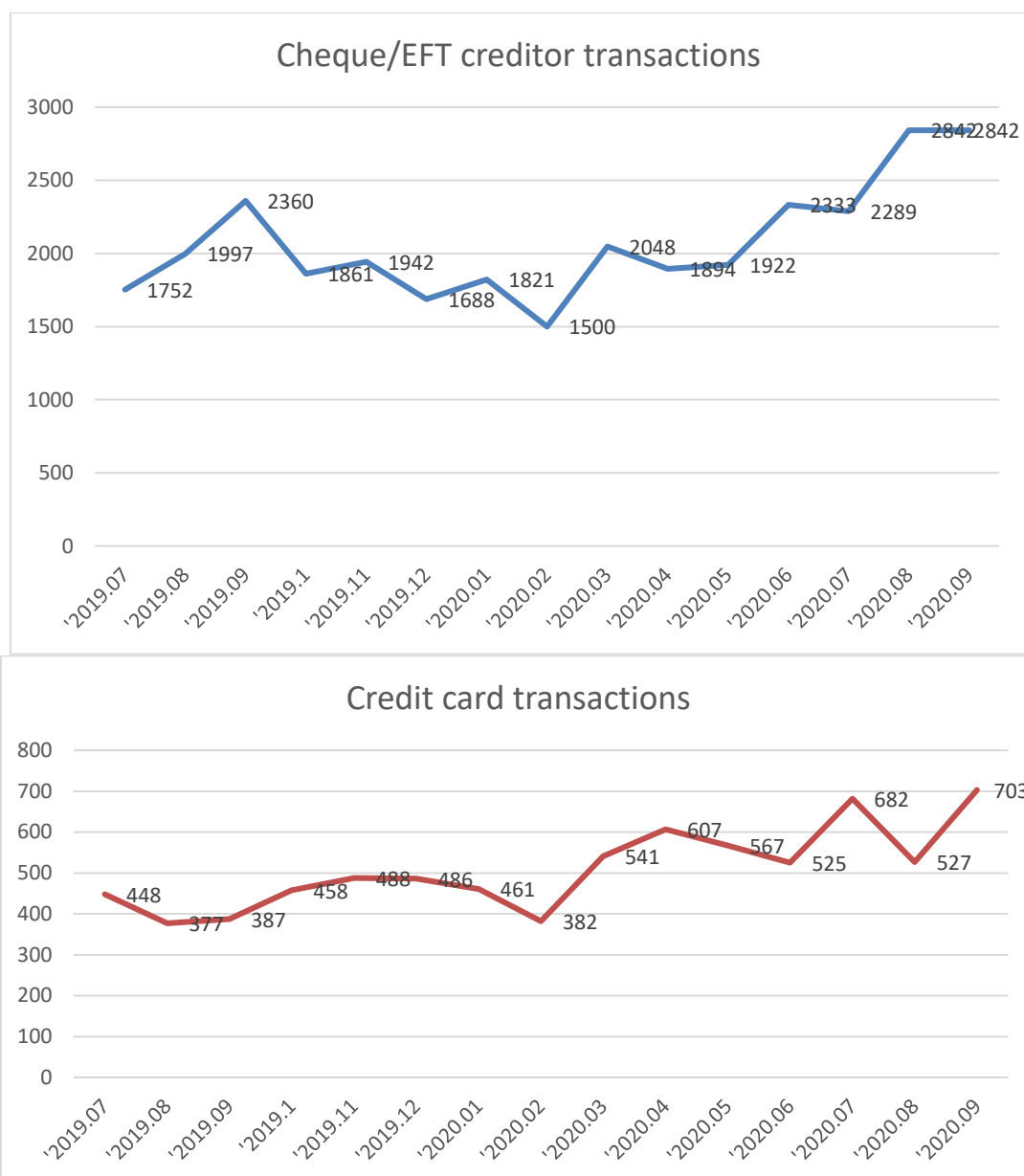
The \$30M UU interest rate of 1.26% compares favourably with available rates such as Council's remaining term deposit which has an interest rate of 0.58%.

## Payments

The finance team is processing creditor transaction volumes including expenses by credit card that have increased by more than 60% since July 2019. This increase reflects Council's large capital program as well as the Mary Street Kilcoy project.

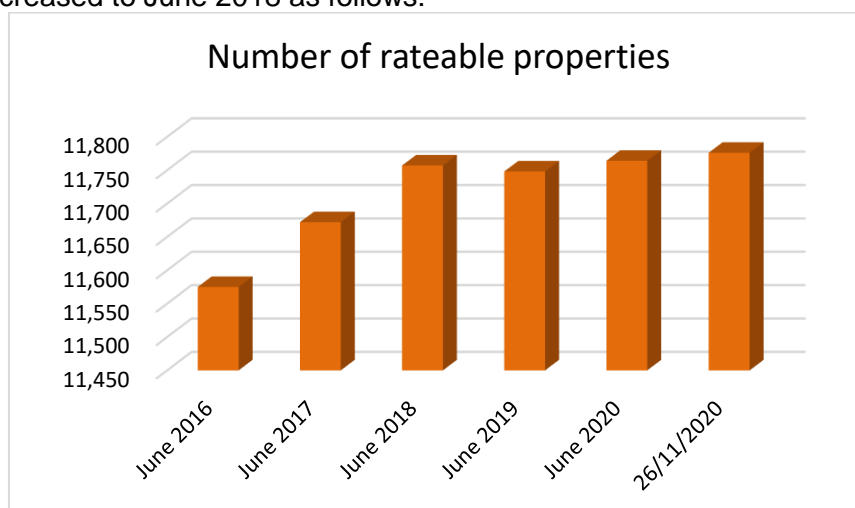
The charts below show monthly transaction volumes rather than transaction amounts.





## Growth

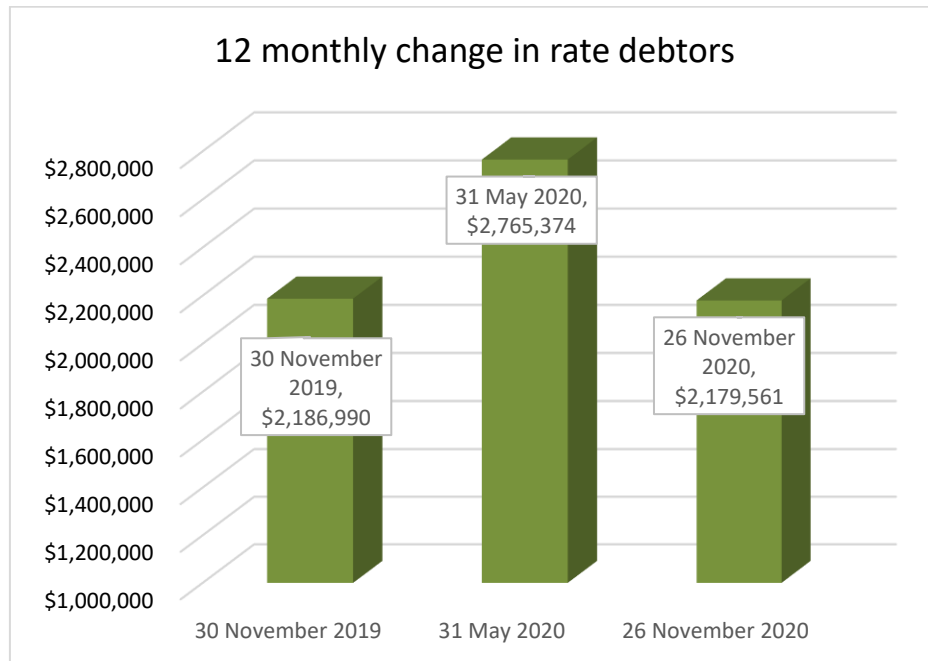
Rateable property data provides an indication of regional growth. The total number of rateable properties increased to June 2018 as follows:



## 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 matter was forwarded to Council's solicitors for finalisation on 26 November 2020.

