



**Minutes of Ordinary Meeting
Held Wednesday, 19 January 2022**

*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 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 S Brennan | (Acting Director Planning and Development) |
| Mr G Smith | (Director Finance) |
| Mrs K Jones | (Director HR and Customer Service) |
| Mrs H Golinski | (Minute Secretary / Executive Assistant) |
| Mrs K Cope | (Acting Communications Officer) |

*Indicates attendance via teams

Apologies

| | |
|-----------------|--------------|
| Cr Kylee Isidro | (Councillor) |
|-----------------|--------------|

C O N T E N T S

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Opening of Meeting

The Mayor, Cr Graeme Lehmann, opened the meeting at 9.00 am.

Leave of Absence

Cr Isidro has sought a leave of absence from attending today's Council meeting.

Resolution:

Moved – Cr Whalley

Seconded – Cr Brieschke

"THAT Cr Isidro be granted leave of absence from attending today's Council meeting."

Carried

Vote - Unanimous

Confirmation of Minutes**Resolution**

Moved – Cr Brieschke

Seconded – Cr Wendt

"THAT the Minutes of the Ordinary Meeting held 16 December 2021 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**Matters of public interest - Deputy Mayor Brieschke**

It's great to note that Esk will be getting another Covid clinic in February and currently have a vaccination clinic fortnightly on Thursdays.

Matters of public interest – Cr Cheryl Gaedtke

I once again acknowledge the efforts and ongoing commitment of all workers and especially every health worker and other essential workers during this very challenging and demanding period. It is a time to remain calm and focused, and to work as safely as possible with this everlasting pandemic. It is a time to look out for each other and to work as a team to get through this period. We need to continue to look for the light at the end of this long and dark tunnel and to remain hopeful and positive.

Matters of public interest – Cr Sean Choat

Next week we celebrate Australia Day and it's disappointing to see that our society's younger generation are being made to feel ashamed of our heritage. We are a great country and it's sad to see that the country's heritage is being treated with such disdain and that society is not allowing positive messaging for its history. I want to wish everyone a positive Australia Day and 2022.

Matters of public interest – Mayor Graeme Lehmann

On behalf of myself and my family I want to thank my fellow Councillors, Staff and the Somerset Community for the condolences offered on the passing of my mother. Your thoughts and prayers have been greatly appreciated.

I look forward to working with Councillors and staff as part of Team Somerset to achieve more great things in 2022.

I would also like to thank our community groups. Their efforts make Somerset Region an even better place to live work and play and while we acknowledge that COVID has made things harder for them I'm sure they will prosper in 2022.

Declarations of Interest

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

| | |
|------------------------|--|
| Subject: | Community Assistance Grants – Somerset Excellence Bursaries January 2022 – Max Graham |
| File Ref: | Community Relations – Sponsorships – Somerset Excellence Bursaries – Doc Id 1351857 |
| Action Officer: | DHRCS |

Background/Summary

Council received one Somerset Excellence Bursary application during the month of December 2021, to be considered at the first Council Meeting in January 2022.

| Applicant | Level | Field | Event |
|-----------|----------|---------|--|
| M. Graham | Regional | Cricket | Darling Downs South West Queensland Championship |

Max was accepted to compete in the Under 12 Darling Downs and South West Queensland State Championship team to play at the State Championship Carnival on 13-17 December 2021 at Gympie Cricket Club.

This is the first excellence bursary application received from Max Graham and the application was received prior to the event date.

This application is considered as part of the Community Assistance Grant Policy which provides for a payment of \$100 for Regional Level representation.

Attachments

Nil

Recommendation

THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Max Graham who was accepted to compete in the Under 12 Darling Downs and South West Queensland State Championship Team to play at the State Championship Carnival in December 2021 at Gympie Cricket Club.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

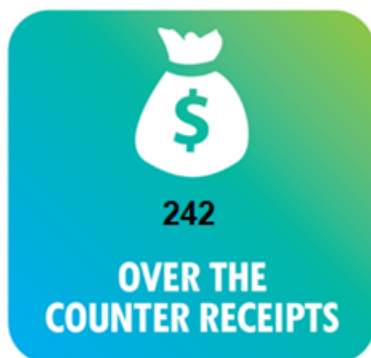
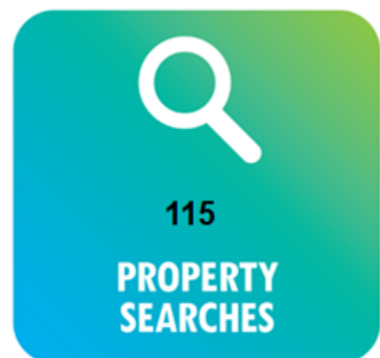
“THAT Council approve the application as summarised in this report and grant a Regional Level Sporting Excellence grant of \$100 to Max Graham who was accepted to compete in the Under 12 Darling Downs and South West Queensland State Championship Team to play at the State Championship Carnival in December 2021 at Gympie Cricket Club”.

Carried*Vote - Unanimous*

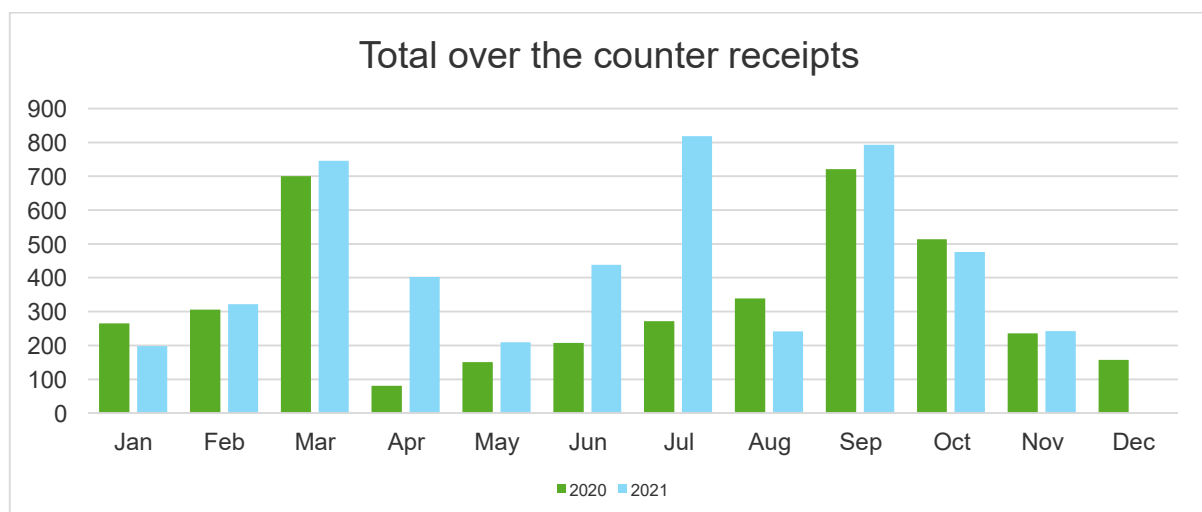
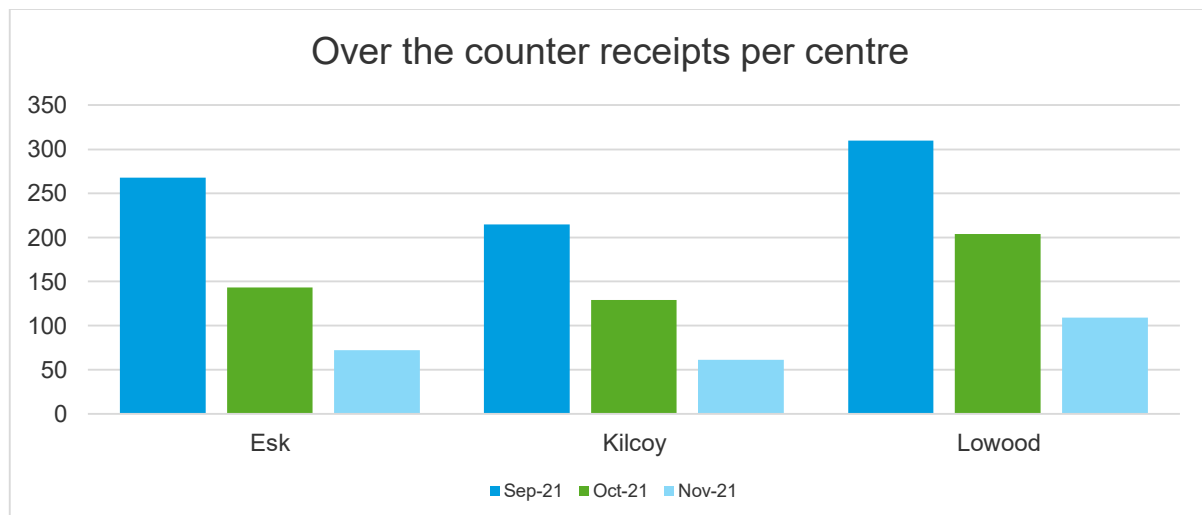
Subject: Customer Service Report – November 2021
File Ref: Officers Report
Action Officer: (CSTL) Customer Service Team Leader

Background/Summary

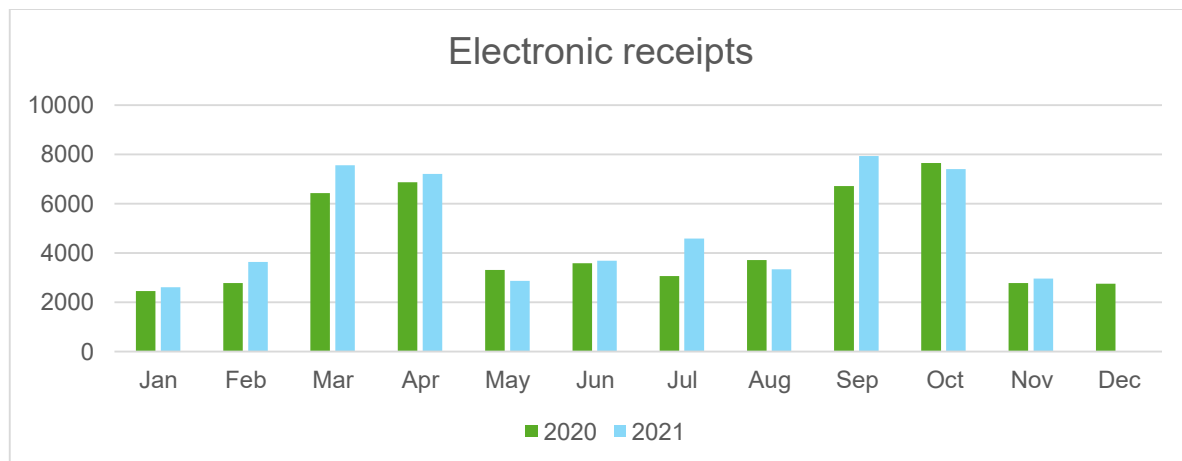
In delivering on Council’s Operational Plan and commitment to excellent customer service, a summary of the customer service section activities for the month of November 2021 is provided for Council’s information.

Summary for November 2021**4,036****TOTAL
PHONE
CALLS****3,772****PHONE CALLS
RECEIVED DURING
BUSINESS
HOURS****171****PHONE CALLS
RECEIVED
AVERAGE
PER DAY****27****PHONE CALLS
RECEIVED BY
AFTER HOURS
CALL CENTRE****12****PHONE CALLS
REFERRED TO
AFTER HOURS
DUTY OFFICER****242****OVER THE
COUNTER RECEIPTS****584****QGAP
TRANSACTIONS****115****PROPERTY
SEARCHES**

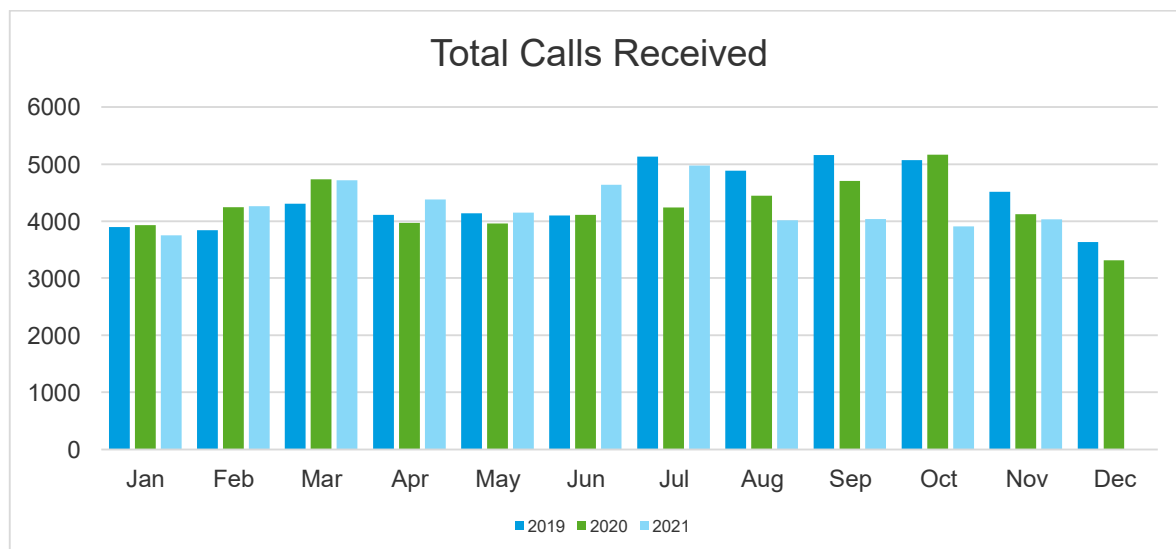
The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for November 2021. These numbers include cheques that were posted into the Council. In total there was 242 financial transactions across the three customer service centres with 72 at Esk Administration Centre, 61 at Kilcoy Customer Service Centre and 109 at Lowood Customer Service Centre for November 2021.



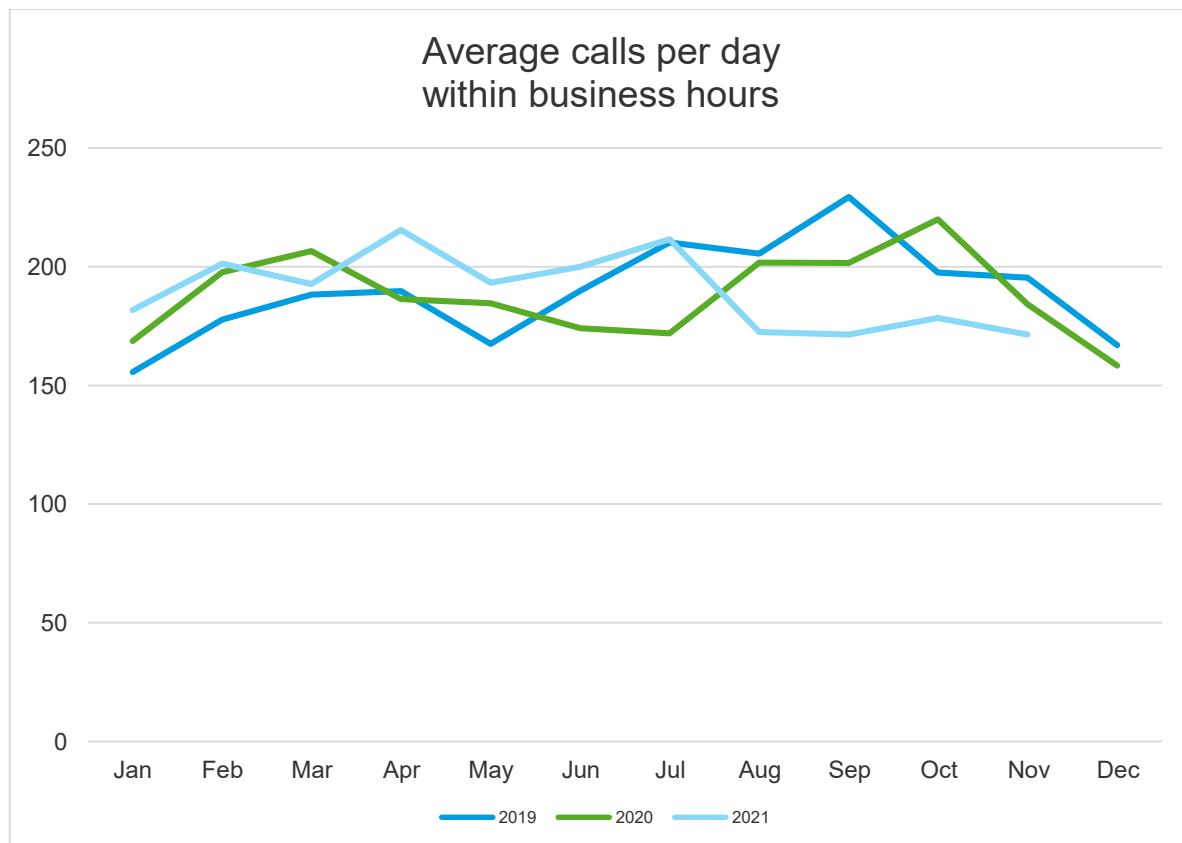
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc.



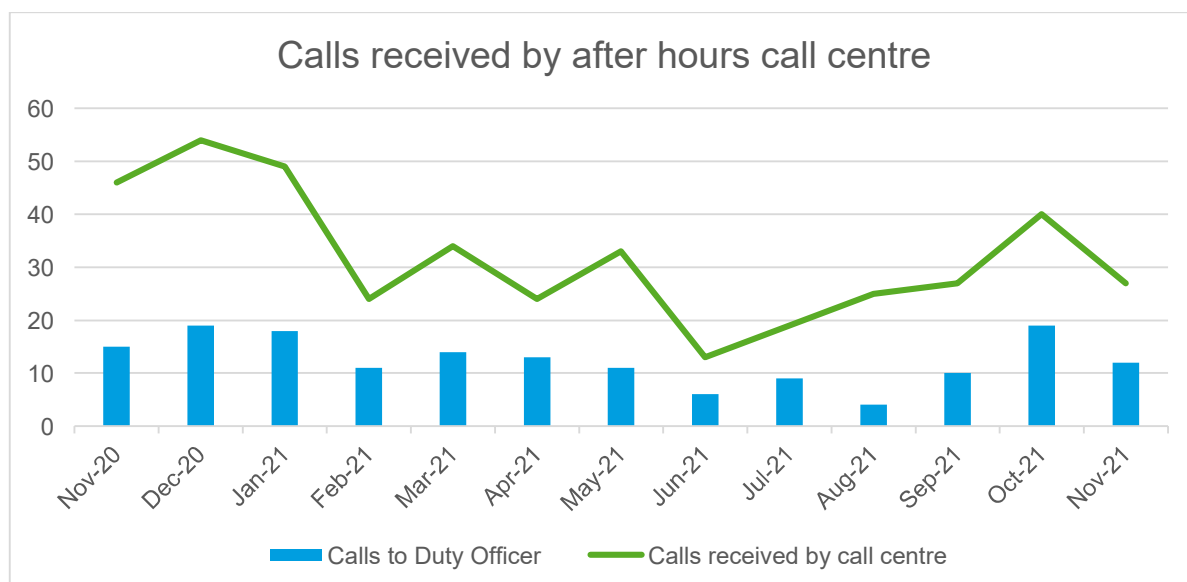
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to last calendar year. Calls received does not include internal calls made within Council, or outbound calls. There were 4,036 calls received for the month of November 2021. This is an increase of 125 calls compared to October 2021. Compared to November 2020 there was a decrease of 86 calls for the month.