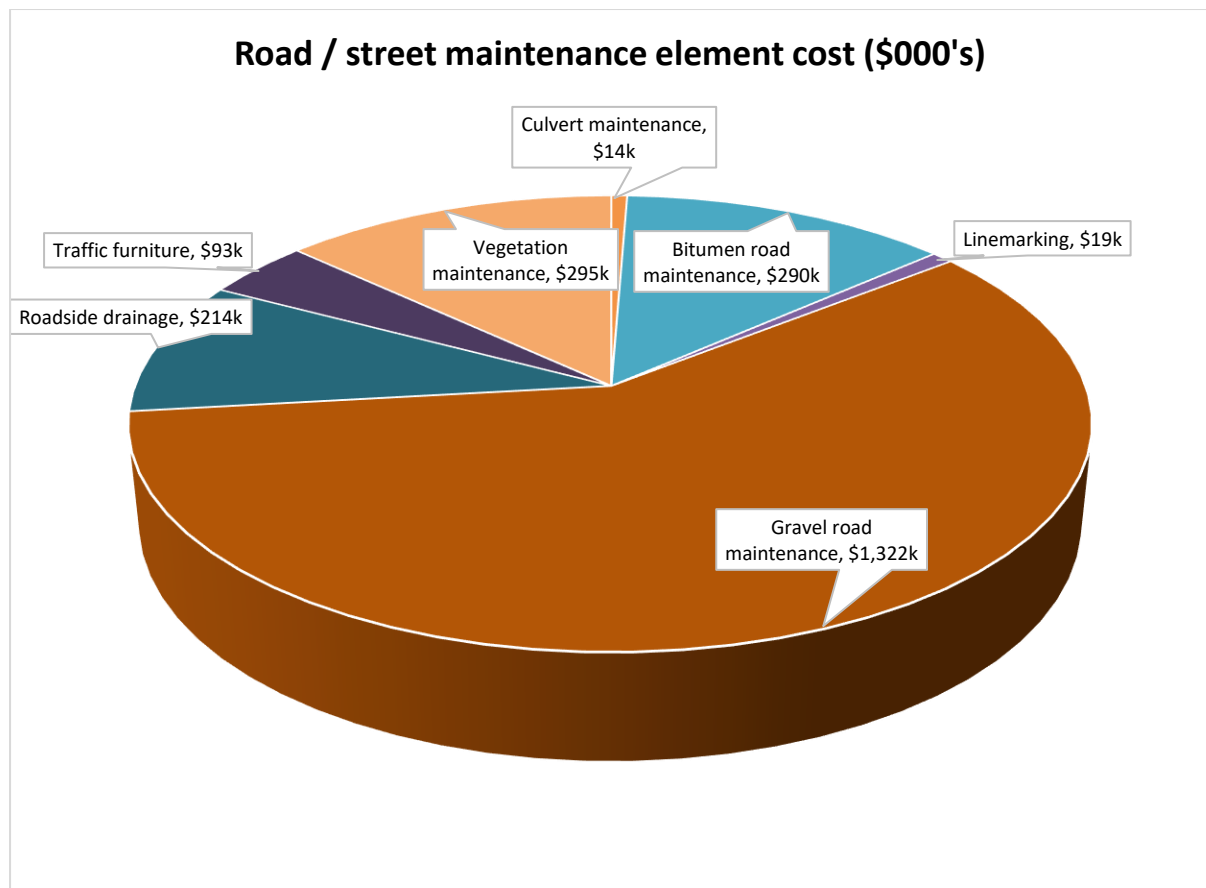
Rates are issued in six monthly cycles. Total rate debtors at comparable dates over the past year were as follows:



## Road maintenance detail

Councillors have previously requested additional information about road maintenance:

<i>Maintenance type</i>	<i>Rural (\$000's)</i>	<i>Urban (\$000's)</i>	<i>Total (\$000's)</i>
Bitumen road maintenance	231	59	290
Gravel road maintenance	1,305	17	1,322
Roadside drainage	157	57	214
Culvert maintenance	10	4	14
Vegetation maintenance	194	101	295
Traffic furniture	82	11	93
Linemarking	5	14	19
Total actual year to date	1,984	263	2,247
Expected pro-rata budget year to date	1,793	301	2,094



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

Road segment	(\$000's)
Mt Stanley Rd (bitumen) Ch0-Ch7420	87
Esk Crows Nest (gravel) Ch26120-Ch34090	79
Monsildale Rd (gravel) Ch1630-Ch10200	63
Banks Creek Rd (gravel) Ch4670-Ch12870	50
Eastern Branc (gravel) Ch11720-Ch16480	48
MaronghiCkDM61ScourCh2720-2720	38
Monsildale Rd (gravel) Ch29340-Ch33440	37
Muckerts La (gravel) Ch1370-Ch2780	35
Eastern Branch (gravel) Ch6010-Ch11570	35
Monsildale Creek (gravel) Ch1540-Ch4500	34
Eastern Branch Rd (gravel) Ch880-Ch5930	34
Kimbala Rd (gravel) Ch0-Ch5680	32
Sim Jue Creek Rd (gravel) Ch520-Ch4840	30
Morden Rd (gravel) Ch1880-Ch6470	29
Monsildale Rd (gravel) Ch12000-Ch19100	29
Schmidt Rd (bitumen) Ch0-Ch1100	27
Seib St (gravel) Ch0-Ch340	25
Avoca Creek Rd (gravel) Ch1220-Ch2710	24
England Creek Rd (gravel) Ch2960-Ch6190	24
Leschkes Rd (gravel) Ch230-Ch1790	24
Kimbala Rd (gravel) Ch5680-Ch9850	23
Diaper Rd (gravel) Ch3000-Ch6200	23
Louisavale Rd (gravel) Ch5010-Ch5810	23
Muddy Creek Rd (gravel) Ch0-Ch3980	23
Wanora Rd (gravel) Ch1200-Ch3160	22

Banks Ck England CkR (gravel) Ch0-Ch2900	21
Diaper Rd (gravel) Ch0-Ch3000	20
Cooper Rd Haigslea (gravel) Ch0-Ch1220	19
MonsildaleDM238WOCh20540-21010	19
Gregors Creek RdCh1.49JonessGul	19
Subtotal	<u>\$996k</u>

### Attachments

Financial reports and payment listings

### Recommendation

THAT Council receive the financial reports for 1 July 2020 to 26 November 2020 including payments presented for the period 29 October 2020 to 26 November 2020 totalling \$7,008,800.16 and that the contents be noted.

#### Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

“THAT Council receive the financial reports for 1 July 2020 to 26 November 2020 including payments presented for the period 29 October 2020 to 26 November 2020 totalling \$7,008,800.16 and that the contents be noted.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Kilcoy Recreation Ground Advisory Committee Meeting - 26 November 2020</b>
<b>File Ref:</b>	<b>Community services - meetings - 2020 - 2021 - Kilcoy Recreation Grounds Advisory Committee</b>
<b>Action Officer:</b>	<b>DCORP</b>

### Background/Summary

The meeting of the Committee was held on Thursday, 26 November 2020.

### Attachments

Meeting Report - Kilcoy Recreation Ground Advisory Committee – 26 November 2020

### Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Kilcoy Recreation Ground Advisory Committee held on Thursday, 26 November 2020 and the contents be noted.

#### Resolution

Moved – Cr Isidro

Seconded – Cr Wendt

“THAT Council receive the meeting report for the quarterly meeting of the Kilcoy Recreation Ground Advisory Committee held on Thursday, 26 November 2020 and the contents be noted.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Esk Recreation Grounds Advisory Committee Meeting – 19 May 2020</b>
<b>File Ref:</b>	<b>Community services - meetings - 2016 - 2020 - Esk Recreation Grounds Advisory Committee – Doc Id. 1229300,1244755,1244753</b>
<b>Action Officer:</b>	<b>DCORP</b>

### Declarable Conflict of Interest - Cr Isidro

I inform this meeting 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 -

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

#### Particulars -

- (i) Name of related parties: William Eggleston and Kirsty Eggleston;
- (ii) The nature of my relationship with this related party is that William Eggleston is my cousin, and Kirsty Eggleston is the wife of my cousin;
- (iii) The nature of the related party's interest in this matter is that my cousin has provided a quote for the work to be undertaken regarding the provision of water troughs to the fat cattle yards.

I propose to remain in the meeting while this matter is discussed and voted on.

#### Resolution

Moved – Cr Choat

Seconded – Cr Whalley

"THAT Cr Isidro may remain in the meeting while this matter is discussed and voted on, as Cr Isidro will best perform her responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter."

Carried

Vote - Unanimous

### Background/Summary

The quarterly meeting of the Committee was held on Tuesday, 17 November 2020.

Council previously resolved to budget an amount of \$5000 for the provision of water to the fat cattle yards. This work has been undertaken and eight taps have been provided to the outer area of the yards. The Esk Pastoral Agricultural and Industrial Association has sought quotations independently for the provision of water troughs to the fat cattle yards.

### Attachments

Meeting Report for Esk Recreation Grounds Advisory Committee Meeting – 17 November 2020

Quotations for the provision of water troughs to the fat cattle yards (*Confidential - provided separately*)

### Recommendation

1. THAT Council receive the meeting report for the quarterly meeting of the Esk Recreation Grounds Advisory Committee held on Tuesday, 17 November 2020 and the contents noted.



2. FURTHER THAT Council receive the following recommendations from the Committee:
- a) That the works required to install troughs for water in the fat cattle yards be carried out by Council.
  - b) That the Committee does not support commercial camping in any areas within the confines of the racetrack.
  - c) That Council establish additional power and water on the Golf Course at locations approved by the Esk Golf Club.

<b>Resolution</b>	<b>Moved – Cr Whalley</b>	<b>Seconded – Cr Choat</b>
	<p>"1. THAT Council receive the meeting report for the quarterly meeting of the Esk Recreation Grounds Advisory Committee held on Tuesday, 17 November 2020 and the contents noted.</p> <p>2. THAT Council proceed with the works required to install the troughs for water in the fat cattle yards and be carried out by Council, as recommended by the committee.</p> <p>(a) That Council investigate a means by which this item could be carried out on a budget neutral basis.</p> <p>3. THAT Council receive the following recommendations from the Committee:</p> <p>a) That the Committee does not support commercial camping in any areas within the confines of the racetrack.</p> <p>b) That Council establish additional power and water on the Golf Course at locations approved by the Esk Golf Club."</p>	
	<i>Vote - Unanimous</i>	<u><i>Carried</i></u>

<b>Subject:</b>	<b>Fernvale Recreation Ground Advisory Committee Meeting - 12 November 2020</b>
<b>File Ref:</b>	<b>Community services - meetings - 2020 - 2021 - Fernvale Recreation Grounds Advisory Committee</b>
<b>Action Officer:</b>	<b>DCORP</b>

#### **Background/Summary**

The meeting of the Committee was held on Thursday, 12 November 2020.

#### **Attachments**

Meeting Report – Fernvale Recreation Ground Advisory Committee – 12 November 2020

**Recommendation**

THAT Council receive the meeting report for the quarterly meeting of the Fernvale Recreation Ground Advisory Committee held on Thursday, 12 November 2020 and the contents be noted.

**Resolution**

Moved – Cr Choat

Seconded – Cr Wendt

“THAT Council receive the meeting report for the quarterly meeting of the Fernvale Recreation Ground Advisory Committee held on Thursday, 12 November 2020 and the contents be noted.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Kilcoy Library - Air-conditioning System</b>
<b>File Ref:</b>	<b>Council Properties - Operations and Maintenance</b>
<b>Action Officer:</b>	<b>FMC</b>

**Declarable Conflict of Interest - Cr Isidro**

I inform this meeting 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 -

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

*Particulars -*

- (i) Name of related party: D'Aci Isidro;
- (ii) The nature of my relationship with this related party is that he is my husband;
- (iii) The nature of the related party's interest in this matter is that my husband's company was asked to provide a quote for the air-conditioning services required.

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 Isidro left the meeting at 10.01 am.

**Background/Summary**

Over the past year Council staff have had significant problems with the various air-conditioning units that service the Kilcoy Administration Centre and Kay Avery Place. There are approximately 8 units that service both buildings. To date regular scheduled maintenance or breakdown interventions have kept the systems running and in place.

In late November the main units that service the Library space malfunctioned. Veolia were called and were able to keep one unit in service by adding new parts and taking parts from the second unit to repair the first unit. This has left one unit out of service and irreparable. The advice from Veolia is that the unit had reached end of life. The unit would require a complete refit of parts and it would be cheaper to replace the unit.

Three quotes were sourced as follows:

Veolia	\$15,332 ex GST with additional labour for weekend install
--------	--

(20kw ducted heat pump unit – Daikin – may take a month or more)

Precision Electrical \$16,720 ex GST No additional labour for weekend install  
(22kw ducted heat pump unit – Mitsubishi – 3 weeks wait)

Vortex Electrical Advised unable to assist in timeframe required

It is recommended that the Precision Electrical quotation be utilised. There is currently no Budget for this item.

#### Attachments

Attachment 1 – Quotation from Veolia

Attachment 2 – Quotation from Precision Electrical

#### Recommendation

THAT Council engage Precision Electrical to install a new Air-conditioner unit for the Kilcoy Library.

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

"THAT due to the failure of the Kilcoy Library air-conditioning system last week, Council engage Precision Electrical to install a new air-conditioning unit for the Kilcoy Library."

Carried

*Vote - Unanimous*

Cr Isidro returned to the meeting at 10.02 am

#### Adjournment of Meeting

The meeting adjourned for morning tea at 10.02 am, resuming at 10.29 am.

#### Statement by Mayor

Mayor Lehmann offered his apologies for any interruption with the live streaming of today's Council meeting this morning, noting there had been some technical difficulties. Mayor Lehmann then re-read the disclaimer regarding live stream audio from this Council meeting.

**Subject:** Operations Report for November 2020  
**File Ref:** Governance – Reporting – Officer Reports  
**Action Officer:** CSSA (Debbie Chandler)

#### Technical Design Team (Michael Kinion)

##### Design Team (Michael Kinion)

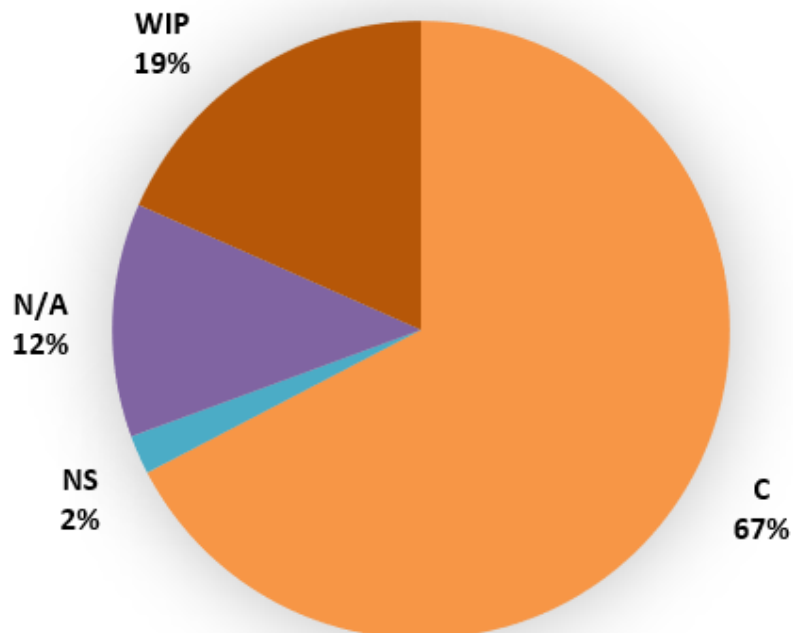
This team has finalised the designs of the 2020/2021 Capital Works Program. The design team has provided support to the construction crews on Hope Street and Mary Street - Kilcoy, Neuendorf Bridge - Minden, Eskdale Road and Gardner Street North – Toogoolawah, Macaulay Street - Fernvale, and provided support to external contractors on the Brisbane

Valley Rail Trail, Lowood.