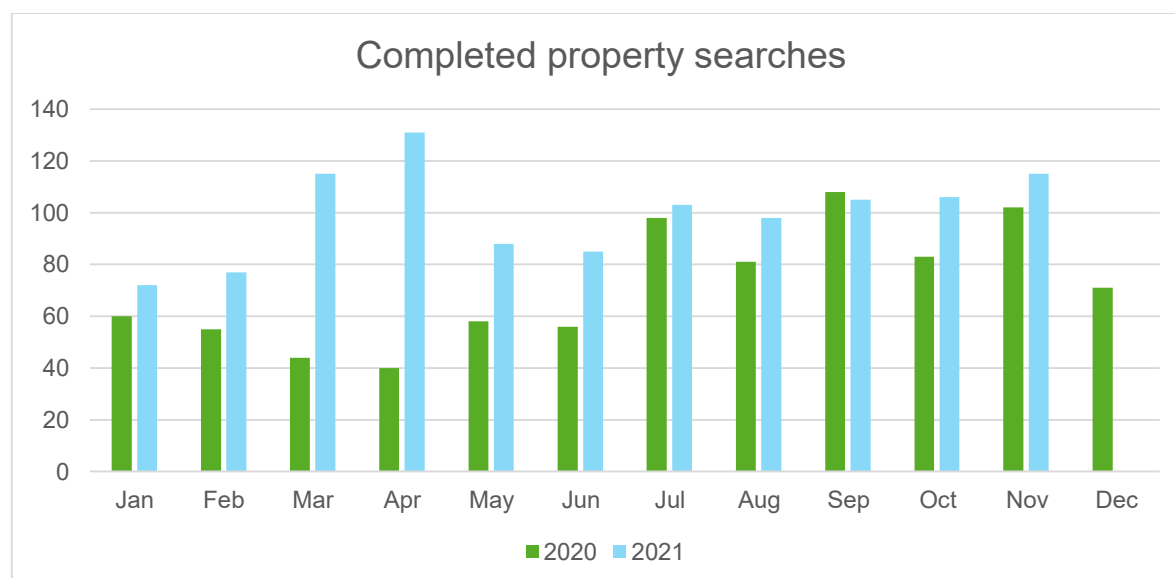
Listed below is a comparison of the average calls received per day within business hours. On average there were 171 calls received each business day for November 2021, which was a decrease of seven calls on average per day from October 2021. Compared to November 2020 there was a decrease of 13 calls on average per day.



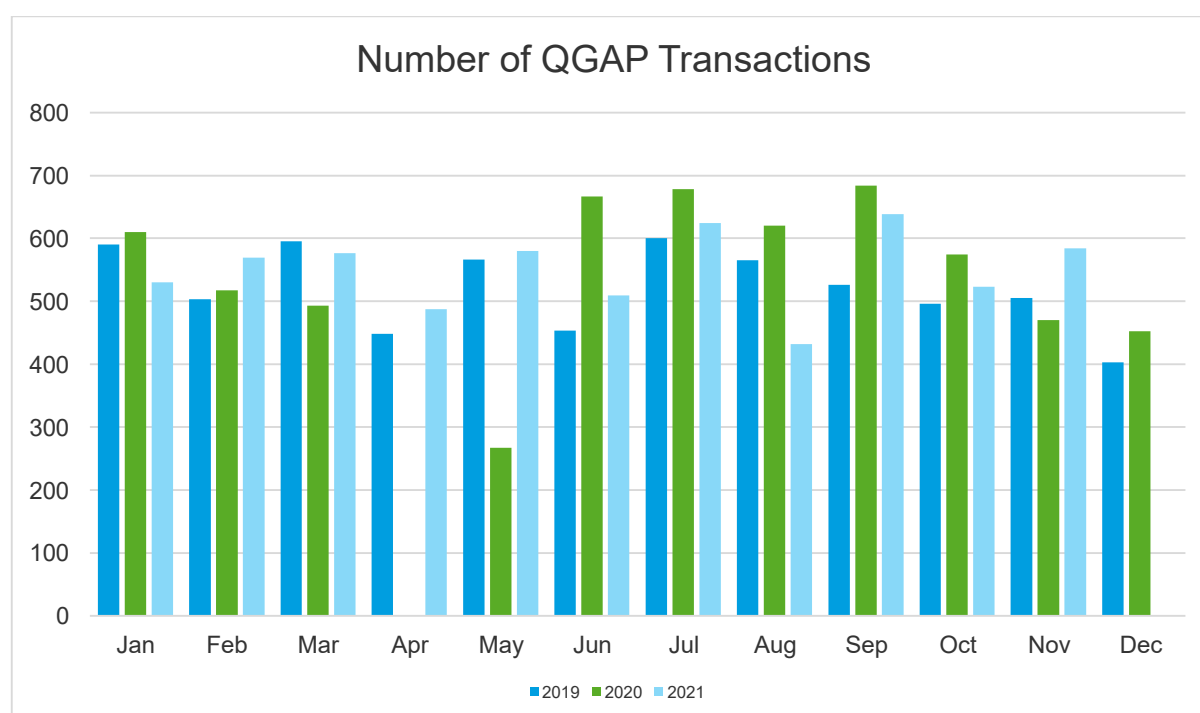
There were 3,772 calls received during business hours and 264 received after hours. Of the 264 calls received out of hours, 27 calls transferred to the afterhours call centre. There was a decrease of 13 calls to Council's afterhours provider compared to October 2021.



For the month of November 2021 there were 115 property searches completed for prospective purchasers. This increased by nine completed searches for the month compared to October 2021.



There were 584 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in November 2021. On average there were 27 transactions per business day in November which is one more on average per day compared to October 2021.



Attachments

Nil

Recommendation

THAT Council receive the *Customer Service Report for November 2021* and the contents be noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Whalley

"THAT Council receive the *Customer Service Report for November 2021* and the contents be noted."

Carried

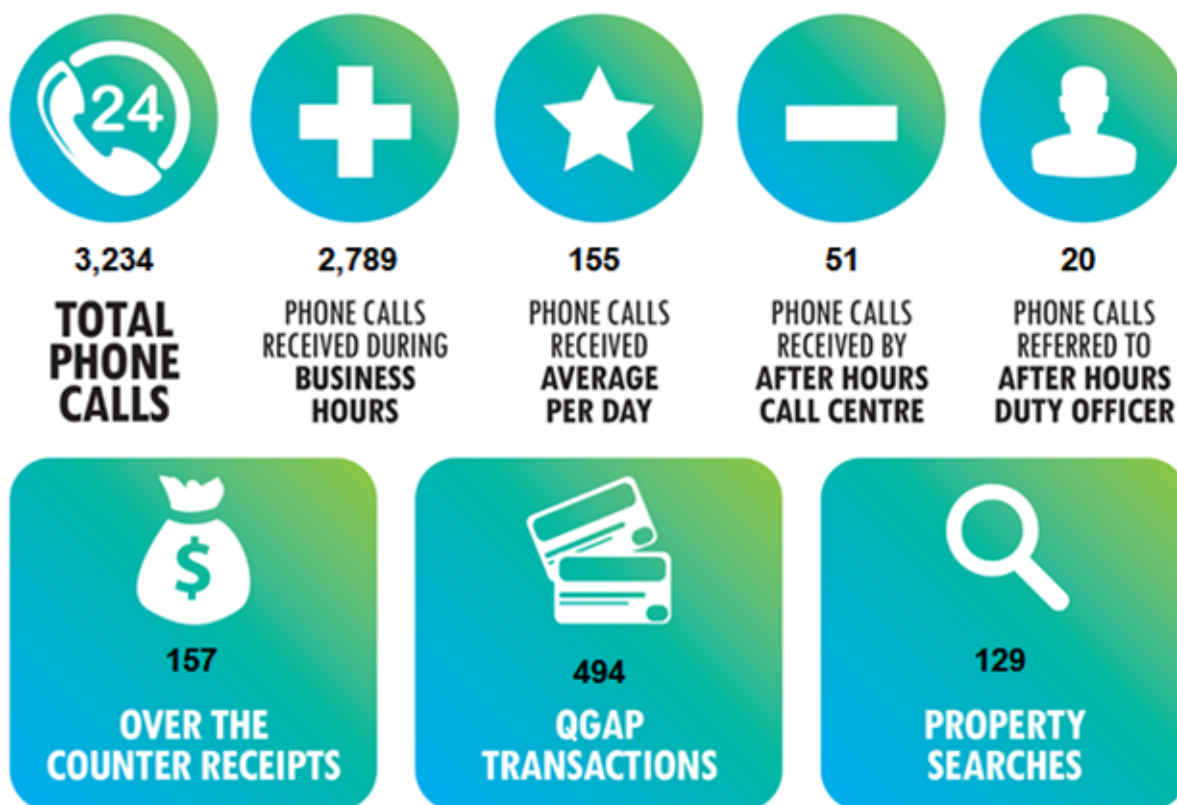
Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Customer Service Report – December 2021 |
| File Ref: | Officers Report |
| Action Officer: | (CSTL) Customer Service Team Leader |

Background/Summary

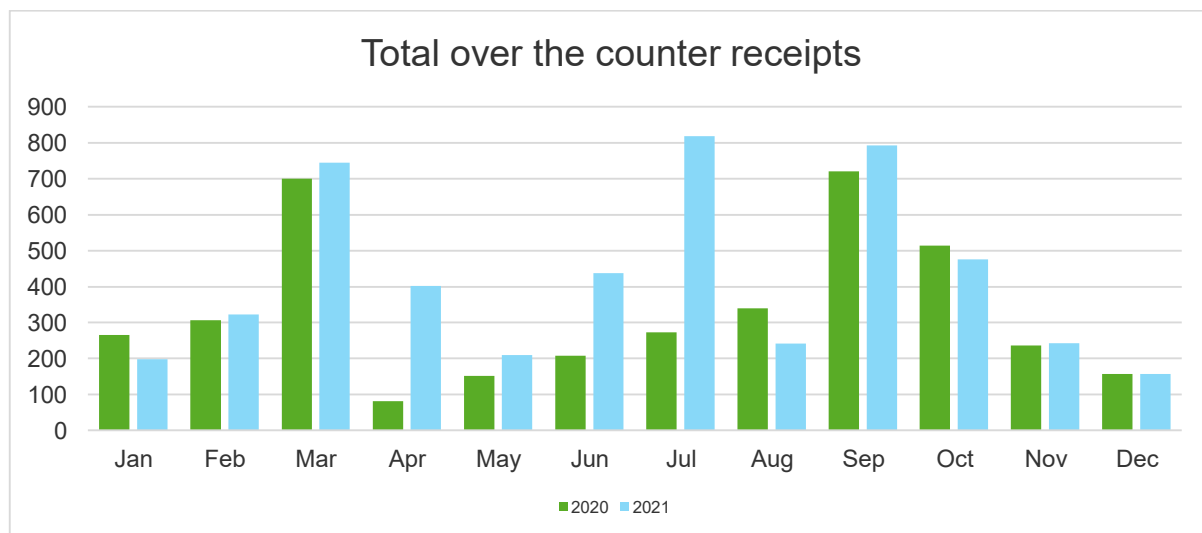
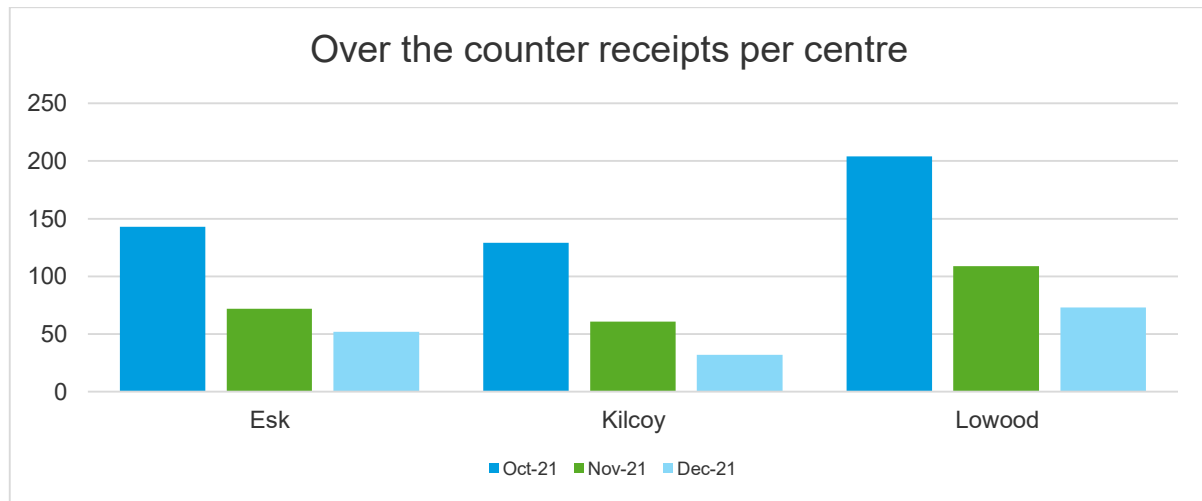
In delivering on Council's Operational Plan and commitment to excellent customer service, a summary of the customer service section activities for the month of December 2021 is provided for Council's information.

Summary for December 2021

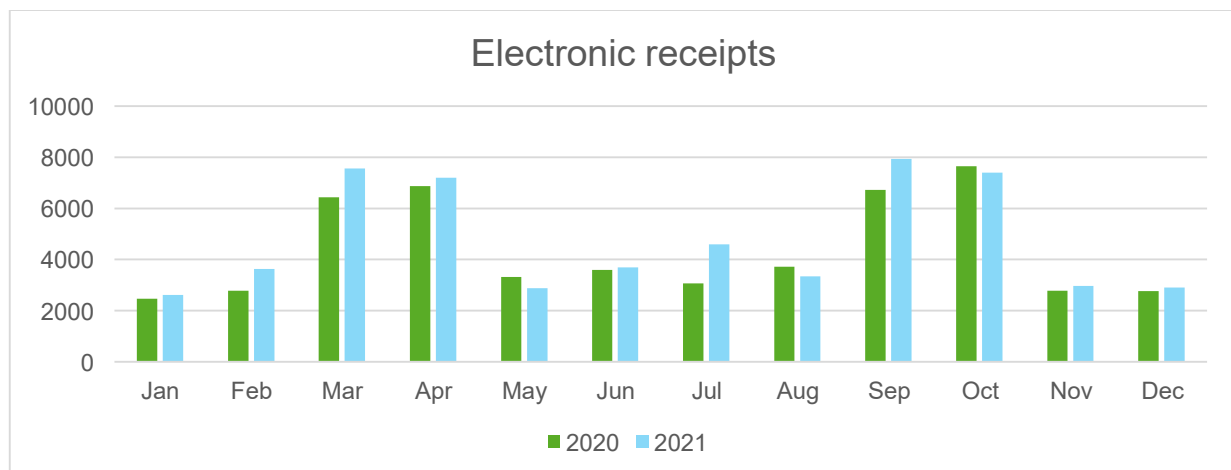


The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for December 2021. These numbers include cheques that were posted into the Council. In total there was 157 financial transactions across the three customer service centres with 52 at Esk Administration Centre,

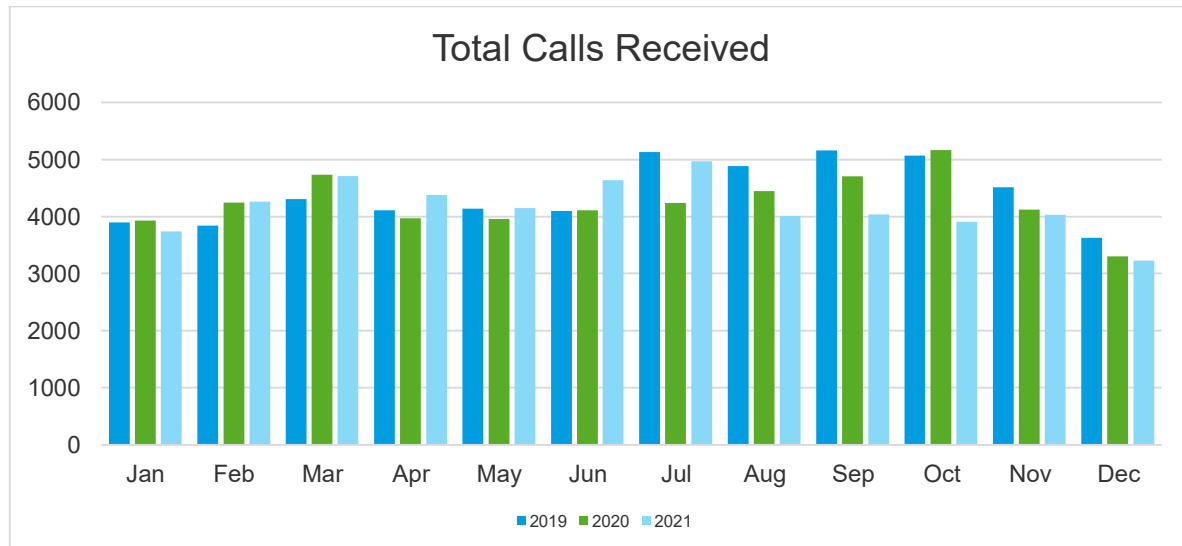
32 at Kilcoy Customer Service Centre and 73 at Lowood Customer Service Centre for December 2021.



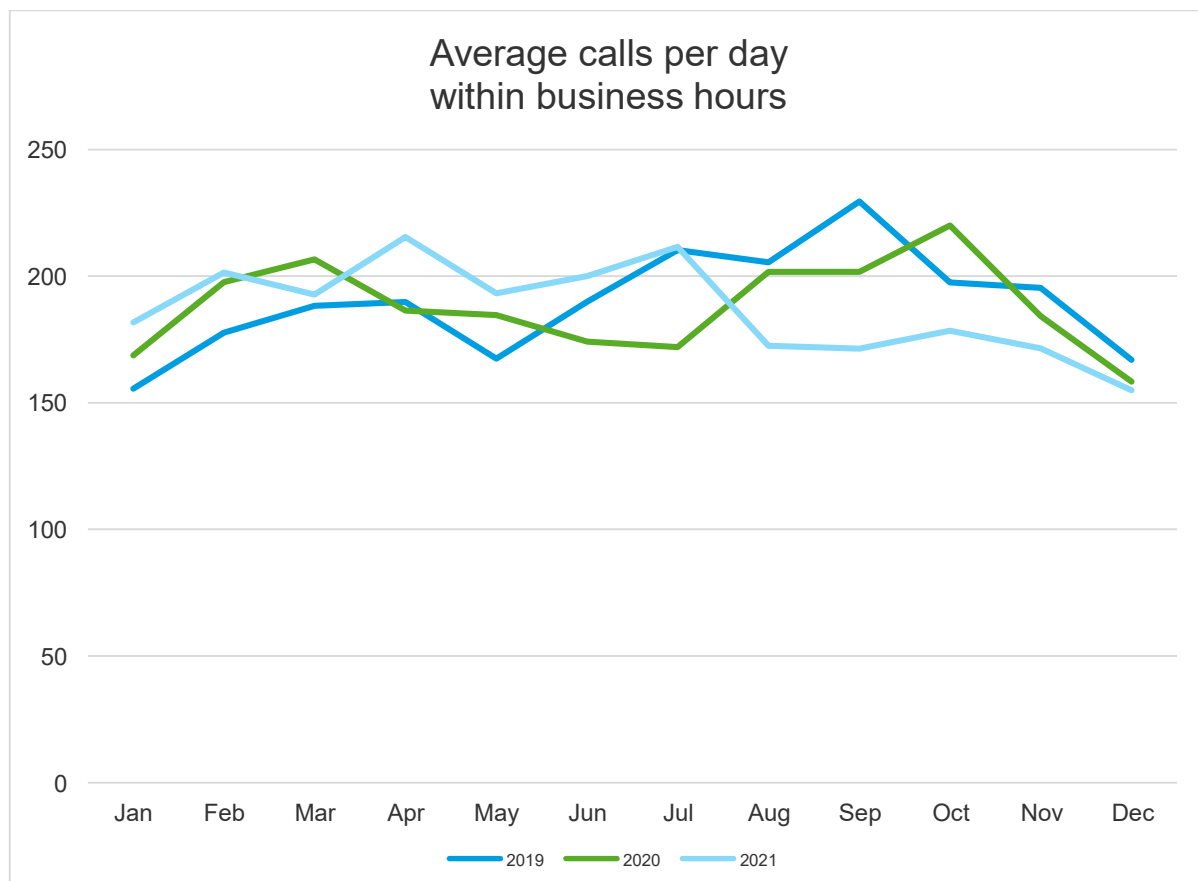
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc.



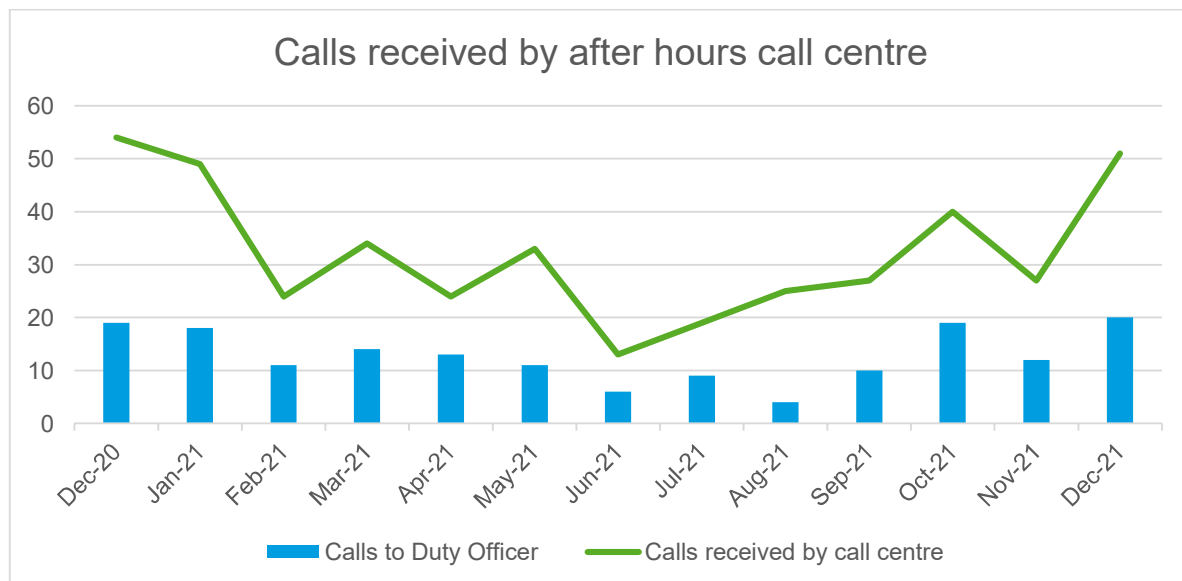
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to last calendar year. Calls received does not include internal calls made within Council, or outbound calls. There were 3,234 calls received for the month of December 2021. This is a decrease of 802 calls compared to November 2021. Compared to December 2020 there was a decrease of 74 calls for the month.



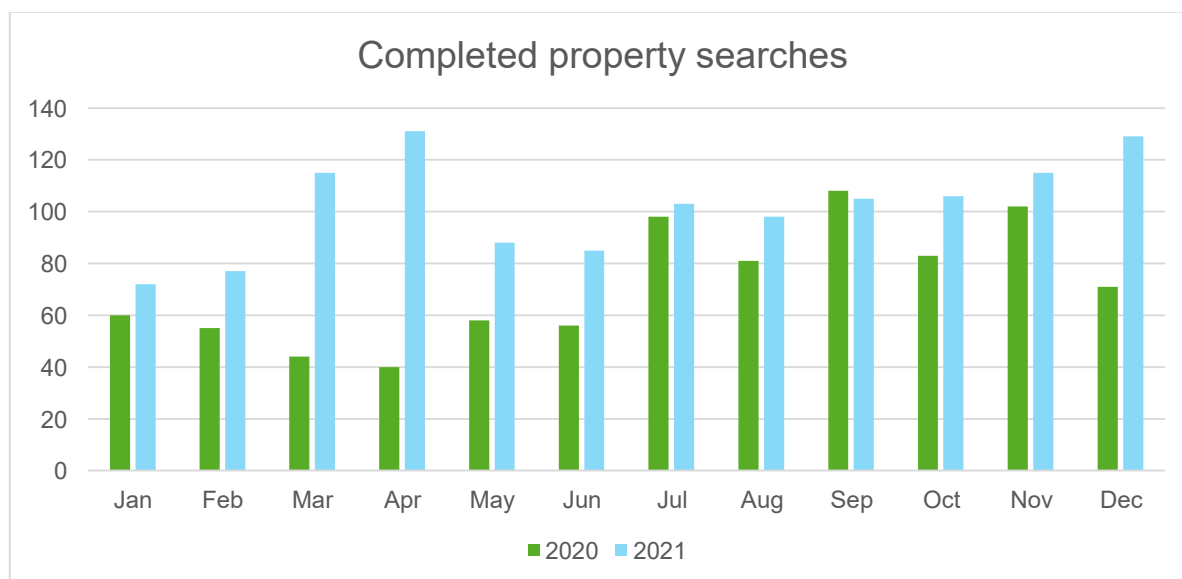
Listed below is a comparison of the average calls received per day within business hours. On average there were 155 calls received each business day for December 2021, which was a decrease of 16 calls on average per day from November 2021. Compared to December 2020 there was a decrease of three calls on average per day.



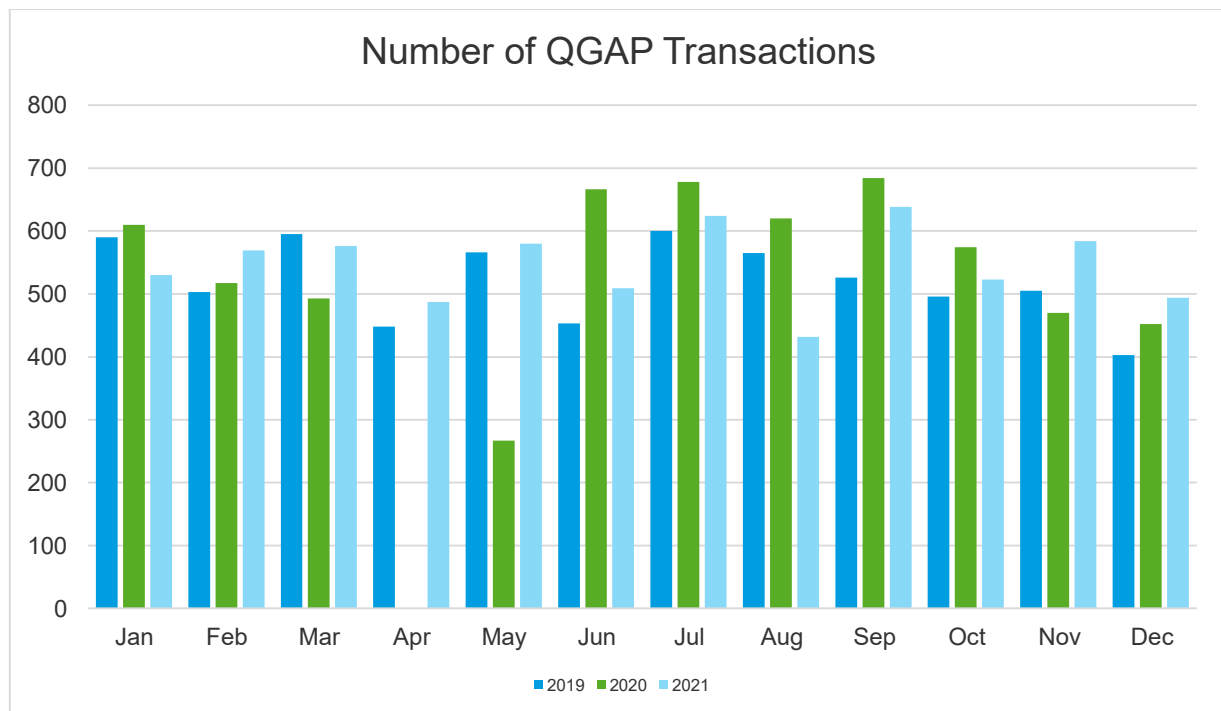
There were 2,789 calls received during business hours and 445 after hours. Of the 445 calls received out of hours, 51 calls transferred to the afterhours call centre. There was an increase of 24 calls to Council's afterhours provider compared to November 2021.



For the month of December 2021 there were 129 property searches completed for prospective purchasers. This increased by 14 completed searches for the month compared to November 2021. It was the second highest month for the previous two years.



There were 494 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in December 2021. On average there were 27 transactions per business day in December which is the same per day compared to November 2021. The average per day was the same as the previous month due to the decreased number of business days in December. December was the highest number of transactions for the month of December compared to the previous three years.



Attachments

Nil

Recommendation

THAT Council receive the *Customer Service Report for December 2021* and the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT Council receive the *Customer Service Report for December 2021* and the contents be noted”.

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Application for Keeping more than maximum number of animals – 2 SP219259 - 04399-10000-000 - 117 Chaille Road, Glen Esk |
| File Ref: | LICENCING – LOCAL LAWS – Keeping of Animals |
| Action Officer: | RSO - SH |

Background/Summary

Application Details

On 19 October 2021, Council received an application to keep four dogs from the occupier of 117 Chaille Road, Glen Esk. The application relates to large breeds including four Maremmas.

The subject property is 40.56 hectares in size and is located in the Rural zone to the east of Esk.

Regulatory Services Officers conducted an inspection of the site with the property occupier on Friday 3 November 2021 and noted the following:

- There is one dwelling located on the property.
- All dogs are microchipped and de-sexed.
- The dogs are used as protection animals for sheep and have access to paddocks and the house yard through the day and are kept with the stock in a holding pen during the night.
- The property fencing is constructed of dog mesh fencing 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.*

| Criteria: | Compliance (Y/N) |
|--|------------------|
| (1) Whether the premises on which the animal or animals can be effectively and comfortably kept on the premises. | Y |
| Comments: The four dogs can be comfortably and effectively housed. | |
| (2) Whether a residence exists on the premises. | Y |
| Comments: A one storey dwelling exists on the allotment. | |
| (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> . | Y |
| Comments: The enclosure at the time of inspection meets the requirements of schedule 8 of <i>Subordinate Local Law No. 1.5 (Keeping of Animals) 2011</i> , preventing the dogs from going under over or through the fence and are made from firm and strong materials. | |
| (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. | Y |
| Comments: Applicant resides at the residence. | |
| (5) Whether the animal or animals will be properly supervised. | Y |
| Comments: Applicant is home most days. | |

| | |
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| (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. | Y |
| Comments: Two dogs BOO and ZIGGY are currently registered with council. | |
| (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. | Y |
| <p>14. Owner must ensure cat or dog is implanted</p> <p>1) 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.</p> <p>Maximum penalty—20 penalty units.</p> <p>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.</p> <p>2) It is a defence to a prosecution for an offence against subsection (1) for the defendant to prove—</p> <p>a) 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</p> <p>b) for a dog, the ownership is to use it as—</p> <p>(i) a government entity dog; or</p> <p>(ii) a working dog; or</p> <p>(iii) another class of dog prescribed under a regulation.</p> | |
| Comments: All four dogs residing on the premises are microchipped. | |
| (8) Whether the applicant is a suitable person to hold the approval. | Y |
| Comments: Council has no information to suggest 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 – | N |
| <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> | |
| <p>Comments:</p> <p>a) Not likely to cause a nuisance – Enclosures have been erected on the property to contain the dogs.</p> <p>b) Not likely to affect the amenity surrounding area.</p> <p>c) Not likely to affect the environment.</p> | |
| (10) If the application relates to the keeping of cats – | N/A |
| <p>a) whether the cats have been desexed; and</p> <p>b) whether the cats have been fitted with an approved microchip.</p> | |

| | |
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| Comments: The application does not relate to the keeping of cats. | |
| (11) If the application relates to the keeping of an animal or animals on multi residential premises – a) whether the applicant - is entitled to make use of a common area; and b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals. | N/A |
| Comments: The application does not relate to the keeping of an animal on multi-residential premises. | |
| (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: Not applicable. The applicant is the owner of the premises. | |
| (13) Whether the applicant has been refused a similar type of approval by the local government or another local government. | N |
| Comments: The applicant has not been refused a similar application. | |
| (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 |
| Comments: No regulated dog resides at 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 ² or more – whether the applicant for the approval is a current member of an approved entity. | Y |
| Comments: The applicant is registered with Dogs Queensland – 4100268978 The allotment is located outside of the designated area. The allotment is 40.56 Hectare in size and located in the Rural zone. | |
| (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 ² or more – whether the applicant for the approval is an accredited breeder. | N/A |
| Comments: Not applicable. | |

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|--------------------|
| Attachments |
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1. Locality Plan
2. Photographs of the fencing/enclosure

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|-----------------------|
| Recommendation |
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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 2 on SP219259, situated at 117 Chaille Road, Glen Esk;
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. |
| Ziggy | Maremma | White | M | Y | 978101081517387 |
| Boo | Maremma | White | F | Y | 953010002258896 |
| Odin | Maremma | White | M | Y | 953010002002648 |
| Ivar | Maremma | White | M | Y | 953010002002662 |

Schedule 2

| No. | CONDITION |
|------------|--|
| 1.0 | LOCAL LAW |
| 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: <ol style="list-style-type: none"> (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 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 2 on SP219259, situated at 117 Chaille Road, Glen Esk;
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. |
| Ziggy | Maremma | White | M | Y | 978101081517387 |
| Boo | Maremma | White | F | Y | 953010002258896 |
| Odin | Maremma | White | M | Y | 953010002002648 |
| Ivar | Maremma | White | M | Y | 953010002002662 |

Schedule 2

| No. | CONDITION |
|------------|---|
| 1.0 | LOCAL LAW |
| 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"> (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> . <div style="text-align: right;"><u>Carried</u></div> <i>Vote - Unanimous</i> |

| | |
|------------------------|--|
| Subject: | SEQ Water – Application for a Marine Zone – Lake Wivenhoe |
| File Ref: | Government Relations/Utilities Departments Liaison/2021-2022-SEQWater |
| Action Officer: | Director of Planning and Development |

Background/Summary

Council has received correspondence from SEQ Water regarding the intention to apply for a Marine Zone Permit pursuant to the provisions of the *Transport Operations (Marine Safety) Regulation 2016* over the entirety of Lake Wivenhoe.

The purpose of the designation is to enable regulation of watercraft and related activities on the lake in line with the dam's purpose.

You may note in Attachment 1 that Council has considered a request from SEQ Water on this matter previously and provided a letter of support in respect of Council's decision to support the initiative.

For various reasons the application was never progressed by SEQ Water and given the time that has passed since the initial request, the matter is prudently presented for re-consideration and thoroughness.

Attachments

Attachment 1 - Email correspondence and entailed attachment from SEQ Water dated 5 January 2022

Recommendation

That Council support SEQ Water in applying for a Marine Zone to enable regulation of activities on Lake Wivenhoe, and that a letter of support be sent accordingly.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“That Council support SEQ Water in applying for a Marine Zone to enable regulation of activities on Lake Wivenhoe, and that a letter of support be sent accordingly”.

Vote - Unanimous

Carried

| | |
|------------------------|---|
| Subject: | Development Application No. DA21281 |
| File No: | Development Application for a Development Permit for a Material Change of Use for a Dwelling House (Secondary dwelling) affected by the Flood Hazard Overlay |
| Action Officer: | DA21281 |
| Assessment No: | PO-MS |
| | 00904-48200-000 |

1.0 APPLICATION SUMMARY**Subject Land**

| | |
|----------------------------|---------------------------|
| Location | 45 Schmidt Road, Fernvale |
| Real Property Description | Lot 13 RP861508 |
| Area | 4,099m ² |
| Current land use | Dwelling house |
| Easements and Encumbrances | Nil identified |

Somerset Region Planning Scheme Version Four

| | |
|----------|---|
| Zone | General Residential |
| Precinct | Park Residential |
| Overlays | OM7 Flood Hazard OM8 HIA Management Area |

Shaping SEQ: SEQ Regional Plan 2017

| | |
|-------------------|-----------------|
| Land Use Category | Urban Footprint |
|-------------------|-----------------|

Application

| | |
|----------------------------|---|
| Proposed development | Dwelling house (secondary dwelling) |
| Level of Assessment | Code assessable |
| Applicant/s | Gary and Geertruida Hirsch C/- Diane Kerr and Associates |
| Applicants contact details | 19 Frobisher Street SPRINGWOOD QLD 4127 |
| Landowner/s | G and G Hirsch |
| Date application received | 16 August 2021 |
| Date properly made | 16 August 2021 |

Referral Agencies Nil**Public notification** Not applicable**RECOMMENDED DECISION**

Approve the Development Application No. DA21281 subject to the requirements and conditions contained in the Schedules and Attachments.



**Locality Plan of Lot 13 on RP861508
Situated at 45 Schmidt Road, Fernvale**

2.0 APPLICATION

The application seeks a development permit for a material change of use for a dwelling house (secondary dwelling).