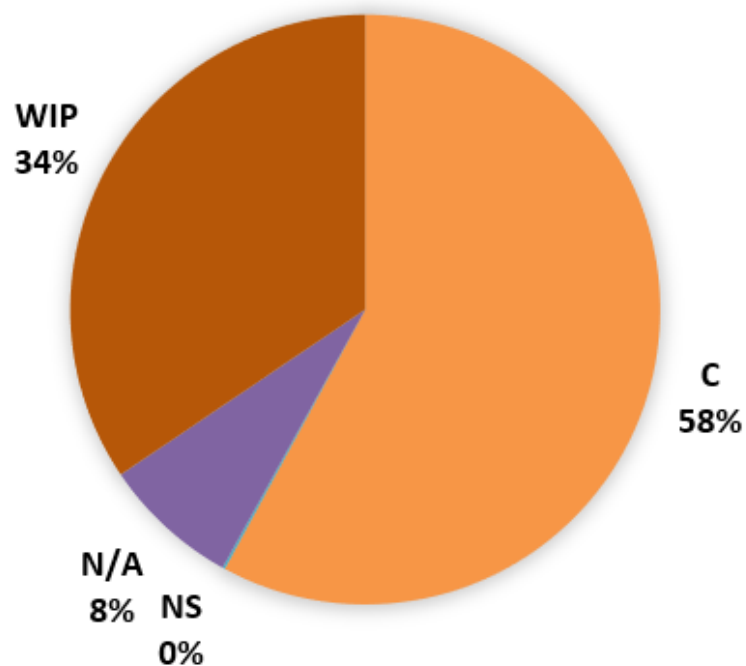
### Design Projects Progression

This shows the Design Program Status vs the Construction Program Status

## Design Program Status (by Count)

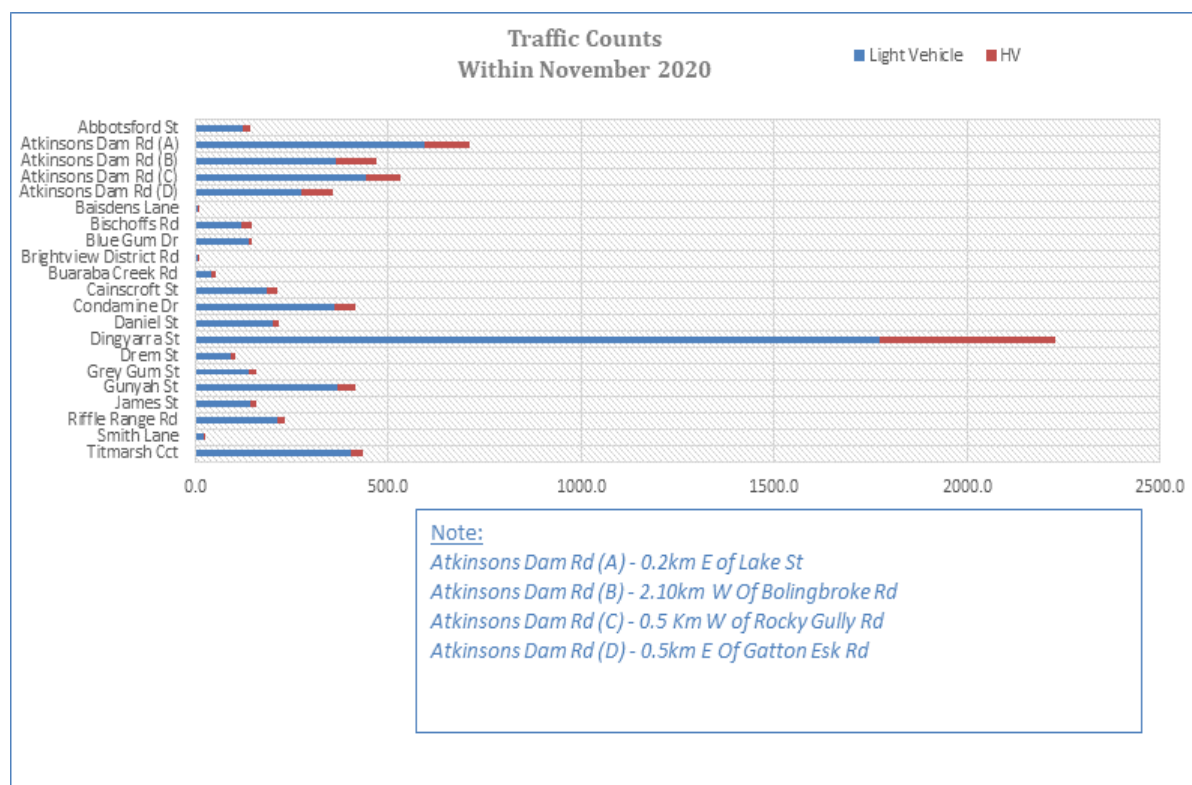


## Design Program Status (by Budget)



Permit	Nov-20	Nov-19
Land Access Permit	81	65
Property Access Applications	18	4
National Heavy Vehicle Regulator Permits Processed	5	17

The Technical Design team continue to set out traffic counters within the region to maintain our current information and update our asset system with the latest information.



The chart represents total vehicle count of light vehicles in blue portion of the bar and total vehicle count of heavy vehicles in red. The total of both blue and red portions is the total vehicle (AADT) count for each road.

### Background/Summary – Works Department (Rob Bouchier)

#### *Weather Conditions:*

Continuing dry with ongoing lack of surface water still causing issues for roadworks. There has been no lost time.

#### **Gary Eastell - Foreman:**

##### **Northern Maintenance Crew (Nigel Valentine)**

This crew has completed maintenance on Blackjack Creek Road - Mountford Road and Cooeimbardi Road. Works on the backfill and infill of Gardner Street - Toogoolawah kerb and channel is now completed. This crew has now started on the drainage project in Mack Street - Esk.

##### **Excavator crew (Dave Banditt)**

This crew has been assisting with burials, working on drainage, customer service requests and the Mack Street - Esk project. There have been four burials during November.

**Landfill (Rob Hester)**

Waste operations are continuing as normal at Esk Landfill with various illegal dump site clean ups

**Thomas Varney - (Foreman):****Southern Maintenance Crew (Brett Steinke Ganger)**

This crew has been continuing with maintenance work in the Fernvale/Lowood area. Works has been completed on Wernowskis Road - Vernor Rd shoulders - Reinke Road - Zabels Road North - Litzows Road - Leschkes Road - By Road - Lukritz Road. This crew has started on Atkinson Dam Road overlay.

**Esk Concrete Crew (Ron Ratcliffe)**

This crew is continuing with the Macaulay Street - Fernvale footpath project. New kerb will be placed on 9 December. Other works include drainage cleaning on Mt Tarampa Road.

**Doug Freeman - Foreman:****Kilcoy 1 Grader Crew (Stuart Gardner)**

This crew is continuing with the Mary/William Street. Rock, CMB, EME2 and binding layer of asphalt is now completed for this year. Other works include electrical (street lighting) footpaths, pram ramps, kerb and turfing. Asphalt surfacing of William Street Service Road (south) is completed and linemarked.

**Kilcoy 2 Grader Crew (Peter Cobbin)**

This crew has now completed stage 2 on Rasmussen Road project with a final seal in place 12 November. This crew has been assisting with prior works for reseals in the Mt Kilcoy – Villeneuve area, along with maintenance on Turners Road and Glenmaurie Road.

**Bob Peters – Foreman:****Bitumen Crew (Doug Maden)**

This crew is continuing with minor pavement, edge patching repairs and sealing for TMR and Council reseal prep works. Other works include, pavement repairs for flood damage, drain clearing and clearing on Rocky Gully Road.

**HD 45 Crews**

Our HD 45 trucks continue repairing potholes over the TMR and Council networks along with sealing patches and repairs as mentioned above. Sealing included Rasmussen Road - Gardner Street - Eskdale Street - Neurum Road and reseal prep work.

**Bruce Zinn - Foreman:****Bridge Crew: (Chris Wheeler)**

This crew has been continuing with works on Gardner Street footpath, kerb and channel Toogoolawah and assisting on the Kilcoy project as required.

**Kilcoy Concrete Crew: (Ganger John Floss)**

This crew is continuing work within the Mary Street/William Street project in Kilcoy. Replacement footpath work in Mary Street is well under way.

**Wayne Kohler – Senior Foreman:****Repair Crew 1: (Jim Walker)**

This crew is continuing with numerous customer service requests for TMR and Council Roads. Other works include spotting for linemarking in numerous locations following recent reseals. Numerous sign repairs and drain/pipe cleaning in preparation for the wet season.

**Repair Crew 2: (Steve Nutley Ganger)**

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

**Department of Transport and Main Roads (TMR) Works (Peter Hardie)**

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

- D'Aguilar Highway signage and delineation scheme from Moore to SRC / South Burnett Regional Council boundary is now complete.
- Wivenhoe Somerset Road delineation scheme is completed
- D'Aguilar Highway (Mary Street) Kilcoy pavement rehabilitation – works continue at the Mary / William Street intersection.
- RMPC maintenance continues on the network

**Works carried out by Contractors**

- Roadworks on Esk Crows Nest Road has started by Browns Contracting
- Roadworks on Neuendorf Bridge approaches completed by A&M Civil
- Guardrail Installation on Neuendorf Bridge approach has begun by 22 Vision.
- Design of Tetzlaff Lane Bridge by GHD.
- Various sealing works completed by RPQ.
- February storm event works in Esk, Toogoolawah, Linville and Jimna areas continue to progress using multiple contractors.
- Burton Bridge maintenance works started by Timber Restoration Services and Markham Global.
- One repair carried out on IWS trucks.
- Two new lease vehicles.
- Two new Dynapac Flat Drum Rollers have put into service in C and M Crew South and North. All operators have undertaken induction which was conducted by salesperson from Dynapac.
- Monthly check and start test on emergency gensets were carried out at Esk Office, Fernvale Futures and Kilcoy Depot.

**Welding Crew:**

The welders have carried out various repairs to Council assets in and around parks, gardens and buildings around the region.

- Fabricate park furniture frames for various locations
- Fabricate single loop bike racks.
- P.454 new lease vehicle - Fabricate and install aluminum tool boxes to new lease vehicle.
- Check various flag poles were operational for Remembrance Day 11th November.

**Charlene Meehan – Parks and Garden Coordinator:**

Parks and garden crews are continuing with normal duties, including garden and tree maintenance, grounds maintenance activities, programmed mowing rounds, slashing and flail mowing activities as the dry weather permits.

**Peter Heath – Workshop Foreman:****Mechanics:**

This month the mechanics have had the usual repairs, service and scheduled maintenance of Council fleet:

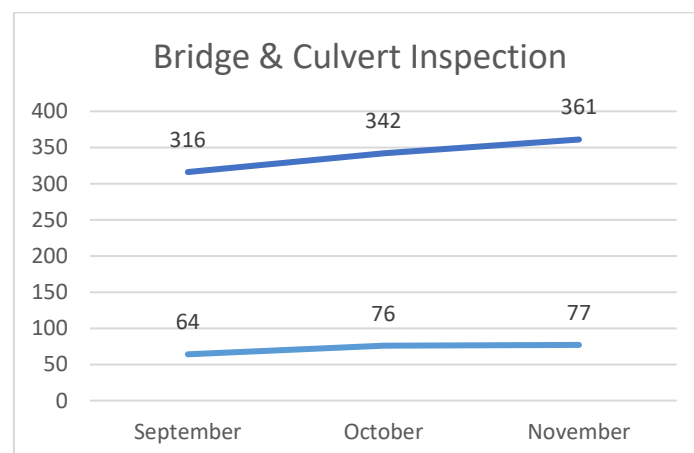
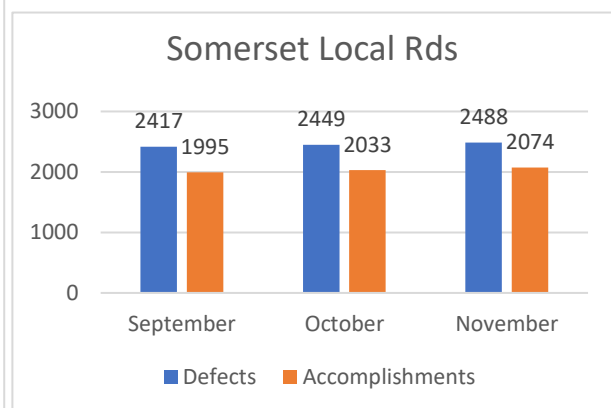
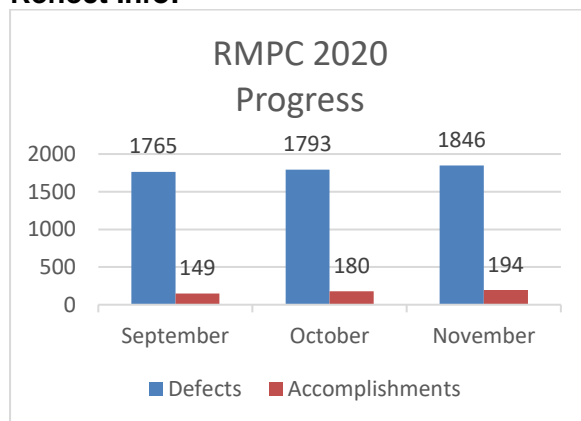
- P 244 Hitachi excavator – replace broken side window.
- P 606 Tractor broom – broken cab glass

- P 587 Ausroads truck – replace broken windscreen.
- P 514 Isuzu spray truck – EGR engine fault repaired under warranty by Dealer.
- P 597 Fuso water truck – A/C compressor replaced under warranty by Council workshop.
- P 692 Muller twin rotor slasher – PTO shaft replaced after becoming worn on slasher gearbox end.
- P 684 Toro mower – transmission sticking in reverse, fault found to be the ECU for the machine, waiting for replacement ECU from dealer.

#### Hire Plant:

- Council has been using hired rollers, excavators and water trucks as required.
- A&M Civil are continuing to provide ongoing maintenance and storm damage repairs on Kipper Creek Road and Sim Jue Creek Road. It has stabilised a 220m section to coincide with the reseal on Neurum Road and other FD work in the Kilcoy and Colinton areas.
- Kilcoy Earthmoving and Moore Diggers providing assistance with Neuendorfs Road batter stabilisation to the creek, tree removal on Rocky Gully Road, tree Removal on Esk Hampton Range and tree removal from storm on Coominya Connection Road.
- Allens Asphalt ongoing in Mary/William Street, Kilcoy as required.
- Austek Asphalt have placed Asphalt in the service road of William Street (Exchange Hotel)
- Reseals have also been undertaken by RPQ throughout the region.

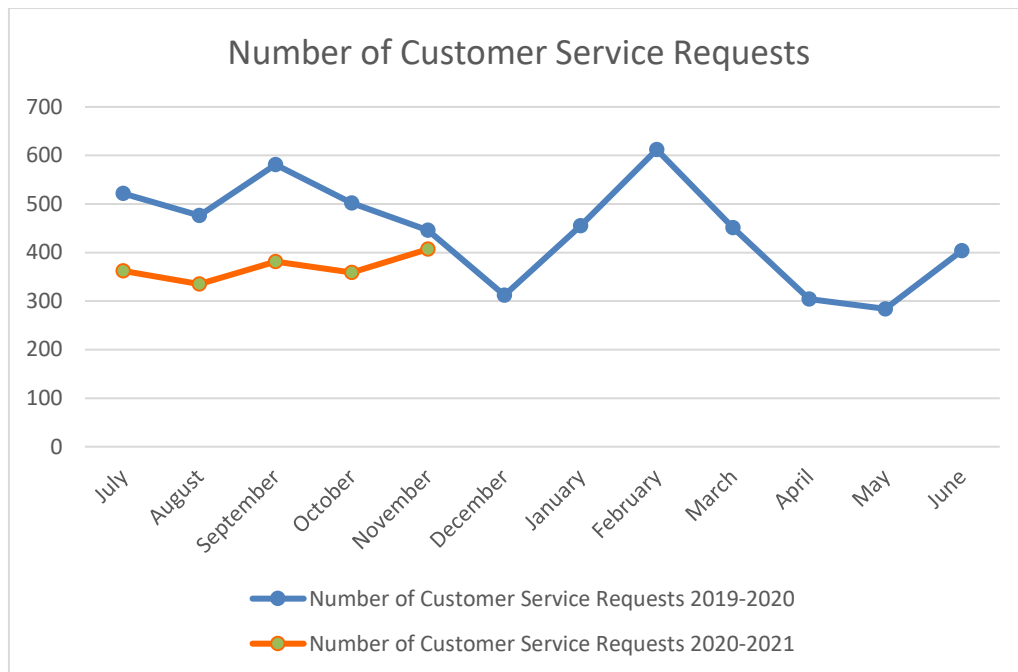
#### Reflect Info:



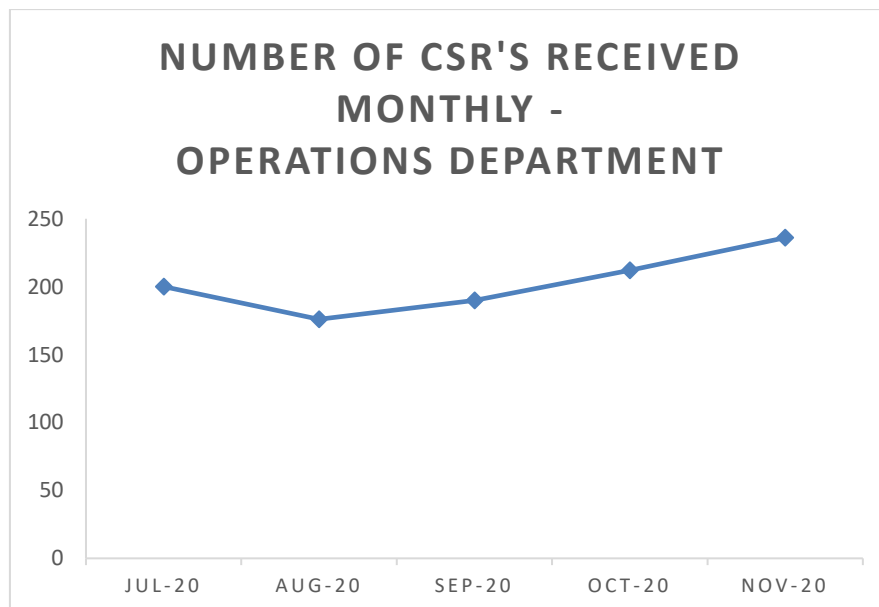


**Background/Summary – Customer Service Requests (Debbie Chandler)**

Council received 407 customer service requests for the month of November 2020. A copy of the report is attached for your information.