The application is made under Version Four of the Somerset Region Planning Scheme (the planning scheme). The site is located within the General Residential zone, Park Residential precinct.

The application is required because the proposed dwelling is affected by the Flood Hazard overlay.

The application will be assessed against the matters set out in section 45 and decided in accordance with section 60 of the *Planning Act 2016*.

3.0 PROPOSAL

The applicant proposes to construct a secondary dwelling on the subject property.

The proposed secondary dwelling is to be a small single storey cabin-like structure and constructed on stumps.

The secondary dwelling is to consist of the following:

- single bedroom,
- ensuite bathroom,
- kitchenette with living area,
- and patio.

Overall, the structure has a total building footprint of 41m² (liveable space consisting of 30 m² for the dwelling and 8 m² for the patio).

The secondary dwelling is to be sited 12 metres behind the existing dwelling on the property and 10 metres from the nearest side boundary.

The property owner wishes to construct the additional dwelling for elderly family members.

The subject property and development site is affected by the 1% AEP flood event (significant flood hazard) per the Flood hazard overlay map.

The 1% AEP flood level for the property is 42.6m AHD. The ground level for the development site is approximately 41.8m AHD. This provides a flood depth of approximately 800mm above ground level. The dwelling would require constructing habitable floor levels to the *defined flood level*, being 43.4m AHD, elevating habitable floors to approximately 1.6 metres above the natural ground level.

4.0 SITE DETAILS AND SURROUNDING LAND USES

The subject property is a rectangular shaped lot identified being in the General Residential zone, Park Residential. The property has frontage to Schmidt Road, a sealed road in Council's road register.

Land fronting Schmidt Road is predominantly zoned as General Residential, Park Residential precinct. The adjacent lot to the north-east is zoned as Recreation and Open Space, and contains Council's stormwater and drainage infrastructure. The adjacent lot to the north is within the Emerging Community zone.

The site is located within the water service catchment, but not within the sewerage service catchment. The property is serviced by reticulated water supply. The property may have the option to connect to reticulated sewerage infrastructure, if desired.

Surrounding land use is predominantly residential in nature. The adjacent lot to the north is utilized for agricultural purposes.

5.0 PLANNING ASSESSMENT – STATE PLANNING INSTRUMENTS

This application is made under the provisions of the *Planning Act 2016*. In accordance with the Act, the assessment manager must assess the application against the assessment benchmarks within the following state planning instruments:

- the State Planning Policy 2017;
- the South East Queensland Regional Plan 2017;
- the *Planning Regulation 2017* (Schedule 10).

An assessment of the application against the state planning instruments is set out below.

5.1 STATE PLANNING POLICY

A new State Planning Policy (SPP) came into effect on 3 July 2017 and is not currently reflected in the Somerset Region Planning Scheme. An assessment of the proposed development against the assessment benchmarks contained within Part E of the SPP is required.

The application has been assessed against the assessment benchmarks and the proposal is considered to comply.

5.2 SOUTH EAST QUEENSLAND REGIONAL PLAN 2017

The site is located within the Urban Footprint. The development application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was found to be consistent.

5.3 PLANNING REGULATION 2017 (SCHEDULE 10)

Schedule 10 of the *Planning Regulation 2017* sets forth development assessment provisions and requirements set by the State.

The subject property does not contain regulated vegetation nor koala habitat. No vegetation clearing is required.

The proposal is not located in proximity to a Queensland heritage place or local heritage place, is not known to be on a contaminated land register, nor involves any environmentally relevant activities.

The property is not listed on the contaminated land or environmental management registers.

The subject land is contained within the Urban Footprint of the South East Queensland Regional Plan. The proposed development remains consistent with the provisions for the SEQRP under Schedule 10.

The property is not affected by any state government interests for infrastructure matters.

The proposed development is consistent with the requirements of Schedule 10. The application does not require further referral or assessment under the *Planning Regulation 2017*.

6.0 PLANNING ASSESSMENT – LOCAL PLANNING INSTRUMENTS

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

6.1 SOMERSET REGION PLANNING SCHEME (VERSION FOUR)

6.1.1 Strategic Framework Assessment

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

6.1.2 Category of Assessment – Affecting Overlays

The subject property is affected by the following overlays:

- OM7 Flood Hazard
- OM8 High Impact Activities Management Area

Per section 5.9 of the Planning Scheme (Category of development and assessment – Overlays), the development requires assessment against the affecting overlays per the below table.

| Affecting Overlay | Category of Assessment |
|--|---|
| OM7 Flood Hazard | Code assessment required |
| OM8 High Impact Activities Management Area | Not triggered – development is not a high impact activity |

Assessment against the required overlay codes has been addressed per the section below.

6.1.3 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 codes. 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.

Code Assessment Summary

| Applicable Code | Compliance with Overall Outcomes | Performance Outcomes |
|------------------------------------|----------------------------------|-----------------------------------|
| General residential zone code | Yes | Complies with Acceptable Outcomes |
| Dwelling house code | Yes | Complies with Acceptable Outcomes |
| Transport, access and parking code | Yes | Complies with Acceptable Outcomes |
| Applicable Overlay Code | Compliance with Overall Outcomes | Performance Outcomes |
| Flood hazard overlay code | Yes | PO13 |

6.1.4 Performance Outcome Assessment

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

Flood hazard overlay code

| Performance outcome | Acceptable outcome |
|---|--|
| For accepted development subject to requirements and assessable development | |
| Significant flood hazard area, Low flood hazard area or Potential flood hazard area | |
| PO13 Development is located and designed to: <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that a proportion of <i>buildings</i> are set above the <i>defined flood level</i>; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide road access to <i>buildings</i> above the level of the 1% AEP flood level. | Where for Material Change of Use or Building Work AO13.1 <i>Buildings</i> , including extensions to existing <i>buildings</i> are: <ul style="list-style-type: none"> (a) elevated above the <i>defined flood level</i>; and (b) the <i>defined flood event</i> does not exceed a depth of 600mm. AO13.3 Where the <i>defined flood level</i> is known, new <i>buildings</i> are: <ul style="list-style-type: none"> (a) located on the highest part of the site to minimise entrance of floodwaters; and (b) provided with pedestrian and vehicle evacuation access between the <i>building</i> and a road that is above the 1% AEP flood level. |
| Proposal AO13.1 The <i>defined flood event</i> is approximately 800mm, therefore not complying with part (b) of AO13.1. AO13.3 The subject property has access from Schmidt Road, which is also affected by the 1% AEP flood level, therefore not complying with part (b) of AO13.3. | |

Performance Outcome Assessment

Due to non-compliance with acceptable outcomes, the proposal must achieve the requirements for PO13. The items under PO13 are each addressed in turn below.

Development is located and designed to:***(a) maintain hydrological function of the premises;***

Solution: The secondary dwelling is proposed to be constructed on stumps, elevated approximately 1.63 metres above ground level. Elevating the structure allows for the continued passage of water.

The design also proposes battens for aesthetic purposes. The battens are to have limited coverage of the underside of the dwelling, to allow for the passage of water.

(b) not increase the number of people calculated to be at risk from flooding;

Solution: The subject property currently contains a dwelling with two adults residing at the premises, being the property owners. The secondary dwelling is to provide residence for the elderly parents of one of the owners, being an increase of two adults residing on the premises. The total number of persons residing on the property is proposed to be 4 adults.

The planning scheme provides no guidance on the number of people expected to reside on a residential zoned property and has no limitations on the number of bedrooms for a residential dwelling. In this instance, it is recommended to accept that 4 persons residing on the property is not a significant increase over the number of people that might reside on the property in a typical family residence (e.g. two adults with two to three children).

(c) minimises the flood impact on adjoining premises;

Solution: Per the solution to part (a), the secondary dwelling is to be constructed on stumps, approximately 1.63 metres above ground level. The design of the structure will not significantly alter the flow of floodwaters.

(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;

Solution: The secondary dwelling is to be constructed to the *defined flood level*. The *defined flood event* based on Council's 1% AEP flood data is the 42.6m AHD line. The *defined flood level* is calculated as being:

42.6m AHD inundation line;
plus 500mm above the 1% AEP line
plus 300mm freeboard;

giving a *defined flood level* of 43.4m AHD. This is approximately 1.6 metres above the existing natural ground level of the development site.

(e) reduce the carriage of debris in flood waters;***(f) reduce property damage; and***

Solution (for both e and f): with the dwelling being set on stumps and being 800mm above the 1% AEP flood event it is not anticipated that the development will result in the carriage of debris in flood waters or cause property damage.

Any building approval will require suitable design of the stumps to ensure the building remains on site.

(g) provide road access to buildings above the level of the 1% AEP flood level.

Solution: The property has frontage to Schmidt Road, which is also affected by the 1% AEP flood event for this location. The applicant puts forth the argument that the property is a short distance to a flood free section of Schmidt Road, and that given the extent of early warning systems now in place, all occupants of both the primary and secondary dwelling will vacate the premises in the event of a 1% AEP event.

It is recommended that the alternative solution be accepted in this instance.

6.1.4 Overall Outcome Assessment

The proposal is considered to comply with all of the relevant performance outcomes. As such, no assessment of the overall outcomes is required.

6.1.5 Further Assessment Detail

The application was initially recommended for refusal by Council's Development Design Manager in the absence of detailed ground level that confirmed depth of flooding on site. The applicant provided additional information including a detailed survey of the site, and amended plans, including moving the secondary dwelling closer to the existing Dwelling house. Based on the additional information Council's Development Design Manager **was not** supportive of the proposal.

Based on code assessment of the application, it is considered that approval of the application could be recommended on the basis that the proposal puts forward a strong argument that it can achieve the performance criteria for PO13. Additionally, the overall outcomes for the Flood hazard overlay code as it currently exists does not explicitly prevent the construction of secondary dwellings where within a Significant flood hazard area per the Flood hazard overlay map.

6.2 TRUNK INFRASTRUCTURE AND ADOPTED CHARGES

6.2.1 Local Government Infrastructure Plan

The site is not affected by a trunk infrastructure requirement of the Local Government Infrastructure Plan.

The proposal is considered to meet the desired standards of service with respect to the Transport network, Parks and open space, and Stormwater networks. The proposal will not result in any unreasonable burden on any of these Council networks.

6.2.2 Infrastructure Charges

Infrastructure charges are applicable for the development of a secondary dwelling. Per Council's Charges Resolution (No. 1) 2021, infrastructure charges are applicable for Council's stormwater, parks and open space, and local road network infrastructure.

If the development is approved, the applicant will be issued with an infrastructure charges notice in accordance with section 119 of the Act. A draft charges notice is provided per Attachment 10.

7.0 OTHER RELEVANT MATTERS

Not applicable to code assessment.

8.0 REFERRAL AGENCIES

In accordance with the *Planning Regulation 2017*, there are no referral agencies applicable for this application.

Council did not seek any third-party advice for this application.

9.0 PUBLIC NOTIFICATION

The application was subject to code assessment, and public notification was not required.

No comments or submissions have been received about this application.

10.0 DELEGATION OF AUTHORITY

The Chief Executive Officer has the power to act as the Assessment Manager for applications received by Council under Chapter 3 of the *Planning Act 2016* and to decide applications under section 60 of the *Planning Act 2016*. Council granted this power on Wednesday, 28 June 2017. This delegation was reviewed by Council on 24 January 2018.

11.0 ATTACHMENTS

1. Secondary Dwelling Site Layout Plan, 45 Schmidt Road, Fernvale, Drawing No. SK 001 Issue B, dated December 2021
2. Secondary Dwelling Height Above Flood Level Plan, 45 Schmidt Road, Fernvale, drawing no. SK002 Issue A, dated December 2021
3. Floor Plan, provided by PHE Luxwood, Project No. 2020002, drawing no. 2, revision A, dated 14 September 2021
4. Section A-A, provided by PHE Luxwood, Project No. 2020002, drawing no. 3, revision A, dated 14 September 2021 as annotated
5. Elevation A, provided by PHE Luxwood, Project No. 2020002, drawing no. 4, revision A, dated 14 September 2021 as annotated
6. Elevation B, provided by PHE Luxwood, Project No. 2020002, drawing no. 5, revision A, dated 14 September 2021 as annotated
7. Elevation C, provided by PHE Luxwood, Project No. 2020002, drawing no. 6, revision A, dated 14 September 2021 as annotated
8. Elevation D, provided by PHE Luxwood, Project No. 2020002, drawing no. 7, revision A, dated 14 September 2021 as annotated
9. Detail Survey, 45 Schmidt Road, Fernvale, provided by Finer Detail Surveying, Job No. 5124, drawing no. 5124-DwgA-RevA-211111, dated 11 November 2021
10. Draft Infrastructure Charges Notice for DA21281

12.0 RECOMMENDATION

THAT the Chief Executive Officer, as delegate of Council, approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling House (Secondary dwelling) affected by the Flood Hazard Overlay on land described as Lot 13 RP861508, situated at 45 Schmidt Road, Fernvale, subject to the recommended conditions and requirements contained in the attachments to this report.

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

| SCHEDULE 1 – GENERAL CONDITIONS | | |
|--|---|--|
| <i>Assessment Manager</i> | | |
| No | Condition | Timing |
| 1.1 | Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Secondary Dwelling Site Layout Plan, 45 Schmidt Road, Fernvale, Drawing No. SK 001 Issue B, dated December 2021 Secondary Dwelling Height Above Flood Level Plan, 45 Schmidt Road, Fernvale, drawing no. SK002 Issue A, dated December 2021 Floor Plan, provided by PHE Luxwood, Project No. 2020002, drawing no. 2, revision A, dated 14 September 2021 Section A-A, provided by PHE Luxwood, Project No. 2020002, drawing no. 3, revision A, dated 14 September 2021 as annotated Elevation A, provided by PHE Luxwood, Project No. 2020002, drawing no. 4, revision A, dated 14 September 2021 as annotated Elevation B, provided by PHE Luxwood, Project No. 2020002, drawing no. 5, revision A, dated 14 September 2021 as annotated Elevation C, provided by PHE Luxwood, Project No. 2020002, drawing no. 6, revision A, dated 14 September 2021 as annotated Elevation D, provided by PHE Luxwood, Project No. 2020002, drawing no. 7, revision A, dated 14 September 2021 as annotated Detail Survey, 45 Schmidt Road, Fernvale, provided by Finer Detail Surveying, Job No. 5124, drawing no. 5124-DwgA-RevA-211111, dated 11 November 2021 | At all times |
| 1.2 | Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws. | At all times |
| 1.3 | A legible copy of this development approval package is to be available on the premises. | At all times during the construction phase |
| 1.4 | Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land. | Prior to commencement of use. |
| 1.5 | Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. | Prior to commencement of works |

| | | |
|---------------------------------|--|------------------------------------|
| 1.6 | Building works and plumbing and drainage works approvals must be gained. | Prior to commencement of works |
| | | |
| SCHEDULE 2 – ENGINEERING | | |
| <i>Assessment Manager</i> | | |
| No | Condition | Timing |
| | Public Utilities/Infrastructure | |
| 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 |
| | | |
| | Building above flood level | |
| 2.4 | Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study. | Prior to the commencement of works |
| | | |
| 2.5 | <p>The current Defined Flood Event (DFE) is the 42.6 m elevation level and the following must be achieved:</p> <ul style="list-style-type: none"> Floor heights for habitable areas shall be a minimum of 800mm above the Defined Flood Event (DFE). The current DFE + 800mm is the 43.4m AHD. All hazardous, noxious material, or chemicals are located and stored above the DFE; Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. Contingency plans are in place to account for the potential need to evacuate the property should a flood event be forecast. | Prior to commencement of use |
| | | |
| | Stormwater drainage | |
| 2.6 | Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders. | At all times |
| | | |
| 2.7 | Adjoining properties and roadways are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development. | At all times |
| | | |

| | | |
|-----------------------------------|---|---------------------------|
| | Vehicle access | |
| 2.8 | The landowner is responsible for 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 |
| | | |
| | Erosion and sediment control | |
| 2.10 | <p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p> | At all times |
| | | |
| SCHEDULE 3 – ENVIRONMENTAL | | |
| Assessment Manager | | |
| No | Condition | Timing |
| 3.1 | All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council. | At all times |
| | | |
| 3.2 | All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council. | During construction phase |
| | | |
| 3.3 | <p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor • Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor • Stockpile any waste on the development site. | At all times |
| | | |
| 3.4 | <p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> • Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or • Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a | During construction phase |

| | | |
|---|---|--|
| | roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. | |
| | | |
| SCHEDULE 4 – ADVICE | | |
| Assessment Manager | | |
| 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. Secondary Dwelling Site Layout Plan, 45 Schmidt Road, Fernvale, Drawing No. SK 001 Issue B, dated December 2021
2. Secondary Dwelling Height Above Flood Level Plan, 45 Schmidt Road, Fernvale, drawing no. SK002 Issue A, dated December 2021
3. Floor Plan, provided by PHE Luxwood, Project No. 2020002, drawing no. 2, revision A, dated 14 September 2021
4. Section A-A, provided by PHE Luxwood, Project No. 2020002, drawing no. 3, revision A, dated 14 September 2021 as annotated

5. Elevation A, provided by PHE Luxwood, Project No. 2020002, drawing no. 4, revision A, dated 14 September 2021 as annotated
6. Elevation B, provided by PHE Luxwood, Project No. 2020002, drawing no. 5, revision A, dated 14 September 2021 as annotated
7. Elevation C, provided by PHE Luxwood, Project No. 2020002, drawing no. 6, revision A, dated 14 September 2021 as annotated
8. Elevation D, provided by PHE Luxwood, Project No. 2020002, drawing no. 7, revision A, dated 14 September 2021 as annotated
9. Detail Survey, 45 Schmidt Road, Fernvale, provided by Finer Detail Surveying, Job No. 5124, drawing no. 5124-DwgA-RevA-211111, dated 11 November 2021
10. Draft Infrastructure Charges Notice for DA21281

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“1. THAT the Chief Executive Officer, as delegate of Council, approve the Development Application for a Development Permit for a Material Change of Use for a Dwelling House (Secondary dwelling) affected by the Flood Hazard Overlay on land described as Lot 13 RP861508, situated at 45 Schmidt Road, Fernvale, subject to the recommended conditions and requirements contained in the attachments to this report.

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

SCHEDULE 1 – GENERAL CONDITIONS*Assessment Manager*

| No | Condition | Timing |
|-----|--|--------------|
| 1.1 | Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. | At all times |
| | Secondary Dwelling Site Layout Plan, 45 Schmidt Road, Fernvale, Drawing No. SK 001 Issue B, dated December 2021 | |
| | Secondary Dwelling Height Above Flood Level Plan, 45 Schmidt Road, Fernvale, drawing no. SK002 Issue A, dated December 2021 | |
| | Floor Plan, provided by PHE Luxwood, Project No. 2020002, drawing no. 2, revision A, dated 14 September 2021 | |
| | Section A-A, provided by PHE Luxwood, Project No. 2020002, drawing no. 3, revision A, dated 14 September 2021 as annotated | |
| | Elevation A, provided by PHE Luxwood, Project No. 2020002, drawing no. 4, revision A, dated 14 September 2021 as annotated | |
| | Elevation B, provided by PHE Luxwood, Project No. 2020002, drawing no. 5, revision A, dated 14 September 2021 as annotated | |
| | Elevation C, provided by PHE Luxwood, Project No. 2020002, | |

| | | |
|---------------------------------|--|--|
| | drawing no. 6, revision A, dated 14 September 2021 as annotated | |
| | Elevation D, provided by PHE Luxwood, Project No. 2020002, drawing no. 7, revision A, dated 14 September 2021 as annotated | |
| | Detail Survey, 45 Schmidt Road, Fernvale, provided by Finer Detail Surveying, Job No. 5124, drawing no. 5124-DwgA-RevA-211111, dated 11 November 2021 | |
| 1.2 | Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws. | At all times |
| 1.3 | A legible copy of this development approval package is to be available on the premises. | At all times during the construction phase |
| 1.4 | Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land. | Prior to commencement of use. |
| 1.5 | Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed. | Prior to commencement of works |
| 1.6 | Building works and plumbing and drainage works approvals must be gained. | Prior to commencement of works |
| SCHEDULE 2 – ENGINEERING | | |
| <i>Assessment Manager</i> | | |
| No | Condition | Timing |
| | Public Utilities/Infrastructure | |
| 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 |
| | Building above flood level | |
| 2.4 | Any filling below the Defined Flood Level (DFL) will be in accordance with an approved flood study. | Prior to the commencement of works |
| 2.5 | The current Defined Flood Event (DFE) is the 42.6 m elevation level and the following must be achieved: | Prior to commencement of use |

| | | |
|-----------------------------------|---|---------------|
| | <ul style="list-style-type: none"> Floor heights for habitable areas shall be a minimum of 800mm above the Defined Flood Event (DFE). The current DFE + 800mm is the 43.4m AHD. All hazardous, noxious material, or chemicals are located and stored above the DFE; Electrical switchboards, power points, main data servers and the like are positioned above the DFE. Electrical and data installations below the DFE are designed and constructed to withstand submergence in flood water. Contingency plans are in place to account for the potential need to evacuate the property should a flood event be forecast. | |
| | Stormwater drainage | |
| 2.6 | Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders. | At all times |
| 2.7 | Adjoining properties and roadways are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development. | At all times |
| | Vehicle access | |
| 2.8 | The landowner is responsible for 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 |
| | Erosion and sediment control | |
| 2.10 | <p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p> | At all times |
| SCHEDULE 3 – ENVIRONMENTAL | | |
| Assessment Manager | | |
| No | Condition | Timing |
| 3.1 | All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise | At all times |

| | | |
|-----|---|---------------------------|
| | approved by Council. | |
| 3.2 | All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council. | During construction phase |
| 3.3 | The holder of this development approval must not: <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor • Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor • Stockpile any waste on the development site. | At all times |
| 3.4 | The holder of this development approval must not: <ul style="list-style-type: none"> • Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or • Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. | During construction phase |

SCHEDULE 4 – ADVICE**Assessment Manager**

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

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

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

The *Planning Act 2016* provides for a person to make a change to this development application outside the 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. |
| <u>Carried</u> |
| <i>Vote - Unanimous</i> |

| | |
|------------------------|--|
| Subject: | Development Application No. 5869 Change Application to Development Approval – Minor Change under section 81 of the <i>Planning Act 2016</i> |
| File No: | DA5869 |
| Action Officer: | SP-MW |
| Assessment No: | 04123-00000-000 |

1.0 APPLICATION SUMMARY

Subject Land

| | |
|---------------------------|------------------------------|
| Location | 156 Skew Gully Road, Buaraba |
| Real Property Description | Lot 44 RP12464 |
| Area | 113.261 ha |

Former Esk Shire Planning Scheme 2005 (as amended)

| | |
|----------|--|
| Zone | Rural |
| Precinct | Part Arable Agricultural and part Catchment Valleys Precinct |

ShapingSEQ

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

Application

| | |
|---------------------------------|--|
| Original Category of Assessment | Impact assessment |
| Original Date of Approval | 16 May 2008 |
| Applicants contact details | I.B. Town Planning Attn Ian Buchanan, Planning Consultant PO Box 501 KALLANGUR QLD 4503 |
| Land Owner | Edith Pastoral Company Pty Ltd Attn: John Jackson PO Box 1212 SURFERS PARADISE QLD 4217 |
| Date application received | 30 November 2021 |

State Agency Referrals

Concurrence

Department of Infrastructure, Local Government and Planning (DILGP) – State Assessment Referral Agency (SARA)

RECOMMENDED DECISION

Approve the request to change the development approval for Development Application No. 5869 subject to the amended conditions and requirements contained in the Schedules.



**Locality plan Lot 44 RP12464 –
156 Skew Gully Road, Buaraba**

2.0 BACKGROUND TO APPROVAL

By way of background, Council on the 23 May 1995 conditionally approved an application for Town Planning Consent (TPC 267) for the purpose of an Extractive Industry over Lot 44 on RP12464 to extract material from Buaraba Creek watercourse. Council issued a Town Planning Consent Permit on 8 April 1998. The use operated under the Consent Permit on an intermittent basis. However, during 2006 a decision of the Department of Natural Resources and Water not to allow the continuation of Waterworks Licences along Buaraba Creek for extractive purposes necessitated all resources be sourced from the land.

Hence, the applicant lodged Development Application No. 5869 on 8 February 2007 and Council on 16 May 2008 conditionally approved the application for a Development Permit for a Material Change of Use for an Extractive Industry to extract sand and gravel and associated materials from Lot 44 on RP12464, situated along Skew Gully Road, Buaraba. Council also approved a Development Permit for a Material Change of Use for Environmentally Relevant Activities (ERA) 20(b) - Extracting Rock or other material; and ERA 22(c) – Screening materials.

The approved extractive industry involves raw material being extracted from the land and loaded onto trucks. The material is hauled to the screening plants and loading ramp for wet and dry processing. The material is sized and stockpiled onsite. Finished products are distributed from the stockpiles by loaders with sand and gravel and then transferred onto trucks for transport to clientele and project sites.

The original development application required assessment under the Referral Co-ordination Process by the following entities:

- Council of the Shire of Esk – Assessment Manager
- Environmental Protection Agency – concurrence agency – Environmentally Relevant Activities;
- Department of Natural Resources and Water – concurrence agency – Assessable vegetation; and
- Department of Main Road – concurrence agency – land contiguous to a State Controlled Road (Gatton-Esk Road).

It is also noted, Council on 28 September 2015 conditionally approved a Request to Change the Development Approval for DA5869 by way of a Permissible Change under Section 369 of the *Sustainable Planning Act 2009*. The applicant requested that Council remove the requirement for the escalation of the bank guarantee and instead reflect the bank guarantee amount of \$200,000 based on the complete development. Council supported the representations made and amended Condition 1.15 and deleted the original Condition 1.16 as shown in the conditions below.

3.0 SITE DETAILS

The site is described as Lot 44 RP12464 and is located along Skew Gully Road, Buraba. The site has an area of 113.261 hectares and backs onto Buaraba Creek and is located within the rural zone. The site has frontage to Skew Gully Road, which intersects with the Gatton-Esk Road to the west of the site.

The existing processing plant is located in the southwestern part of the site, with associated dams and ponds situated between the processing plant and the creek. Water is sourced from Buaraba Creek under an existing Permit for the purpose of wet processing of sand and gravel; and also for the control of dust emissions.

A water processing system, utilising three sediment dams and a 5-megalitre recycling dam has been established on the site to treat contaminants including sediments from screening plant discharges and stormwater runoff. A system of diversion swales has also been constructed to divert clean runoff water around the site. Potentially sediment laden stormwater runoff from the operations area is controlled by diversion swales discharging to the sediment dams and main recycling dam. Wastewater from the wet screening process is conveyed in the open drains, through the three sediment dams and finally to the water recycling dam. The water is then recycled via pumping to the processing plant for reuse.

4.0 REQUESTED CHANGE

The change proposes an increase in the amount of material extracted from the pits per year. The applicant has provided the following comments:

“The current development permit includes the following:

- *Material Change of Use for Extractive Industry (Materials extracted from the land);*
- *Material Change of Use for the following Environmentally Relevant Activities:*

- ERA 20(b) – Extracting Rock or Other Material, having a capacity of 5,000 tonne or more, but less than 100,000 tonne, a year; and
- ERA22(c) – Screening, washing, crushing, grinding, milling, sizing or separating material extracted, having a capacity of more than 100,000 tonne, a year.

The existing development permit therefore allows up to 100,000 tonnes of material to be extracted from the land per year, and more than 100,000 tonnes of material to be processed on the site per year.

Subsequent changes to the Environmental Protection Regulation has resulted in changes to the ERA description numbers. As a consequence, the Environmental Authority in place over the land now refers to the following Environmentally Relevant Activities that are authorised to occur:

- ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material: (a) 5,000t to 100,000t
- ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material: (c) more than 1,000,000t

Consistent with the current development permit, the Environmental Authority allows for up to 100,000t of material to be extracted from the site per year, and allows more than 1,000,000t of material to be processed per year

The existing development approval that applies to the land therefore allows for material to be brought to the site to be processed, in addition to material that is extracted from the site. For example, an approved processing capacity of 1,000,000t of material per year, allows for 100,000t of material to be extracted from the site and processed, plus 900,000t of material to be transported to the site and processed per year under the current approvals.

Given the level of demand for sand and gravel materials, and the small number of facilities that are available to produce this within the region, our client is proposing to change the current approval to increase the amount of material that can be extracted from the site from a maximum of 100,000 tonnes per year, to 500,000 tonnes per year. While the next increment in the ERA threshold (ERA16, 2(b)) would be from 100,000 tonnes to 1,000,000 tonnes per year, it is not proposed to increase the extraction output to the maximum level under that ERA. It is proposed that the maximum threshold for extraction would be no more than 500,000 tonnes per year.

Following on from our recent discussions with Council, while it is anticipated that the demand for sand and gravel material to be extracted from the site in the foreseeable future is likely to be in the vicinity of 300,000 tonnes per year, the proposed change seeks to increase the threshold to 500,000 tonnes per year in order to ensure that any increase in demand over time can be accommodated within the approval without the need to make further change requests. It is noted that the proposal to increase the volume of material that can be extracted from the site is still less than half the volume of what the current approval allows to be processed on the site.

In order to make this change, there will be no need for any changes to site infrastructure. The existing processing plant is already approved to screen and process more than 1,000,000 tonnes of material per year. The only change will therefore be the amount of material that is carted from the extraction pit to the processing area in any given year. The plant on the site has the capacity to crush and screen at least 200 tonnes per hour. For an average 10 hour working day, this equates to 2,000 tonnes per day, therefore the current extraction threshold of 100,000 tonnes per year can be processed in 50 working days (measured continuously). If the extraction threshold from the pit was increased to 500,000 tonnes per year, that would increase the number of full days where material is extracted and carted from the pit from 50 to 250 per year.

The proposed change would therefore not result in any change to site operations or infrastructure. The only change would be the total number of days where material is extracted from the pit in any given year. No change to external infrastructure would be warranted either, as the current approval allows for more than 1,000,000 tonnes of material to be processed and transported from the site.

As the net result from the proposed change is an increase in the number of days that extraction activities within the pit, and the internal movement of extracted material will occur, there is no proposal to change existing site infrastructure or machinery. The same machinery will be used for extracting and transporting material, the same crushing and screening plant will be used for processing the material, and the same management/administration infrastructure (site office, weighbridge, maintenance sheds) will be used. The only noticeable change that would result from the increase in extraction activities on the site is a corresponding reduction in external vehicle movements transporting material to the site for processing that is authorized by the existing approvals. The proposed change is therefore considered to constitute a Minor Change to the current development approval, as the change is limited to an increase in internal vehicle movements between the extraction pit and processing area, and a reduction in external vehicle movements to the site.

While increasing the threshold for extracting material from the site from 100,000 tonnes per year to 500,000 tonnes per year may seem significant if considered in isolation, the proposed change to internal processes and vehicle movements will not result in substantially different development.

Having regard to the existing development permit, it is acknowledged that the current plan of development that was approved by Council in May 2008 is a conceptual, hand drawn plan that provides a general location for extraction pits, site infrastructure and proposed setbacks to Buaraba Creek. To assist with Council's assessment of the proposed change, please find attached to this application an updated site plan that has been prepared by Ken McDonald Surveys, which provides more accurate detail collated from site survey including the location of:

- *The existing extent of Extraction Pit 1;*
- *Internal haul roads and access roads;*
- *The processing plant and associated stockpile areas;*
- *Site office and weighbridge, and maintenance sheds;*
- *Sedimentation ponds and recycle dam; and*
- *The concrete plant approved by Council under development permit DA15865.*

As a consequence of the minor nature of the change proposed, a review of the current development permit conditions has identified that there is no change to any of the existing conditions that will be necessary as a consequence of the change, apart from amending the reference to the Site Plan in Condition 1.1, which can be updated to reference the most up to date survey information in the attached site plan prepared by Ken McDonald Surveys.”

Officer's Comments

This change application only relates to the Material change of use application. Any changes to the ERAs are subject to separate application directly to the State Assessment Referral Agency (SARA). A separate application was lodged with SARA on 23 December 2021.

The applicant has requested the amendment of Condition 1.1, currently set out as follows:

| | | |
|-----|--|--------------|
| 1.1 | <p>Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan listed below, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Staging and Detail Plan referenced Lot 44 Skew Gully Road, Buaraba Creek, Lot 44 on RP12464 and DA5869; • Extraction Pit Detail Plan • Environmental Impact Study received 15 June 2007 • Rehabilitation Plan received 21 August 2007 • Site Based Management Plan dated 14 November 2007 Reference Number: DA5869 and received by Council on 14 February 2008 • The Environmental Protection Agency Concurrence Agency Response and Conditions of Approval referenced as 240239, EPA Certificate of Registration No: ENRE00740208 and EPA Permit Number: IPCE00589507 • The Department of Natural Resources and Water Concurrence Agency Response and Conditions of Approval referenced as IC0307BEE0015_ESK8577, dated 18 July 2007 • The Department of Main Roads Concurrence Agency Response dated 19 July 2007 | At all times |
|-----|--|--------------|

Condition 1.1

The amended plan reflects the current and proposed

The amended plans have required a change to correctly reference the updated documents.

The amended wording is therefore proposed to be:

| | | |
|-----|--|--------------|
| 1.1 | <p>Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan listed below, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Plan of Quarry within Lot 44 on RP12464, Dwg No. 20150 Rev A, prepared by Ken McDonald Surveys, dated 4 September 2020. • Staging and Detail Plan referenced Lot 44 Skew Gully Road, Buaraba Creek, Lot 44 on RP12464 and DA5869; | At all times |
|-----|--|--------------|

| | | |
|--|--|--|
| | <ul style="list-style-type: none"> • Extraction Pit Detail Plan • Environmental Impact Study received 15 June 2007 • Rehabilitation Plan received 21 August 2007 • Site Based Management Plan dated 14 November 2007 Reference Number: DA5869 and received by Council on 14 February 2008 • The Environmental Protection Agency Concurrence Agency Response and Conditions of Approval referenced as 240239, EPA Certificate of Registration No: ENRE00740208 and EPA Permit Number: IPCE00589507 • The Department of Natural Resources and Water Concurrence Agency Response and Conditions of Approval referenced as IC0307BEE0015_ESK8577, dated 18 July 2007 • The Department of Main Roads Concurrence Agency Response dated 19 July 2007 | |
|--|--|--|

5.0 PLANNING CONSIDERATIONS

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

81 Assessing change applications for minor changes

- (1) *This section applies to a change application for a minor change to a development approval.*
- (2) *In assessing the change application, the responsible entity must consider—*
 - (a) *the information the applicant included with the application; and*
 - (b) *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*
 - (c) *any pre-request response notice or response notice given in relation to the change application; and*
 - (d) *if the responsible entity is, under [section 78A\(3\)](#), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*
 - (da) *if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*
 - (e) *another matter that the responsible entity considers relevant.*
- (3) *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da), consider—*
 - (a) *a statutory instrument; or*
 - (b) *another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
- (4) *The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.*
- (5) *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to—*
 - (a) *the statutory instrument or other document as in effect when the change application was made; or*
 - (b) *if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or*

- (c) *another statutory instrument—*
 - (i) *that comes into effect after the change application is made but before it is decided; and*
 - (ii) *that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.*

Under Schedule 1 of the Development Assessment Rules, criteria is established for what constitutes a Substantially Different Development.

1. An assessment manager or responsible entity may determine that the change is a minor change to a development application or development approval, where – amongst other criteria – a minor change is a change that would not result in ‘substantially different’ development.
2. An assessment manager or responsible entity must determine if the proposed change would result in substantially different development for a change—
 - (a) made to a proposed development application the subject of a response given under section 57(3) of the Act and a properly made application;
 - (b) made to a development application in accordance with part 6;
 - (c) made to a development approval after the appeal period.
3. In determining whether the proposed change would result in substantially different development, the assessment manager or referral agency must consider the individual circumstances of the development, in the context of the change proposed.
4. A change may be considered to result in a substantially different development if any of the following apply to the proposed change:
 - (a) involves a new use; or
 - (b) results in the application applying to a new parcel of land; or
 - (c) dramatically changes the built form in terms of scale, bulk and appearance; or
 - (d) changes the ability of the proposed development to operate as intended; or
 - (e) removes a component that is integral to the operation of the development; or
 - (f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or
 - (g) introduces new impacts or increase the severity of known impacts; or
 - (h) removes an incentive or offset component that would have balanced a negative impact of the development; or
 - (i) impacts on infrastructure provisions.

The development does not involve a new use. The development does not involve a new parcel of land.

While there is the likelihood the scale of the development will increase in terms of output, (c), specifically references the built form. As such, the increase in output does not require changes or upgrades to the existing buildings or structure.

The proposed change does not result in the operation changing its ability to operate as intended, nor does it impact upon the ability of the proposed development to operate as intended.

The proposed change could potentially be considered to impact upon traffic flow, however the existing ERAs enable a scale of development of over 1,000,000 tonnes per annum, comprising material being brought to site as well as material being extracted on-site. The proposed development provides for additional material being extracted on site, but does not involve an increase in the combined amount of material leaving the site.

The development does not involve new impacts, however the proposed change enables additional material to be extracted on site.

The outcomes of this change are as follows:

- The increase in amount of material extracted from the site has no net impact upon the amount of material ultimately leaving the site, as the existing approval also allows for material to be brought to site.
- Effectively the proposed change reduces the overall costs of transporting the higher percentage of extracted material to the site from external sources.
- The amount of material ultimately leaving the site is contingent upon the capacity of the plant and machinery on site.