Operations Department received 212 customer service requests for the month of November 2020 as summarised below.



	Nov 2020
Departmental reviews	0
Fences on roadways	1
Illegal dumping clean ups	10
Overgrown Council land	1
Parks including mowing and cleaning/maintenance park equipment including public toilets, tables and chairs, shade	6

shelters etc.		
Roads - bitumen		19
Roads - gravel		20
Roads - drainage		14
Roads - culverts		2
Roads - vegetation		36
Roads - footpaths		9
Roads - linemarking		0
Roads - bridgework		0
Roads – traffic furniture		23
Rural Property Number		8
Waste management		
Wheelie bins (IWS) –	Cancellation of extra services	4
	Damaged lids and wheels	20
	Replacement Split Bins	31
	New Services	4
	Extra services	9
	Stolen bins	5
	Missed services	3
Wheelie bins (Cleanaway) -	Cancellation of extra services	1
	Damaged lids and wheels	1
	Replacement split bins	3
	New services	4
	Extra services	0
	Stolen bins	1
	Missed services	1

**Attachment**

Customer service request report for month of November 2020.

**Recommendation**

THAT Council receive the Operations Report for November 2020 and the contents noted.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Whalley

“THAT Council receive the Operations Report for November 2020 and the contents noted.”

Carried

Vote - Unanimous

**Subject:** Minutes of Traffic and Safety Advisory Committee (TSAC)  
Meeting held 18 November 2020

**File Ref:** Community services - service provision - Transport Safety  
Advisory Committee

**Action Officer:** CSSA

**Background/Summary**

A meeting of the Traffic and Safety Advisory Committee (TSAC) took place at Esk on Wednesday 18 November 2020.

**Attachments**

Minutes of the TSAC, 18 November 2020

**Recommendation**

THAT the Minutes of the Traffic and Safety Advisory Committee meeting held 18 November 2020 be received and the contents noted.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Brieschke

"THAT the Minutes of the Traffic and Safety Advisory Committee meeting held 18 November 2020 be received and the contents noted."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Works Within Unnamed Road 4524, Moore</b>
<b>File Ref:</b>	<b>Traffic and transport - permits - 2020-2021 - work in road reserves</b>
<b>Action Officer:</b>	<b>DDM</b>

**Background/Summary**

Council received an Application to Carry Out Work on a Road Reserve for access to five existing lots within Moore for a sealed access with drainage.

The proposed access is along a 6.7m wide laneway from Main Street North. The proposed lots have frontage to unformed Cavendish Street to the west, however practical access to the two rear lots (202 and 203) would be difficult due to the topography and geology along the route without Council assistance. Thus, the applicant has proposed that the access be provided along the laneway. See attached map with 1m contours and photos of the access.

From a planning perspective, the lots currently exist and a planning application would not be triggered as the lots are within an urban area. The lots are from a historical subdivision that did not require the formation of the roads at the time. The access can be used as is.

Council officers have met with the applicant on-site and have negotiated a standard that would provide access to the lots. It is acknowledged that there are constraints to the topography (steepness, drainage) and geology (rock outcrops, trees) of Cavendish Street, and that Unnamed Road 4524 is relatively free of impediments except for the connection to Stanley Street. Due to limited space for a turnaround, waste services would likely need to be provided at Main Street North and no through signage installed to discourage use. Being in road reserve and servicing multiple lots, the applicant has asked that Council consider future maintenance of the road and have proposed sealing the access to reduce future maintenance issues. Council's minimum standards in the rural area is a 4m gravel road with drainage and 100mm gravel depth and in urban areas is 7m sealed road with drainage. Minimum standard for multiple accesses is 5.5m sealed on 8m of land in urban areas. Due to the constraints of the existing road reserve width and the need for drainage to be provided within the road reserve, Council is requested to allow for the construction, in this instance only, of a reduced standard.

**Attachments**

- Aerial with 1m contours
- Photos of Cavendish and Unnamed Road 4524

- Application to Carry Out Work on a Road Reserve of Council Owned Land
- Road reserve conditions

### Recommendation

1. THAT Council approve the application to carry out work on a road reserve on road described as Unnamed Road 4524m, subject to Works within the Road Reserve Conditions of Approval.
2. THAT Council agree to the future maintenance of Unnamed Road 4524 from Main Street North to the proposed access of Lot 202M5621, subject to being constructed generally in accordance with Works within the Road Reserve Conditions of Approval.

### Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

- “1. THAT Council approve the application to carry out work on a road reserve on road described as Unnamed Road 4524m, subject to Works within the Road Reserve Conditions of Approval.
2. THAT Council agree to the future maintenance of Unnamed Road 4524 from Main Street North to the proposed access of Lot 202M5621, subject to being constructed generally in accordance with Works within the Road Reserve Conditions of Approval.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants 2020 - 2021 – Somerset and Wivenhoe Fishstocking Association Inc.</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1243980</b>
<b>Action Officer:</b>	<b>DHRCS</b>

### Background/Summary

To assist with the one-off cost associated with the purchase of Mary River Cod fingerlings to restock waterways in the Somerset region including Wivenhoe and Somerset Dams often used by residents and visitors for recreational fishing.

Amount requested:	\$14,950
Total cost of project:	\$16,950
Amount recommended to be granted:	\$14,950

### Assessor's Summary

The applicant states:

- Suppliers have advised that there is currently a one-off oversupply of 15,000 Mary River Cod fingerlings available to the SWFSA however the group only have a small annual budget of \$2,000 pa to purchase 1600 cod fingerlings.
- The one-off injection of the extra cod fingerlings (11,960) in 2020 could put the recovery of this great fish species forward 20 years.

- The group currently expend up to \$140,000 annually on the purchase of native fish fingerlings (Bass and Golden Perch). As a result, Somerset and Wivenhoe Dams have reputations as some of the best Bass fishing spots in Australia providing world class fishing opportunities to residents and drawing tourists from around Australia and overseas.
- The Mary River (or Brisbane River) Codd was a unique form of Maccullochella cod that occurred naturally in the Brisbane River system. Historical reports indicate that massive fish kills caused by both natural (bushfires followed by heavy rain and floods) and manmade (mining and construction) pollution caused the initial decline of the freshwater cod.
- Mary River Codd are bred in fish farms as part of the overall recovery plan on the Sunshine Coast, often there are not enough cod fingerlings to correspond with the restocking demand in South East Queensland.
- At the Mary River Cod Conference 2019 in Fernvale, it was noted that the likelihood of the cod reproducing in a lake environment (Somerset and Wivenhoe) is almost nil therefore the SWFSA will now only be restocking these lakes for recreational fishing enhancement (community benefit only).
- The group have requested additional assistance from Council to gain access to potential restocking sites only accessible via private property. These sites are more suitable for the fingerlings grow and potentially breed in future. The support will be in the form of letters requesting access to private properties for releases and water monitoring.
- Pre COVID-19 the group advertised the fingerling releases which were very popular with young families who would be given fingerlings to release into the dams. The aim is to start this initiative again to encourage community involvement and awareness once restrictions are eased.

In addition to their application the group have provided a comprehensive "Brisbane River Cod Strategy" attached. This document outlines the current health of the Mary River Cod, background behind the species decline and restocking plans.

At the request of Council, the CEO and Mayor recently met with the President of the Somerset and Wivenhoe Fishstocking Association to discuss the application. The group have confirmed that the level of support in this application is only required for the 2020-2021 financial year due to the oversupply of Mary River Cod Fingerlings available to purchase.

Mary River Cod Fingerlings will be ready for collection and release in mid-December 2020, due to these short timeframes and limited availability, the group has requested Council consider their application outside of regular funding rounds via covering letter.

#### **Attachments**

Attachment 1 - Brisbane River Cod Strategy

#### **Recommendation**

THAT the application as summarised in this report be recommended for funding and \$14,950 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the one-off cost associated with the purchase of Mary River Cod

fingerlings to restock waterways in the Somerset region including Wivenhoe and Somerset Dams often used by residents and visitors for recreational fishing.