The nearest sensitive receptors to the disturbed areas of the site are currently approximately 1.2km to the west, 900m to the east, 850m to the north, 1.3km to the south, and 1.15km to the southeast.

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

6.0 OTHER PLANNING CONSIDERATIONS

6.1 Referral Agencies

In accordance with section 80 of the Planning Act 2016, the State Assessment and Referral Agency (SARA) is not considered an affected entity of the minor change, and as such no comments or conditions have been sought from the Department of State Development, Infrastructure, Local Government and Planning. The Department will, however, be provided with a copy of the Decision Notice.

The applicant has lodged a separate application to change the Environmentally Relevant Activities. Council received notification of this change on 23 December 2021 and has 15 days from date of receipt to respond to SARA regarding any comment Council may have about the proposed change.

6.2 Public awareness of the proposed development

The site has contained an active extractive industry development for approximately 25 years. While the original extractive industry ceased in 2005, the current extractive industry has been operational on site since 2008. If the application had been submitted as a new application with the proposed design, the Category of Assessment would remain as impact assessment, requiring public notification.

Council received one submission when the development was originally publicly notified in 2007. The submitter raised general concerns about the dust and noise emissions from all the extractive industry sites within the surrounding area and also to noise issues from approved kennels in the surrounding locality and odour from approved feedlots.

Noise and other environmental matters have previously been addressed as a part of the approved Material change of use and ERA conditions. Any changes to the ERA will be addressed as a part of the separate change request lodged with SARA.

7.0 CONCLUSION

The proposed minor change will facilitate the ongoing operation of the existing extractive industry, noting the change will enable additional extraction of material on site, however the overall capacity of the development is effectively capped based upon the daily amount of

material that can be crushed on the site. Any increase to the capacity of the crushing plant would result in an Other Change application.

8.0 ATTACHMENT

- **Plan of Quarry within Lot 44 on RP12464, Dwg No. 20150 Rev A, prepared by Ken McDonald Surveys, dated 4 September 2020.**
 - Extraction Pit Detail Plan
 - Environmental Impact Study received 15 June 2007
 - Rehabilitation Plan received 21 August 2007
 - Site Based Management Plan dated 14 November 2007 Reference Number: DA5869 and received by Council on 14 February 2008
 - The **Environmental Protection Agency** Concurrence Agency Response and Conditions of Approval referenced as 240239, EPA Certificate of Registration No: ENRE00740208 and EPA Permit Number: IPCE00589507
 - The **Department of Natural Resources and Water** Concurrence Agency Response and Conditions of Approval referenced as IC0307BEE0015_ESK8577, dated 18 July 2007
- The **Department of Main Roads** Concurrence Agency Response dated 19 July 2007

RECOMMENDED DECISION

That Council approves the Change Application under section 81 of the *Planning Act 2016* for DA5869 for a Development Permit for an Extractive Industry on land described as Lot 44 RP12464 at 156 Skew Gully Road, Buaraba, subject to the conditions contained in the Schedules and Attachments.

SCHEDULES

| SCHEDULE 1 – Planning <i>Assessment Manager</i> | | |
|--|---|--------------|
| No | Condition | Timing |
| 1.1 | <p>Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan listed below, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Plan of Quarry within Lot 44 on RP12464, Dwg No. 20150 Rev A, prepared by Ken McDonald Surveys, dated 4 September 2020. • Staging and Detail Plan referenced Lot 44 Skew Gully Road, Buaraba Creek, Lot 44 on RP12464 and DA5869; • Extraction Pit Detail Plan • Environmental Impact Study received 15 June 2007 • Rehabilitation Plan received 21 August 2007 • Site Based Management Plan dated 14 November 2007 Reference Number: DA5869 and received by Council on 14 February 2008 • The Environmental Protection Agency Concurrence Agency Response and Conditions of Approval referenced as 240239, EPA Certificate of Registration No: ENRE00740208 and EPA Permit Number: IPCE00589507 • The Department of Natural Resources and Water Concurrence Agency Response and Conditions of Approval | At all times |

| | | |
|------|---|---|
| | referenced as IC0307BEE0015_ESK8577, dated 18 July 2007 • The Department of Main Roads Concurrence Agency Response dated 19 July 2007 | |
| | | |
| 1.2 | Comply with the relevant provisions of the Esk Planning Scheme 2005, Planning Scheme Policies and Local Laws. | At all times |
| | | |
| 1.3 | A legible copy of this development approval package is to be made available on the premises. | At all times |
| | | |
| 1.4 | Pay to Council any outstanding charges or expenses levied by Council over the subject land. | Prior to commencement of the approved use |
| | | |
| 1.5 | Unless otherwise approved by Council in writing, the 'Hours of Operation' for the Extractive Industry Operations (<i>materials extracted from the land</i>) shall be: <input type="checkbox"/> Monday to Friday – 6:00am to 6:00pm <input type="checkbox"/> Saturday only – 6:00am to 3:00pm <input type="checkbox"/> No work permitted on Sundays or Public Holidays. | At all times |
| | | |
| 1.6 | Provide three (3) vehicular parking spaces for employees in accordance with Council's Planning Scheme Policy No: 3 – <i>Standards for Provision and Construction of Parking Areas</i> . | Prior to commencement of the approved use |
| | | |
| 1.7 | The vehicular parking area is to be constructed and maintained to all weather standard. | For the life of the operations |
| | | |
| 1.8 | Provide onsite direction-signage for vehicles entering the site and accessing the Site Office and Amenities Building. | Prior to commencement of the approved use |
| | | |
| 1.9 | Approval of any proposed Building Works will be required under the <i>Integrated Planning Act 1997 (IPA)</i> . | Prior to commencement of the approved use |
| | | |
| 1.10 | Security and flood lighting shall be designed, constructed, installed and maintained in accordance with the Australian Standard AS4282-1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the | At all times |

| | | |
|------|---|--|
| | occupants of nearby properties. | |
| | | |
| 1.11 | The approved use shall not cause any adverse impact on the amenity of the neighbourhood by reasons of the emission of noise, vibration, glare, fumes, smoke, dust, waste water, waste products or otherwise. | At all times |
| | | |
| 1.12 | The Registered Operator shall be responsible for protecting nearby property owners from dust pollution arising from the construction and ongoing maintenance of the development and shall comply with any lawful instruction from Council, if in Council's opinion a dust nuisance exists. | At all times |
| | | |
| 1.13 | The Registered Operator shall be responsible for protecting nearby property owners from noise emissions arising from the construction and ongoing maintenance of the development and shall comply with any lawful instruction from Council, if in Council's opinion a noise nuisance exists. | At all times |
| | | |
| 1.14 | Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development. | At all times |
| | | |
| 1.15 | The Registered Operator of the approved development must provide to Council a bond or bank guarantee to the value of \$200,000 to secure the undertaking of rehabilitation works. | Prior to commencement of the approved use |
| | | |
| 1.16 | An additional bond or bank guarantee is to be lodged/updated on a 3 yearly basis calculated in accordance with the All Capital Cities Australian Bureau of Statistics Consumer Price Index. For example: if the Consumer Price Index in Years 1, 2 and 3 is 3% an additional bond or bank guarantee of \$18,000 for the 3 years must be provided to Council. | At the end of the relevant financial year |
| | | |
| 1.16 | On termination of extractive operations and completion of restoration of the site in accordance with Council approval, 80% of the bond or bank guarantee will be returned, and 20% returned after the restoration of the site has been effectively and successfully maintained for a period of five years. | On termination of extractive operations and completion of restoration areas. Restoration successfully maintained for a period of five |

| | | |
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| | | years. |
| | | |
| SCHEDULE 2 – REFERRAL AGENCY ENVIRONMENTAL PROTECTION AGENCY <i>Concurrence Agency Status</i> <i>Agency Response: Recommend Conditions Apply</i> | | |
| 2.1 | The Environmental Protection Agency is a concurrence agency under the <i>Integrated Planning Regulation 1998</i> for the purposes of the <i>Environmental Protection Act 1994</i> . The EPA has advised Council that Development Application No. 5869 has been assessed, and has been granted with conditions. | |
| | | |
| 2.2 | The Environmental Protection Agency Response will be attached to Council’s Decision Notice for DA 5869. | |
| | | |
| 2.3 | The Concurrence Agency Response Notice is referenced: 240239. The Certificate of Registration is referenced: ENRE00740208. The EPA Permit number is: IPCE00589507. | |
| | | |
| SCHEDULE 3 – REFERRAL AGENCY DEPARTMENT OF NATURAL RESOURCES and WATER <i>Concurrence Agency Status</i> <i>Agency Response: Recommend Conditions Apply</i> | | |
| 3.1 | The Department of Natural Resources and Water as a concurrence agency under the <i>Integrated Planning Regulation 1998</i> for the purposes of the <i>Vegetation Management Act 1999</i> , has assessed the impact of the proposed development on the regional ecosystem. NR and W has advised Council that Development Application No. 5869 has been assessed and granted with conditions. | |
| | | |
| 3.2 | The Department of Natural Resources and Water Response will be attached to Council’s Decision Notice for DA5869. | |
| | | |
| 3.3 | The Concurrence Agency Response Notice is referenced: IC0307BEE0015A_ESK8577 | |
| | | |
| SCHEDULE 4 – ADVISORY NOTES | | |
| No. | Advice | |
| 4.1 | This approval has effect in accordance with the provisions of Section 3.5.19 of the <i>Integrated Planning Act 1997</i> . | |
| | | |
| 4.2 | All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act 1995 (as amended)</i> and the <i>workplace Health and Safety Regulation 1997 (as amended)</i> . | |
| | | |
| 4.3 | All Operational Work is to comply with relevant codes for design and construction. | |
| | | |
| 4.4 | The <i>Integrated Planning Act 1997 (IPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval. | |
| | | |
| 4.5 | All building work is to comply with the provisions contained in the <i>Building Act</i> , the <i>Building Regulation</i> , and <i>Building Code of Australia</i> , <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> . | |

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| 4.6 | Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval. |
| 4.7 | <p>The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.</p> <p>Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.</p> |

A copy of the decision will be sent to the State Assessment and Referral Agency.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“That Council approves the Change Application under section 81 of the *Planning Act 2016* for DA5869 for a Development Permit for an Extractive Industry on land described as Lot 44 RP12464 at 156 Skew Gully Road, Buaraba, subject to the conditions contained in the Schedules and Attachments.”

SCHEDULES

SCHEDULE 1 – Planning

Assessment Manager

| No | Condition | Timing |
|-----|---|--------------|
| 1.1 | <p>Carry out the development in accordance with the material contained in the development application, supporting documentation and the plan listed below, except where amended by these conditions of approval:</p> <ul style="list-style-type: none"> • Plan of Quarry within Lot 44 on RP12464, Dwg No. 20150 Rev A, prepared by Ken McDonald Surveys, dated 4 September 2020. • Staging and Detail Plan referenced Lot 44 Skew Gully Road, Buaraba Creek, Lot 44 on RP12464 and DA5869; • Extraction Pit Detail Plan • Environmental Impact Study received 15 June 2007 • Rehabilitation Plan received 21 August 2007 • Site Based Management Plan dated 14 November 2007 Reference Number: DA5869 and received by Council on 14 February 2008 • The Environmental Protection Agency Concurrence Agency Response and Conditions of Approval referenced as 240239, EPA Certificate of Registration No: ENRE00740208 and EPA Permit Number: IPCE00589507 • The Department of Natural Resources and Water Concurrence Agency Response and Conditions of Approval referenced as IC0307BEE0015_ESK8577, dated 18 July 2007 • The Department of Main Roads Concurrence Agency Response dated 19 July 2007 | At all times |

| | | |
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| | | |
| 1.2 | Comply with the relevant provisions of the Esk Planning Scheme 2005, Planning Scheme Policies and Local Laws. | At all times |
| | | |
| 1.3 | A legible copy of this development approval package is to be made available on the premises. | At all times |
| | | |
| 1.4 | Pay to Council any outstanding charges or expenses levied by Council over the subject land. | Prior to commencement of the approved use |
| | | |
| 1.5 | Unless otherwise approved by Council in writing, the 'Hours of Operation' for the Extractive Industry Operations (<i>materials extracted from the land</i>) shall be: <ul style="list-style-type: none"> ❑ Monday to Friday – 6:00am to 6:00pm ❑ Saturday only – 6:00am to 3:00pm ❑ No work permitted on Sundays or Public Holidays. | At all times |
| | | |
| 1.6 | Provide three (3) vehicular parking spaces for employees in accordance with Council's Planning Scheme Policy No: 3 – <i>Standards for Provision and Construction of Parking Areas</i> . | Prior to commencement of the approved use |
| | | |
| 1.7 | The vehicular parking area is to be constructed and maintained to all weather standard. | For the life of the operations |
| | | |
| 1.8 | Provide onsite direction-signage for vehicles entering the site and accessing the Site Office and Amenities Building. | Prior to commencement of the approved use |
| | | |
| 1.9 | Approval of any proposed Building Works will be required under the <i>Integrated Planning Act 1997 (IPA)</i> . | Prior to commencement of the approved use |
| | | |
| 1.10 | Security and flood lighting shall be designed, constructed, installed and maintained in accordance with the Australian Standard AS4282-1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties. | At all times |
| | | |

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| 1.11 | The approved use shall not cause any adverse impact on the amenity of the neighbourhood by reasons of the emission of noise, vibration, glare, fumes, smoke, dust, waste water, waste products or otherwise. | At all times |
| | | |
| 1.12 | The Registered Operator shall be responsible for protecting nearby property owners from dust pollution arising from the construction and ongoing maintenance of the development and shall comply with any lawful instruction from Council, if in Council's opinion a dust nuisance exists. | At all times |
| | | |
| 1.13 | The Registered Operator shall be responsible for protecting nearby property owners from noise emissions arising from the construction and ongoing maintenance of the development and shall comply with any lawful instruction from Council, if in Council's opinion a noise nuisance exists. | At all times |
| | | |
| 1.14 | Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development. | At all times |
| | | |
| 1.15 | The Registered Operator of the approved development must provide to Council a bond or bank guarantee to the value of \$200,000 to secure the undertaking of rehabilitation works. | Prior to commencement of the approved use |
| | | |
| 1.16 | An additional bond or bank guarantee is to be lodged/updated on a 3 yearly basis calculated in accordance with the All Capital Cities Australian Bureau of Statistics Consumer Price Index. For example: if the Consumer Price Index in Years 1, 2 and 3 is 3% an additional bond or bank guarantee of \$18,000 for the 3 years must be provided to Council. | At the end of the relevant financial year |
| | | |
| 1.17 1.16 | On termination of extractive operations and completion of restoration of the site in accordance with Council approval, 80% of the bond or bank guarantee will be returned, and 20% returned after the restoration of the site has been effectively and successfully maintained for a period of five years. | On termination of extractive operations and completion of restoration areas. Restoration successfully maintained for a period of five years. |
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| SCHEDULE 2 – REFERRAL AGENCY | |
| ENVIRONMENTAL PROTECTION AGENCY | |
| <i>Concurrence Agency Status</i> | |
| <i>Agency Response: Recommend Conditions Apply</i> | |
| 2.1 | The Environmental Protection Agency is a concurrence agency under the <i>Integrated Planning Regulation 1998</i> for the purposes of the <i>Environmental Protection Act 1994</i> . The EPA has advised Council that Development Application No. 5869 has been assessed, and has been granted with conditions. |
| 2.2 | The Environmental Protection Agency Response will be attached to Council's Decision Notice for DA 5869. |
| 2.3 | The Concurrence Agency Response Notice is referenced: 240239. The Certificate of Registration is referenced: ENRE00740208. The EPA Permit number is: IPCE00589507. |
| SCHEDULE 3 – REFERRAL AGENCY | |
| DEPARTMENT OF NATURAL RESOURCES and WATER | |
| <i>Concurrence Agency Status</i> | |
| <i>Agency Response: Recommend Conditions Apply</i> | |
| 3.1 | The Department of Natural Resources and Water as a concurrence agency under the <i>Integrated Planning Regulation 1998</i> for the purposes of the <i>Vegetation Management Act 1999</i> , has assessed the impact of the proposed development on the regional ecosystem. NR and W has advised Council that Development Application No. 5869 has been assessed and granted with conditions. |
| 3.2 | The Department of Natural Resources and Water Response will be attached to Council's Decision Notice for DA5869. |
| 3.3 | The Concurrence Agency Response Notice is referenced: IC0307BEE0015A_ESK8577 |
| SCHEDULE 4 – ADVISORY NOTES | |
| No. | Advice |
| 4.1 | This approval has effect in accordance with the provisions of Section 3.5.19 of the <i>Integrated Planning Act 1997</i> . |
| 4.2 | All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act 1995 (as amended)</i> and the <i>workplace Health and Safety Regulation 1997 (as amended)</i> . |
| 4.3 | All Operational Work is to comply with relevant codes for design and construction. |
| 4.4 | The <i>Integrated Planning Act 1997 (IPA)</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval. |
| 4.5 | All building work is to comply with the provisions contained in the <i>Building Act</i> , the <i>Building Regulation</i> , and <i>Building Code of Australia</i> , <i>Queensland Development Code</i> and <i>relevant Australian Standards</i> . |
| 4.6 | Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval. |

| | |
|-----|--|
| 4.7 | <p>The Applicant has the Right of Appeal to the Planning and Environment Court regarding the conditions of this approval.</p> <p>Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p> |
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| Subject: File No: Action Officer: Assessment No: | Development Application No. DA21517 Development Application for a Development Permit for Reconfiguring a Lot by Subdivision (One Lot into Four Lots) DA21517 PO-MS 02654-00000-000 |
|---|---|

1.0 APPLICATION SUMMARY

Subject Land

| | |
|----------------------------|----------------------------|
| Location | 126 Fairfield Road, Lowood |
| Real Property Description | Lot 5 RP132977 |
| Area | 3.265 hectares |
| Current land use | Dwelling house |
| Easements and Encumbrances | Nil identified |

Somerset Region Planning Scheme Version Four

| | |
|----------|--|
| Zone | Emerging Community |
| Overlays | OM8 HIA Management Area OM12 Scenic Amenity |

Shaping SEQ: SEQ Regional Plan 2017

| | |
|-------------------|-----------------|
| Land Use Category | Urban Footprint |
|-------------------|-----------------|

Application

| | |
|----------------------------|--|
| Proposed development | Reconfiguring a lot by subdivision (one lot into four lots) |
| Level of Assessment | Impact assessable |
| Applicant/s | JB and PM Cameron |
| Applicants contact details | C/- Adams and Sparkes Town Planning Attention: Pete Sparkes/Aspen Storey PO Box 1000 BUDDINA QLD 4557 |
| Landowner/s | G and G Hirsch |
| Date application received | 1 October 2021 |
| Date properly made | 1 October 2021 |

| | |
|--------------------------|-----|
| Referral Agencies | Nil |
|--------------------------|-----|

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|----------------------------|---|
| Public notification | Notification undertaken 25 November 2021 – 16 December 2021 |
|----------------------------|---|

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|---------------------------|--------------|
| Public submissions | Nil received |
|---------------------------|--------------|

RECOMMENDED DECISION

Approve the Development Application No. DA21517 subject to the requirements and conditions contained in the Schedules and Attachments.



Locality Plan of Lot 5 on RP132977
Situated at 126 Fairfield Road, Lowood

2.0 APPLICATION

The application seeks a development permit for reconfiguring a lot by subdivision (one lot into four lots).

The application is made under Version Four of the Somerset Region Planning Scheme (the planning scheme). The site is located within the Emerging Community zone.

The application is required because the planning scheme categorises the subdivision of property within the Emerging Community zone as code assessable development, or subject to impact assessment where not achieving the minimum lot size and dimensions for this zone. In this instance, the application is subject to impact assessment.

The application will be assessed against the matters set out in section 45 and decided in accordance with section 60 of the *Planning Act 2016*.

3.0 PROPOSAL

The applicant proposes to subdivide the subject property, from one lot into four lots.

The proposal intends to create lots for residential purposes. The existing lot is 3.265 hectares. Details of the proposed lots are per the following table.

| Proposed lot | Proposed area | Street frontage |
|--------------|---------------------|-----------------|
| Lot 1 | 4,000m ² | 49.7 metres |

| | | |
|-------|---------------------|------------------------------|
| Lot 2 | 4,000m ² | 49.7 metres |
| Lot 3 | 7,159m ² | 44.3 metres and 161.5 metres |
| Lot 4 | 1.621 hectares | 81 metres |

Proposed Lot 4 will contain the existing dwelling and domestic outbuilding.

The proposal also involves dedicating land to Council as road reserve for a future through connection from Klibbe Road to Saxelby Road, running parallel to proposed Lot 3.

New accesses will be required for Proposed Lots 1, 2, and 3. The new lots will be constructed with reticulated water and electricity connections.

4.0 SITE DETAILS AND SURROUNDING LAND USES

The subject property is an irregular shaped lot identified as being in the Emerging Community zone and situated in Lowood. The property has frontage to Fairfield Road and Klibbe Road, sealed roads in Council's road register.

The subject land contains a dwelling with associated domestic outbuildings. The adjacent lot on the south-eastern corner contains a local cemetery.

Land to the north, east, and west is within the Emerging Community Zone. The cemetery is zoned as Community Facilities. Land on the southern side of Klibbe Road is identified as Rural land. Surrounding land use is predominantly low density residential with some agricultural use.

The site is located within the water service catchment, but not within the sewerage service catchment. The property is serviced by reticulated water supply.

5.0 PLANNING ASSESSMENT – STATE PLANNING INSTRUMENTS

This application is made under the provisions of the *Planning Act 2016*. In accordance with the Act, the assessment manager must assess the application against the assessment benchmarks within the following state planning instruments:

- the State Planning Policy 2017;
- the South East Queensland Regional Plan 2017;
- the *Planning Regulation 2017* (Schedule 10).

An assessment of the application against the state planning instruments is set out below.

5.1 STATE PLANNING POLICY

A new State Planning Policy (SPP) came into effect on 3 July 2017 and is not currently reflected in the Somerset Region Planning Scheme. An assessment of the proposed development against the assessment benchmarks contained within Part E of the SPP is required.

The SPP contains assessment benchmarks for water quality applicable to reconfiguring of a lot where the development will result in six or more lots. The application is for four lots (three new lots), and so does not trigger SPP assessment benchmarks for water quality.

The application has been assessed against the assessment benchmarks and the proposal is considered to comply.

5.2 SOUTH EAST QUEENSLAND REGIONAL PLAN 2017

The site is located within the Urban Footprint. The development application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was found to be consistent.

5.3 PLANNING REGULATION 2017 (SCHEDULE 10)

Schedule 10 of the *Planning Regulation 2017* sets forth development assessment provisions and requirements set by the State.

The subject property does not contain regulated vegetation nor koala habitat. No vegetation clearing is required.

The proposal is not located in proximity to a Queensland heritage place or local heritage place, is not known to be on a contaminated land register, nor involves any environmentally relevant activities.

The subject land is contained within the Urban Footprint of the South East Queensland Regional Plan. The proposed development remains consistent with the provisions for the SEQRP under Schedule 10.

The property is not affected by any state government interests for infrastructure matters.

The proposed development is consistent with the requirements of Schedule 10. The application does not require further referral or assessment under the *Planning Regulation 2017*.

5.4 PLANNING REGULATION 2017 (SCHEDULE 12)

The development is not captured under the provisions for Schedule 12 - Particular reconfiguring a lot requiring code assessment.

6.0 PLANNING ASSESSMENT – LOCAL PLANNING INSTRUMENTS

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

6.1 SOMERSET REGION PLANNING SCHEME (VERSION FOUR)

6.1.1 Strategic Framework Assessment

The application is subject to impact assessment and therefore requires assessment against the strategic policy intent of the planning scheme. The development achieves compliance with the applicable development codes of parts 6, 7, and 8 of the planning scheme. The proposal is therefore considered to appropriately advance the strategic policy intent of the planning scheme.

6.1.2 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 codes. 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.

Code Assessment Summary

| Applicable Code | Compliance with Overall Outcomes | Performance Outcomes |
|---|---|-----------------------------|
| Reconfiguring a lot code | Yes | PO1 |
| Services, works and infrastructure code | Yes | Nil required |

| | | |
|------------------------------------|---|-----------------------------|
| Transport, access and parking code | Yes | Nil required |
| Applicable Overlay Code | Compliance with Overall Outcomes | Performance Outcomes |
| Scenic amenity overlay code | Yes | Nil required |

6.1.4 Performance Outcome Assessment

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

Reconfiguring a lot code

| Performance outcome | | Acceptable outcome | | | | | | | | | | | | | | | | |
|--|---------------------|--|--|---------------|------------------|------------------|-------------------------|---------------------|-------------|-------|---------------------|-------------|-------|---------------------|------------------------------|-------|----------------|-----------|
| For assessable development | | | | | | | | | | | | | | | | | | |
| Lot size and subdivision design | | | | | | | | | | | | | | | | | | |
| PO1 Lot size and dimensions: (a) provide sufficient area for the siting and construction of buildings and structures; (b) provide for safe vehicular and pedestrian access; (c) respond appropriately to site characteristics including slope of the land and topography; and (d) are consistent with the intended character of the zone. | | AO1.1 The minimum lot size and dimensions complies with Table 8.3.4.3.B – Minimum Lot Size and Dimensions. Extract from Table 8.3.4.3.B - Minimum lot sizes and dimensions <table><tr><th>Zone/Precinct</th><th>Minimum Lot Size</th><th>Minimum frontage</th></tr><tr><td>Emerging community zone</td><td>10 hectares</td><td>200 metres</td></tr></table> | | Zone/Precinct | Minimum Lot Size | Minimum frontage | Emerging community zone | 10 hectares | 200 metres | | | | | | | | | |
| Zone/Precinct | Minimum Lot Size | Minimum frontage | | | | | | | | | | | | | | | | |
| Emerging community zone | 10 hectares | 200 metres | | | | | | | | | | | | | | | | |
| Performance outcome assessment | | | | | | | | | | | | | | | | | | |
| Proposal The proposal is for the creation of 4 lots ranging in sizes from 1.621 hectares to 4,000 square metres, not achieving the minimum lot size of 10 hectares. | | | | | | | | | | | | | | | | | | |
| Planning comments The application is seeking to create new lots of an appropriate size and function suitable for lots contained within the General Residential zone, Park Residential precinct. Park Residential precinct lots are to have a minimum lot size of 4,000 square metres, and 40 metres minimum frontage. The proposed lots are as follows. | | | | | | | | | | | | | | | | | | |
| <table><tr><th>Proposed lot</th><th>Proposed area</th><th>Street frontage</th></tr><tr><td>Lot 1</td><td>4,000m²</td><td>49.7 metres</td></tr><tr><td>Lot 2</td><td>4,000m²</td><td>49.7 metres</td></tr><tr><td>Lot 3</td><td>7,159m²</td><td>44.3 metres and 161.5 metres</td></tr><tr><td>Lot 4</td><td>1.621 hectares</td><td>81 metres</td></tr></table> | | | | Proposed lot | Proposed area | Street frontage | Lot 1 | 4,000m ² | 49.7 metres | Lot 2 | 4,000m ² | 49.7 metres | Lot 3 | 7,159m ² | 44.3 metres and 161.5 metres | Lot 4 | 1.621 hectares | 81 metres |
| Proposed lot | Proposed area | Street frontage | | | | | | | | | | | | | | | | |
| Lot 1 | 4,000m ² | 49.7 metres | | | | | | | | | | | | | | | | |
| Lot 2 | 4,000m ² | 49.7 metres | | | | | | | | | | | | | | | | |
| Lot 3 | 7,159m ² | 44.3 metres and 161.5 metres | | | | | | | | | | | | | | | | |
| Lot 4 | 1.621 hectares | 81 metres | | | | | | | | | | | | | | | | |
| Per Strategic Framework Map 1 – Desired Settlement Pattern for Lowood, the location is mapped as being future Park Residential allotments. Under the SEQRP 2017, the location is contained within the Urban Footprint. The proposed subdivision and land use is consistent with both the strategic intent, and the Regional Plan. | | | | | | | | | | | | | | | | | | |
| The proposal responds to PO1 in the following ways: a) Each proposed lot provides sufficient area for siting and construction of dwellings and domestic outbuildings, etc. | | | | | | | | | | | | | | | | | | |

- b) Each new lot can safely access Klibbe Road. Lot 4 has an existing access to Fairfield Road.
- c) The proposal has demonstrated an appropriate response to site characteristics, particularly with respect to slope and stormwater management.
- d) As given above, the development is consistent with Council's future intentions for the zone, character of the location, and integrates with existing development in the location.

It is recommended that the alternative solution be accepted in this instance.

6.1.4 Overall Outcome Assessment

The proposal is considered to comply with all of the relevant performance outcomes. As such, no assessment of the overall outcomes is required.

6.2 TRUNK INFRASTRUCTURE AND ADOPTED CHARGES

6.2.1 Local Government Infrastructure Plan

The site is not affected by a trunk infrastructure requirement of the Local Government Infrastructure Plan.

6.2.2 Transport network

The subject land has frontage to Klibbe and Fairfield Roads. Both roads are sealed collector streets, constructed to Council's design standards for the Park Residential Precinct.

The subject property is located adjacent to Saxelby Road. To provide for future integration into the local road network, Saxelby Road will require extension to the south to connect with Klibbe Road. In order for this to occur in-line with Council's design standards, the road reserve is required to be widened to 20 metres wide. For this to occur correctly in future, an 8-metre-wide strip of land is required to be dedicated to Council's road reserve from the western edge of Lot 5 RP132977. This was requested by Council at the information request stage and has been granted.

6.2.3 Water supply and sewerage

The subject land is located outside of the priority infrastructure area under Urban Utilities Netserv Plan for both reticulated water and sewerage infrastructure. The location is however serviced by trunk infrastructure for reticulated water. The development will be conditioned to connect to the water network. Future dwellings on these lots will utilize on-site household treatment systems in line with Council's policy for the Park Residential precinct.

6.2.4 Stormwater and drainage

The application is supported by a Stormwater Management Plan. The report demonstrates that the development will only fractionally increase stormwater runoff (by approx. 3%). The development will be conditioned to be in accordance with the supplied report.

6.2.5 Electricity and telecommunications

The development site is within an area mapped as for future Park Residential Precinct allotments, and so will be conditioned to connect to electricity and telecommunications networks in line with Council's planning scheme requirements. The subject land is serviced by the reticulated electricity network. It is understood that the locality is serviced with telecommunications by nbn's Fibre to the Node (FTTN) infrastructure.

6.2.6 Parks and open space

The proposal is not considered to result in an unreasonable impact on Council's parks and open space network.

6.2.7 Infrastructure Charges

Infrastructure charges are applicable for the subdivision of the subject land. In accordance with Council's Charges Resolution (No. 1) 2021, infrastructure charges are applicable for Council's stormwater, parks and open space, and local road network infrastructure.

If the development is approved, the applicant will be issued with an infrastructure charges notice in accordance with section 119 of the Act. A draft charges notice is provided in Attachment 3.

7.0 OTHER RELEVANT MATTERS

No other relevant matters have been identified for this proposal.

8.0 REFERRAL AGENCIES

In accordance with the *Planning Regulation 2017*, there are no referral agencies applicable for this application.

Council did not seek any third-party advice for this application.

9.0 PUBLIC NOTIFICATION

The application was subject to impact assessment, public notification was required. Public notification was undertaken in accordance with the Act with a notice of compliance provided by the applicant. Public notification was undertaken from 25 November – 16 December 2021. No comments or submissions were received by Council about this application.

10.0 DELEGATION OF AUTHORITY

The Chief Executive Officer has the power to act as the Assessment Manager for applications received by Council under Chapter 3 of the *Planning Act 2016* and to decide applications under section 60 of the *Planning Act 2016*. Council granted this power on Wednesday, 28 June 2017. This delegation was reviewed by Council on 24 January 2018.

11.0 ATTACHMENTS

1. Proposed subdivision over Lot 5 RP132977, 126 Fairfield Road, Lowood, prepared by MN, Skyline Surveyors, plan no. 10155 Prop, dated 20 August 2021
2. Engineering Report – Stormwater Management Plan for Proposed Subdivision 126 Fairfield Road, Lowood, prepared by Contour Consulting Engineers Pty Ltd, reference no. CIV02927-SWMP01, dated 22 September 2021
3. Draft Infrastructure Charges Notice for DA21517

12.0 RECOMMENDATION

THAT the Chief Executive Officer, as delegate of Council, approve the Development Application for a Development Permit for Reconfiguring a Lot by Subdivision (One Lot into Four Lots), on land described as Lot 5 RP132977, situated at 126 Fairfield Road, Lowood, subject to the recommended conditions and requirements contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

| No | Condition | Timing |
|----|-----------|--------|
|----|-----------|--------|

| | | |
|-----|---|--|
| 1.1 | Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. | At all times |
| | Proposed subdivision over Lot 5 RP132977, 126 Fairfield Road, Lowood, prepared by MN, Skyline Surveyors, plan no. 10155 Prop, dated 20 August 2021 | |
| | Engineering Report – Stormwater Management Plan for Proposed Subdivision 126 Fairfield Road, Lowood, prepared by Contour Consulting Engineers Pty Ltd, reference no. CIV02927-SWMP01, dated 22 September 2021 | |
| 1.2 | Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws. | At all times |
| 1.3 | A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing. | Prior to Plan of Subdivision Endorsement Request |
| 1.4 | A Licensed Surveyor must certify in writing that: (a) any structures located over any new boundary have been removed. Relevant approvals must be gained for the removal of any structures. (b) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the <i>Building Act 1975</i> (unless varied by this Decision Notice). | Prior to Plan of Subdivision Endorsement Request |
| 1.5 | Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land. | Prior to Plan of Subdivision Endorsement Request |
| 1.6 | Pay to Council the applicable amount for the issue of new valuations by the Department of Natural Resources, Mines and Energy for the new allotments. Currently, the amount is set at \$39.00 per allotment. | Prior to Plan of Subdivision Endorsement Request |
| 1.7 | Any existing roof-water conduits, electrical conduits, effluent disposal areas, irrigation areas or pipes, telecommunication conduits, reticulated water conduits, and any other utility conduits common to both proposed lots shall be terminated within each proposed lot. | Prior to Plan of Subdivision Endorsement Request |
| 1.8 | Connect the development to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to | Prior to Plan of Subdivision Endorsement Request |

| | | |
|--|--|--|
| | such service to the approval and requirements of the service provider. | |
| 1.9 | The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement. | Prior to Plan of Subdivision Endorsement Request |
| SCHEDULE 2 – ENGINEERING <i>Assessment Manager</i> | | |
| No | Condition | Timing |
| | Public Utilities/Infrastructure | |
| 2.1 | All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> . | At all times |
| 2.2 | Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions. | Prior to Plan of Subdivision Endorsement Request |
| 2.3 | Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development. | Prior to Plan of Subdivision Endorsement Request |
| | Earthworks | |
| 2.4 | All dams that are located under the proposed lot boundaries are to be removed. | Prior to Plan of Subdivision Endorsement Request |
| 2.5 | Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ). | Prior to Plan of Subdivision Endorsement Request |
| 2.6 | Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only. | At all times |
| | Roadworks | |
| 2.7 | Dedicate all new roads as illustrated on the approved plans. | Prior to Plan of Subdivision Endorsement Request |
| 2.8 | Provide 6m x 3 chord truncations on property boundaries at the new road intersection with Klibbe Road. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road. | Prior to Plan of Subdivision Endorsement Request |

| | | |
|---|--|--|
| | | |
| | Stormwater drainage | |
| 2.9 | Stormwater drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders. | At all times |
| | | |
| 2.10 | Stormwater Drainage shall be constructed in general accordance with Engineering Report – Stormwater Management Plan for Proposed Subdivision 126 Fairfield Road, Lowood, prepared by Contour Consulting Engineers Pty Ltd, reference no. CIV02927-SWMP01, dated 22 September 2021 | Prior to Plan of Subdivision Endorsement Request |
| | | |
| | Vehicle access | |
| 2.11 | All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Design Standards</i> . | At all times |
| | | |
| 2.12 | The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards. | At all times |
| | | |
| | Erosion and sediment control | |
| 2.13 | Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. | At all times |
| | | |
| SCHEDULE 3 – ADVICE | | |
| Assessment Manager | | |
| This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . <i>[A copy of section 71 will be enclosed with the Decision Notice]</i> | | |
| | | |
| Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being four (4) years starting the day the approval takes effect. | | |
| | | |
| This approval requires Council to approve a plan of subdivision before the plan can be registered or otherwise recorded, pursuant to Part 9, Section 69 of the <i>Planning Regulation 2017</i> . | | |
| | | |
| The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> . | | |
| | | |

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

The form *Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]* must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance.

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. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.

The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.

Any further developments of the site may require further approvals.

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

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

Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the *Environmental Protection Act 1994*.

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

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

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

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

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

Attachments for the Decision Notice include:

1. Proposed subdivision over Lot 5 RP132977, 126 Fairfield Road, Lowood, prepared by MN, Skyline Surveyors, plan no. 10155 Prop, dated 20 August 2021

2. Engineering Report – Stormwater Management Plan for Proposed Subdivision 126 Fairfield Road, Lowood, prepared by Contour Consulting Engineers Pty Ltd, reference no. CIV02927-SWMP01, dated 22 September 2021
3. Draft Infrastructure Charges Notice for DA21517

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“1. THAT the Chief Executive Officer, as delegate of Council, approve the Development Application for a Development Permit for Reconfiguring a Lot by Subdivision (One Lot into Four Lots), on land described as Lot 5 RP132977, situated at 126 Fairfield Road, Lowood, subject to the recommended conditions and requirements contained in the Schedules and Attachments.