**Resolution**

Moved – Cr Choat

Seconded – Cr Whalley

"THAT the application as summarised in this report be recommended for funding and \$14,950 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the one-off cost associated with the purchase of Mary River Cod fingerlings to restock waterways in the Somerset region including Wivenhoe and Somerset Dams often used by residents and visitors for recreational fishing."

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Community Assistance Grants 2020 - 2021 - Kilcoy Lions Club Inc.</b>
<b>File Ref:</b>	<b>Community Relations - Sponsorships Donations - Doc ID 1247272</b>
<b>Action Officer:</b>	<b>DHRCS</b>

**Background/Summary**

To assist with the costs associated with the installation of solar lighting in Yowie Park, Kilcoy for the month of December 2020 to inspire Christmas cheer due to the cancellation of the Annual Christmas Carnival.

Amount requested:	\$ 1,470
Total cost of project:	\$ 1,470
Amount recommended to be granted:	\$ 1,470

**Assessor's Summary**

The applicant states:

- The lighting up of a tree in Yowie Park, Kilcoy will bring Christmas joy to families in Kilcoy and visitors.
- The club aims make the installation on Christmas lighting in Kilcoy an annual event for the month of December and increase their portfolio of solar lights for future events with fund raising and donations.

In addition to the solar lighting, the group run an annual Christmas carnival which is an evening of entertainment in William Street, Kilcoy. 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. Unfortunately, the 2020 event was cancelled due to COVID-19.

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 Yowie Park, Kilcoy for the month of December 2020 to inspire Christmas cheer due to the cancellation of the Annual Christmas Carnival.

**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“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 Yowie Park, Kilcoy for the month of December 2020 to inspire Christmas cheer due to the cancellation of the Annual Christmas Carnival.”

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants - Somerset Excellence Bursary 2020 - 2021 - Ava McMillan</b>
<b>File Ref:</b>	<b>Community Relations - Sponsorships - Somerset Excellence Bursaries - Doc Id 1246944</b>
<b>Action Officer:</b>	<b>DHRCS</b>

**Background/Summary**

Council has received an application for financial assistance from Paul McMillan, on behalf of his daughter Ava from Harlin. Ava has been selected as a member of the Queensland Touch Football Junior Broncos Under 14 Girls Team and has been invited to attend the Q Youth Academy 2021 being held at the Gold Coast Sport's Performance Centre, Runaway Bay from 12-14 February 2021.

The application was received prior to the event date. This is the first excellence bursary application received from Ava McMillan. 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 National Level Sporting Excellence grant of \$300 to Paul McMillan, on behalf of his daughter Ava who has been invited to attend the Q Youth Academy 2021 being held at the Gold Coast Sport's Performance Centre, Runaway Bay from 12-14 February 2021.

**Resolution**

Moved – Cr Whalley

Seconded – Cr Isidro

“THAT Council approve the application as summarised in this report

and grant a National Level Sporting Excellence grant of \$300 to Paul McMillan, on behalf of his daughter Ava who has been invited to attend the Q Youth Academy 2021 being held at the Gold Coast Sport's Performance Centre, Runaway Bay from 12-14 February 2021."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants 2020 - 2021 – Lions Club of Fernvale Inc.</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1241326</b>
<b>Action Officer:</b>	<b>DHRCS</b>

#### **Declarable Conflict of Interest – Cr Whalley**

I inform this meeting 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 -

This declarable conflict of interest arises because I am a member of the Lions Club of Fernvale.

I propose to remain in the meeting while this matter is discussed and voted on.

<b>Resolution</b>	Moved – Cr Wendt	Seconded – Cr Brieschke
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"THAT Cr Whalley may remain in the meeting while this matter is discussed and voted on, as Cr Whalley will best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter."

Carried

*Vote - Unanimous*

#### **Background/Summary**

To assist with the costs associated with the installation of solar Christmas lighting at Fernvale Lions Centre, Clive Street, Fernvale for the month of December 2020 to instill a sense of community resilience and solidarity within the community post COVID-19.

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

#### **Assessor's Summary**

The applicant states:

- The Christmas lighting will lift the spirits of the community post COVID-19.
- The club aims make the installation on Christmas lighting in Fernvale an annual event for the month of December and hopes that their lighting display will encourage other community groups to take part.



In addition to the Christmas lighting display, The Fernvale Lions Club together with the Fernvale Community Church will host the Carols in the Park on 19 December 2020 and encourages all Somerset residents to attend. 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 Christmas lighting at Fernvale Lions Centre, Clive Street, Fernvale for the month of December 2020 to instill a sense of community resilience and solidarity within the community post COVID-19.

#### Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

"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 Christmas lighting at Fernvale Lions Centre, Clive Street, Fernvale for the month of December 2020 to instill a sense of community resilience and solidarity within the community post COVID-19."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Public Health and Safety - Temporary Works Twin Bridges and Savages Crossing</b>
<b>File Ref:</b>	<b>Customer service - public reaction - request for service</b>
<b>Action Officer:</b>	<b>CEO</b>

#### Background/Summary

Throughout 2020 Council has seen an increase in the heightened community concern from the general public, community groups and businesses about anti-social behaviour and environmental damage occurring at Savages Crossing and Twin Bridges, near Fernvale.

As Council is aware, land tenure at these locations is complicated with multiple government agencies responsible for various areas, with Council mainly concerned with road reserves. Accordingly, Council is not the lead agent in managing this area; however, Council, as the local authority by default, becomes the first point of call.

Council has genuinely attempted to respond to the issues in the past through various strategies and joint initiatives with Queensland Police, however, they are invariably undermined by the ability to regulate across multiple land tenures, high capital costs and ongoing investment of people on the ground. These capital and operational costs are a significant limitation for the Somerset Regional Council given our large area and relatively small rate base.

Nonetheless, Council does take the feedback from the community very seriously. The recent information and images of anti-social behaviour, left behind rubbish including human excrement and illicit drug utensils, destruction of river banks and the river bed, damage

occurring to fences of adjoining residents, is worse now than ever before. It is understood that the majority of these people who visit these areas are not locals, and reside in neighbouring South-East Queensland areas.

The evidence provided by Somerset community is of significant concern, and in the interest of public health and safety, Council should consider temporarily closing Savages and Twin Bridge areas to all vehicular access with a combination of physical barriers and a supporting CCTV network to curtail this deplorable behaviour. This action would eliminate access by vehicles; however, allow pedestrian access to the areas to continue.

It is incredibly disappointing that Council is forced to consider this action to minimise health and safety risk in the short-term and at the cost of the ratepayer. Council remains determined to engage proactively with other agencies to find sustainable long-term solutions to these sites. Council has written to the new Minister for Resources, the Hon Scott Stewart MP to seek his immediate consideration about these matters.

### Attachments

Letter to the Hon Scott Stewart MP, Minister for Resources 2 December 2020

### Recommendation

1. THAT Council, in the interest of Public Health and Safety, proceed to temporarily close Savages Crossing and Twin Bridges areas to vehicular access by installing physical barriers along road reserves, and supported with portable CCTV cameras.
2. THAT Council continue to proactively engage with relevant agencies responsible for the overall areas of Savages Crossing and Twin Bridges to establish sustainable long-term solutions to ensure this community space is appropriately managed.

### Resolution

Moved – Cr Choat

Seconded – Cr Whalley

- “1. THAT Council, in the interest of Public Health and Safety, proceed to temporarily close Savages Crossing and Twin Bridges areas to vehicular access by installing physical barriers along road reserves, and supported with portable CCTV cameras.
2. THAT Council continue to proactively engage with relevant agencies responsible for the overall areas of Savages Crossing and Twin Bridges to establish sustainable long-term solutions to ensure this community space is appropriately managed.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Economic Development and Tourism Committee Report - November 2020</b>
<b>File Ref:</b>	<b>2020-2024 Economic Development and Tourism Committee</b>
<b>Action Officer:</b>	<b>KVISO (Veronica Eagle)</b>

### Background/Summary

A meeting of the Somerset Regional Council Economic Development and Tourism Committee was held on Tuesday, 17 November 2020.

**Attachments**

Meeting Report Somerset Regional Council Economic Development and Tourism Committee.

**Recommendation**

1. THAT the Economic Development and Tourism Committee report from 17 November 2020 be received and the contents noted.
2. THAT Council write to Seqwater advocating the need to procure a quality restaurant at Cormorant Bay.

**Resolution**

Moved – Cr Isidro

Seconded – Cr Whalley

- "1. THAT the Economic Development and Tourism Committee report from 17 November 2020 be received and the contents noted.
2. THAT Council write to Seqwater advocating the need to procure a quality restaurant at Cormorant Bay."

Carried*Vote - Unanimous*

**Subject:** Tourism and Promotions Report - November 2020  
**File Ref:** Tourism - Promotions  
**Action Officer:** CMM

**Background**

The following is the November 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>	92	112	118	52	36	0	414
<b>Kilcoy VIC</b>	125	80	134	27	28	4	406
<b>Fernvale VIC</b>	77	90	53	8	8	0	236
<b>SRAG / Toogoolawah VIC</b>	82	65	135	25	9	0	316

**Motivators**

	First	Second	Third
<b>Esk</b>	Maps/ Directions	Glen Rock Gallery	Tourist Drives
<b>Kilcoy</b>	Maps/Directions	Caravan and camping	Outdoor activities
<b>Fernvale</b>	Maps/Directions	Brisbane Valley Rail Trail	Trails and Walks

<b>SRAG / TVIC</b>	SRAG	Arts/Culture	Heritage
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**Merchandise Sold**

	<b>First</b>	<b>Second</b>	<b>Third</b>	<b>Total value</b>
<b>Esk</b>	Postcards	Bumper Sticker	Travel mug/ Fridge magnet	\$20
<b>Kilcoy</b>	Magnet	Bumper sticker	Post card	\$6
<b>Fernvale</b>	Cooler Bag	Bumper Sticker	Fridge Magnet	\$12
<b>SRAG / TVIC</b>	Cooler Bag			\$10

**Volunteers**

	<b>Active</b>	<b>Non-active</b>	<b>Total</b>	<b>Resignations</b>	<b>New</b>
<b>Esk</b>	9	2	11		2
<b>Kilcoy</b>	10	2	12	0	0
<b>Fernvale</b>	20	1	21	1	0
<b>SRAG / TVIC</b>	10	1	11	0	2

**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. This famil will focus on the Linville area with a visit to The Linville Hotel and a tour of the township by the Linville Progress Association.

**Room bookings**

	<b>Number</b>	<b>Total value</b>
<b>Esk VIC</b>	-	-
<b>Kilcoy VIC</b>	7	\$0
<b>Fernvale VIC</b>	6	\$0
<b>Fernvale Community Hall</b>	22	\$997
<b>Fernvale Showgrounds</b>	1	\$124

**Somerset Regional Art Gallery – The Condensery**

The gallery is displaying Creative Fusion by Gold Coast artists Russell Howard and Christine Cooper. The exhibition is on display from Saturday, 14 November until Sunday, 10 January 2021. The exhibition highlights Russell Howards unique woodwork pieces and furniture along with Christine Coopers vibrant paintings of animals and imaginative landscapes.

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

Glen Rock Art Gallery has been displaying Phil Lister's 'My Three Loves' photographic artwork from 5 November until 3 December 2020.

## Events

November saw the Events Officer assist with the delivery of the RADF and Queensland Arts Playing Local projects including Flipside Circus Workshops, Sunshine State of Mind workshops and performance.

The Christmas Lights competition registration and nominations for the Australia Day Awards were open throughout November. A total of 44 entries were received for the Christmas Lights competition an increase on previous years. Australia Day Award nominations however are low and much lower than previous years. The decrease in nominations can be attributed to the COVID19 shut-down affecting numerous community groups, sporting activities and events.

With the easing of COVID restrictions, the planning for Australia Day celebrations can progress with a view to present a similar offering to the 2020 presentation and citizenship ceremony.

## Promotions and graphic design

Council's promotions officer is now taking on the design work of all tourism and gallery related promotions with corporate design work to remain with a customer service officer.

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, when the appropriate information and images have been received.

## Social media

### Facebook

- Experience Somerset: 2586 (+3)
- Somerset Regional Art Gallery – The Condensery: 629 (+15)
- Tourism pages are also active for each Visitor Information Centre (four in total)

### Instagram

- Experience Somerset: 1168 (+8)

## Experience Somerset website

- Pageviews: 5916
- Visitors: 82% new, 18 % returning
- Peak time: sessions on Monday, 16 November
- Most popular pages: Experience Somerset homepage (563), Somerset Park Campground (537) and Boating and Fishing (447)
- Device: 60% mobile, 34% desktop and 6% tablet
- Referrals: Visit Brisbane (154), Queensland.com (78), SRC website (34),

## SEQ Food Trails

The tourism team started visiting Somerset operators at the start of September, with 30 operators visited to date.

Content from 10 Somerset food businesses has been provided to Council of Mayors for inclusion in the SEQ Food Trails website. The tourism team are busy adding this operator content and articles to the website before it can go live.

## Somerset Tourism Strategy

Work on the Somerset Tourism strategy is ongoing with regular catch-ups with consultant Sasha Lennon. A finding and directions report has been completed and reviewed. A draft strategy will be completed in the coming months for further review and consideration by key stakeholder groups prior to the Somerset Tourism Strategy being adopted by Council in early 2021.

## Brisbane Economic Development Membership

Council officers participate in fortnightly (online) catch-ups with the Brisbane EDA and other local governments who are members of the regional tourism authority.

### Attachments

Nil

### Recommendations

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

#### Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

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

Carried

*Vote - Unanimous*

### Meetings authorised by Council

Nil

## Mayor and Councillor Reports

### Cr Gaedtke - Councillor report

#### November

- 25 Council Ordinary Meeting
- 25 Council Confidential Workshop
- 25 Brisbane Valley Kilcoy Landcare Group AGM
- 26 Official opening Bertram Shallcross Bridge and Gregors Creek widening project  
A lovely morning centered around the newly designed bridge with much safer approaches, and the newly upgraded section of Gregors Creek Road. The family were pleased to carry out the honours of the official opening. Mr Jeff Shallcross proudly shared with the those gathered, the history of the Shallcross family. It was lovely to see the Shallcross family together for such a special milestone.
- 26 Kilcoy Recreation Ground Advisory Committee Meeting.
- 27 Stanley River Environmental Education Centre end of year BBQ – Hazeldean

*December*

- 01-03 Fact Finding Trip - Tasmania Councils – Mountain Bike Tourism
- 04 Kilcoy Lions Club and Kilcoy District Progress Alliance – Meeting
- 04 Interview with Senior Constable Toni Hay, Lowood Police – Red Bench, Lowood
- 07 Somerset Regional Art Gallery – The Condensery Advisory Committee Meeting
- 07 Somerset Regional Art Gallery – The Condensery Advisory Committee Workshop

As a member of the Fact-Finding delegation travelling to Derby and St Helens Tasmania, I found the three-day study tour very beneficial and which provided answers to all of our questions. It also provided very relative information far beyond what we could have anticipated without direct contact and sharing lengthy discussions. We met with the Mayor, General Manager, Council Officers directly involved with Derby and St Helens Mountain Bike Tracks. Neighbouring Councils with completely different experience, visions and outcomes. We also spoke to community members to understand their position with respect to the recently completed local government tourism initiatives. And of course, the trails had to be ridden to understand the attraction and competing standards. I feel extremely confident to be an active supporter of the proposed development of the Mt Glen Rock Recreation and Nature Park. In addition to the above, Council developed introductory relationships with each Tasmanian Council, in the capacity of mountain bike tracks and rail trails.

**Cr Isidro - Councillor report***November*

- 26 Opening of Shallcross Bridge
- 26 Meeting with residents, Esk
- 30 Tennis Steering Committee meeting, Esk

*December*

- 1 Agforce meeting, Toogoolawah
- 3 School Presentation, Esk State School
- 4 Esk P&C raffles, Esk
- 5 Esk Christmas Tree Carnival

I would like to congratulate Brisbane Valley Apex on a wonderful Christmas Carnival at Esk last Saturday. They delivered a great event.

I had the pleasure of presenting to Year Fives at Esk State School. It was delightful to see the next generation coming through and how positive they are. There was a lot of engagement around roads and rubbish. Very encouraging.

**Cr Wendt - Councillor report**

- 25 November 2020 Ordinary Council Meeting – Esk  
Workshop Meeting – Esk  
Fernvale Rural Fire Brigade – Fernvale
- 26 November 2020 Official Opening of Shallcross Bridge – Gregors Creek
- 1 December 2020 Ag Force Meeting – Toogoolawah

## Christmas Light Display Judging – Southern Region

8 December 2020 Fernvale Residents Inc – Fernvale

**Resolution**

Moved – Cr Whalley

Seconded – Cr Wendt

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

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

Nil

**Consideration of notified motions**

Nil

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

Nil

**Items for reports for future meetings**

Nil

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

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.55 am.