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

SCHEDULE 1 – GENERAL CONDITIONS*Assessment Manager*

| No | Condition | Timing |
|-----|---|--|
| 1.1 | Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval. Proposed subdivision over Lot 5 RP132977, 126 Fairfield Road, Lowood, prepared by MN, Skyline Surveyors, plan no. 10155 Prop, dated 20 August 2021 Engineering Report – Stormwater Management Plan for Proposed Subdivision 126 Fairfield Road, Lowood, prepared by Contour Consulting Engineers Pty Ltd, reference no. CIV02927-SWMP01, dated 22 September 2021 | At all times |
| 1.2 | Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws. | At all times |
| 1.3 | A Licensed Surveyor must install new Survey Marks in their correct positions in accordance with the Survey Plan and the work must be certified in writing. | Prior to Plan of Subdivision Endorsement Request |
| 1.4 | A Licensed Surveyor must certify in writing that: (a) any structures located over any new boundary have been removed. Relevant approvals must be gained for the removal of any structures. (b) the boundary clearances for any existing buildings that are to remain on the site comply with the relevant provisions of the planning scheme and the <i>Building Act 1975</i> (unless varied by this Decision Notice). | Prior to Plan of Subdivision Endorsement Request |
| 1.5 | Pay to Council any outstanding rates, charges or expenses levied by Council over the subject land. | Prior to Plan of Subdivision |

| | | |
|---------------------------------|---|--|
| | | Endorsement Request |
| 1.6 | <p>Pay to Council the applicable amount for the issue of new valuations by the Department of Natural Resources, Mines and Energy for the new allotments.</p> <p>Currently, the amount is set at \$39.00 per allotment.</p> | Prior to Plan of Subdivision Endorsement Request |
| 1.7 | Any existing roof-water conduits, electrical conduits, effluent disposal areas, irrigation areas or pipes, telecommunication conduits, reticulated water conduits, and any other utility conduits common to both proposed lots shall be terminated within each proposed lot. | Prior to Plan of Subdivision Endorsement Request |
| 1.8 | <p>Connect the development to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.</p> <p>Where proposed allotments front existing overhead electricity or telecommunication service, these lots may connect direct to such service to the approval and requirements of the service provider.</p> | Prior to Plan of Subdivision Endorsement Request |
| 1.9 | The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement. | Prior to Plan of Subdivision Endorsement Request |
| SCHEDULE 2 – ENGINEERING | | |
| <i>Assessment Manager</i> | | |
| No | Condition | Timing |
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| 2.1 | All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Design Standards</i> . | At all times |
| 2.2 | Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions. | Prior to Plan of Subdivision Endorsement Request |
| 2.3 | Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development. | Prior to Plan of Subdivision Endorsement Request |
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| 2.4 | All dams that are located under the proposed lot boundaries are to be removed. | Prior to Plan of Subdivision Endorsement |

| | | Request |
|------|--|--|
| 2.5 | Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ). | Prior to Plan of Subdivision Endorsement Request |
| 2.6 | Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only. | At all times |
| | Roadworks | |
| 2.7 | Dedicate all new roads as illustrated on the approved plans. | Prior to Plan of Subdivision Endorsement Request |
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| | Erosion and sediment control | |
| 2.13 | Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will: | At all times |

| | | |
|--|---|--|
| | <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. | |
| | | |
| SCHEDULE 3 – ADVICE | | |
| Assessment Manager | | |
| This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice] | | |
| | | |
| Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the 'currency period' – being four (4) years starting the day the approval takes effect. | | |
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| The form <i>Application to Approval Plan of Subdivision [version 1.0 effective 3 July 2017]</i> must be completed by the person requesting development assessment of this conditional approval. The form must be submitted to Council and must be accompanied by the relevant fees, and a compliance summary of development conditions. If there is insufficient space on the form, the person must attach extra pages outlining compliance. | | |
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| 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. Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly. | | |
| | | |
| The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded. | | |
| | | |
| Any further developments of the site may require further approvals. | | |
| | | |
| All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> . | | |
| | | |
| All Operational Work is to comply with relevant codes for design and construction. | | |
| | | |
| Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the <i>Environmental Protection Act 1994</i> . | | |
| | | |

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

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

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

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

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

Carried

Vote - Unanimous

Subject: Planning and Development Department Monthly Report – December 2021
File Ref: Governance/Reporting/Officer Reports
Action Officer: DPAD, ESM, SP, SBC, NRMO

Report

A summary of the Department's activities during the month of December 2021 is provided for Council's information.

Planning Development Applications

A total of twenty-two (22) development applications were received in December 2021.

| Assessment Type | November 2020 | December 2020 | November 2021 | December 2021 |
|---|---------------|---------------|---------------|---------------|
| Building Works assessable against the Planning Scheme | 8 | 6 | 9 | 7 |
| Material Change of Use | 7 | 4 | 13 | 10 |
| Reconfiguring a Lot | 1 | 1 | 5 | 4 |
| Operational Works | 3 | - | 1 | - |
| Combined Applications | 1 | - | - | 1 |
| Total | 20 | 11 | 28 | 22 |

The list of applications received is provided in Appendix 1.

A total of eleven (11) development applications were decided in December 2021.

| Approved/Refused | November 2020 | December 2020 | November 2021 | December 2021 |
|--------------------------|---------------|---------------|---------------|---------------|
| Refused - Council | - | - | - | - |

| | | | | |
|---------------------------------------|-----------|-----------|-----------|-----------|
| Approved - Council | 4 | 6 | 4 | 7 |
| Approved - Delegated Authority | 6 | 18 | 9 | 4 |
| Total | 10 | 24 | 13 | 11 |

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

Planning and Environment Court Appeals

Asset1 Pty Ltd v Somerset Regional Council **Planning and Environment Court No. 1616 of 2021**

A Notice of Appeal was filed in Court on 25 June 2021 regarding Council's decision to approve, subject to conditions, the Development Application (DA20283) for a Development Permit for Operational Works for Vegetation clearing on land described as Lot 165 SP187250 and Lot 5 RP838682 and situated at Brouff Road Fernvale. Council participated in a chaired without prejudice conference on 31 August 2021 with the Appellant.



Building Development Approvals

A total of forty-nine (49) building approvals were issued in the region for December 2021.

Assessment Type: Building Works

| Status | November 2020 | December 2020 | November 2021 | December 2021 |
|------------------------------|----------------------|----------------------|----------------------|----------------------|
| Accepted | 70 | 79 | 99 | 59 |
| Approved - Council | 12 | 14 | 13 | 8 |
| Approved - Private Certifier | 47 | 63 | 72 | 41 |

The list of applications approved is provided in Appendix 2.

Building Compliance Matters

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

December 2021:

Unapproved building works at Buaraba, Mount Tarampa, Sandy Creek, Fernvale, Moore, Kilcoy, Esk, Wanora, Lowood and Prenzlau.

Unlawful use of buildings at Lowood, Mount Tarampa, Sandy Creek, Braemore, Fernvale, Villeneuve, Esk and Wivenhoe Pocket.

Site matters at Jimna.



Plumbing Compliance Permits and Inspections

A total of twenty-three (23) plumbing and drainage approvals were issued in the region for December 2021.

Assessment Type: Plumbing Approval

| Status | November 2020 | December 2020 | November 2021 | December 2021 |
|---------------|----------------------|----------------------|----------------------|----------------------|
|---------------|----------------------|----------------------|----------------------|----------------------|

| | | | | |
|-----------------------------|-----------|-----------|-----------|-----------|
| Approved | 21 | 15 | 30 | 23 |
| Info Request | 9 | 10 | 8 | 6 |
| Total | 30 | 25 | 38 | 29 |
| Plumbing inspections | 63 | 54 | 108 | 69 |

The list of applications approved is provided in Appendix 3.

The number of home sewerage treatment plants on Council's register is 2169 of which 122, or 5.62% are currently overdue for servicing.

Mid-Brisbane (Black Snake Creek Catchment) Wastewater Risk Mitigation Program

Council's plumbing inspectors are preparing for the next phase of the Wastewater Risk Mitigation Program within the Mid-Brisbane (Black Snake Creek Catchment), with eligible properties in the Glamorgan Vale area scheduled to be engaged in the coming weeks.

Environmental Health Services

Food Safety Training



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

A total of 25 users completed the training during the month of December.

Swimming Pool Water Quality Monitoring

Water sampling was conducted at Council's swimming pools located at the Toogoolawah, Kilcoy and Lowood. Samples were submitted to Queensland Health for analysis to check compliance with the *Queensland Health Water Quality Guidelines for Public Aquatic Facilities, 2019*.



School Based Immunisation Clinics



Council delivers a school-based vaccination program at the Lowood and Toogoolawah High Schools for Year 7 and Year 10 students under a service provider agreement with the State Government. All clinics have been successfully delivered for 2021 in line with the agreement.

Mosquito Monitoring

Officers are currently planning the 2021-2022 mosquito surveillance program in conjunction with Queensland Health which is proposed to be conducted in various towns and villages in the region from January to March 2022.



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

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

In addition to the Queensland Dengue Management Plan 2015 – 2020; Queensland Health is currently working with local governments in SEQ to establish an emergency response

framework that will be triggered on confirmation of positive *Aedes aegypti* or *Aedes albopictus* identification in SEQ.

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

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

Invasive Animal Control

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

Wild dogs

1080 baits injected: Nil.

| | November 2021 | December 2021 |
|--------------|---------------|---------------|
| Total | - | - |

Dingo scalps presented:

| | November 2021 | December 2021 |
|-------------------|---------------|---------------|
| Dundas | - | 17 |
| Buaraba | 6 | 1 |
| Mt Byron | 2 | - |
| Diaper | 7 | - |
| Coal Creek | 4 | - |
| Yabba | - | - |
| Total | 19 | 18 |



Feral pigs

1080 baits injected:

| | November 2021 | December 2021 |
|--------------|---------------|---------------|
| Total | 0 | 0 |



Feral pig scalps presented:

| | November 2021 | December 2021 |
|------------------|---------------|---------------|
| Dundas | 0 | 77 |
| Mt Kilcoy | 10 | 0 |
| Buaraba | 151 | 98 |
| Total | 161 | 175 |

Feral pigs were reported to be impacting on a landholder in the Cooeimbardi area. A trap was deployed resulting in all 6 pigs being trapped with no evidence of others when the trap was removed.

Rabbits:



- Officers have been working with landholders to control rabbit infestations in the following areas:
 - Fulham, Esk, Toogoolawah, Kilcoy.
- Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset and Wivenhoe Dams.

Fox:



- Pest Management Officers are continuing to monitor den sites that have been found and fumigated.
- There has been an increase in fox attacks with cage traps and trail cameras being deployed, Kilcoy and Mt Hallen.

Invasive Plant Control

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

November 2021:

- **Giant rats tail grass** – Kilcoy, Fernvale, Esk, Wivenhoe Pocket, Glamorganvale.
- **Fireweed** – Fernvale, Esk, Coominya, Neurum, Kilcoy, Jimna.
- **Lantana** – Mt Kilcoy, Neurum, D'Aguilar Highway East, Buaraba, Mt Hallen, Coominya.
- **Parthenium**- Kilcoy
- **Mother of millions** – Fernvale.
- **Leucaena** – Crossdale, Toogoolawah.
- **Groundsel** – Kilcoy.
- **Annual Ragweed** – Toogoolawah, Harlin, Eskdale, Esk, Biarra.
- **Main Roads Element 5** – Esk-Kilcoy Road, Brisbane Valley Hwy, D'Aguilar Hwy West.
- **Council managed infrastructure**- Brisbane Valley Rail Trail, Fernvale.
- **Herbicide applied** – 26,575L.
- **Lantana mechanical removal** – No mechanical due to being too wet.
- **Lantana chemically treated** – 250,000m² / 25Ha.
- **Lantana Control** – Mechanical removal of lantana was conducted along Cooeimbardi Road.

December:

- **Annual Ragweed** – Linville, Moore, Coominya, Fernvale.
- **Honey Locust** – Gregors Creek.
- **Fireweed** – Marburg, Glamorgan Vale.
- **Giant rats tail grass** – Wivenhoe Pocket, Kilcoy, Mt Kilcoy, Toogoolawah, Fernvale, Glamorganvale.
- **Lantana** – Kilcoy, Neurum, Mary Smokes Creek, Sandy Creek

- **Main Roads Element 5** – Kilcoy Murgon Road, Brisbane Valley Hwy, D'Aguilar Hwy.
- **Main Roads Element 8** – D'Aguilar Hwy East.
- **Council managed infrastructure** – All local bridges.
- **Herbicide applied** – 9,950L.
- **Lantana mechanical removal** – 65,000/6.5Ha.
- **Lantana chemically treated** – 26,000/ 26Ha.
- **Lantana** – Mechanical removal of lantana was conducted at Moore.

Lantana Chemical Subsidy Program

Council is offering a 100% chemical subsidy for the control lantana throughout the Somerset Region to assist primary production and help stimulate the local economy. The subsidies, totalling \$210,000, is provided through the Australian Government's *Communities Combating Pest and Weed Impacts During Drought Program*.

Council is delivering the program in partnership with Healthy Land and Water Ltd and to date more than 115 expressions of interest have been received and are being assessed: resulting in the approval of more than 107 property pest management plans.

Round two of the Lantana Chemical Subsidy Program closed in May 2021. Officers will monitor claims to ensure allocated grant funding is expended by 31 December 2021.

As part of the 2021/22 budget, Council has funded an ongoing Lantana Chemical Subsidy Program. Council announced a further round of landholder subsidies on 30 August 2021. The first round of subsidies is currently closed.

Compliance under the *Biosecurity Act 2014*:

| | November 2021 | December 2021 |
|------------------------|---------------|---------------|
| Information notices | 2 | 2 |
| Biosecurity Orders | - | - |
| Enter and Clear action | - | - |

Regulatory Services

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

Natural Resource Management

Land for Wildlife

- One new property was welcomed into the Land for Wildlife Program at Sandy Creek.
- Officer representation at the Land for Wildlife Steering Committee meeting – 1 December 2021.

Somerset Flora and Fauna



- Ongoing work with Ecosure (Consultants) to develop a Matters of Local Environmental Significance (MLES) framework to inform a future planning scheme amendment. A progress briefing was undertaken with elected members on 8 December, with a subsequent meeting with consultants held on 9 December 2021.
- Birds Queensland has been engaged to produce a "Birds Places of Somerset" brochure for the Somerset Region. The "Bird Places" series has been adopted in several other SEQ Local

Governments and promotes locations throughout the Council area for Bird watching opportunities. Copies will be distributed to Council information centres upon completion.

Catchment Management

- Resilient Rivers Project Updates:
- Phase 4 of the Black Snake Creek Project has commenced with an initial geophysical site undertaken to inform the subsequent rehabilitation of the new sites/properties. A planting contractor is anticipated to be appointed early in 2022.
- The Twin Bridges investigation project is ongoing, with project findings anticipated early in 2022.
- Vehicle exclusion measures were implemented at Lowood Bend Reserve (10 December 2021) to secure site remediation activities being undertaken by the Somerset Recovery and Resilience team/s at this site.
- Officer representation at Council of Mayors – Catchment investment program meeting with participant SEQ Councils – 9 December 2021
- Officer representation at On-site sewage facility (OSF) replacement program meeting with Seqwater – 8 December 2021



Offsets – Planting

Delivery of Councils Capital Works Offsets:

- Offset planning is underway for the 21/22 FY program, primarily in respect of anticipated offset impacts of the Esk Crows Nest Road upgrade works. A contractor has begun initial surveying to support the installation of approximate 850 (Koala) trees along the Brisbane Valley Rail Trail between Esk and Toogoolawah. Planting is expected to begin January 2022.

Collaborations

- Facilitation of a Bushcare working bee at Greenhide Reserve with Friends of the Forest, Moore – 14 December 2021.
- Officer representation at meeting with Department of resources regarding riparian roles, responsibility, and funding arrangements – 14 December 2021
- Meeting held with Queensland trust for Nature regarding koala funding initiatives and collaborations – 16 December 2021
- Meeting held with Department of environment and Science regarding Koala translocation policy – 16 December 2021
- Meeting with Seqwater regarding a Marine Zone designation for Lake Wivenhoe – Report to Council to follow – 20 December 2021.
- Officer representation at West Moreton Area Fire Management Group meeting – 13 December 2021.

Business Recovery Officer

During December the BRO personally visited **47 Somerset Region businesses**.

December 17 Vaccination Requirements:

26 hotel and cafe businesses were supported with a visit on the week of the new requirements and provided printed copies the Qld Government “*Proof of Covid Vaccination*”

posters. The overall businesses response to 17 December new requirements has been mixed with some following the mandate requirements closely and others reluctant to fully enforce mandate over concerns of lost customer loyalty and financial losses.

December 17 Vaccination Follow up:

20 hotel and café business follow up visits occurred on the week prior to Christmas. Business owners reported 90% of customers follow the Qld Health Department requirements, the other 10% have been rude, argumentative or walked out. Anecdotally one business owner noted that the 10% un-cooperative customers were mainly of mature age between 60-70.

Business Grants:

No new substantial grants available.

Other highlights include:

- **Economic Development Strategy** progress. This will recommence in February 2022.
- **Future Events** - Initial planning for the next 12 months of networking, forums and workshop events has commenced. Further details will be available in January 2022.

Recommendation

THAT the Department of Planning and Development Monthly Report for December 2021 be received and the contents noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Gaedtke

“THAT the Department of Planning and Development Monthly Report for December 2021 be received and the contents noted”.

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | Endorsement sought for medium value contract – traffic control |
| File Ref: | External audit |
| Action Officer: | DFIN |

Background/Summary

Immediately prior to entering into the new traffic control contracts (tender 1234), Council was unable to obtain traffic control services from the suppliers approved under the predecessor contract including the outgoing number one rated contractor.

Endorsement is sought for the engagement of Lockyer Valley Traffic Management Pty Ltd as a medium value contract under the Local Government Regulation 2012 under s235 of the Local Government Regulation 2012. It is confirmed that quotations were obtained from this company to engagement.

Attachments

Nil

Recommendation

THAT to remove any doubt, Council resolves that it is satisfied that only one supplier was reasonably available to provide traffic control services for relevant projects immediately prior to the entering into of contracts under tender 1234 being Lockyer Valley Traffic Management Pty Ltd and that the use of Lockyer Valley Traffic Management Pty Ltd for these services be endorsed.

Resolution

Moved – Cr Choat

Seconded – Cr Wendt

“THAT to remove any doubt, Council resolves that it is satisfied that only one supplier was reasonably available to provide traffic control services for relevant projects immediately prior to the entering into of contracts under tender 1234 being Lockyer Valley Traffic Management Pty Ltd and that the use of Lockyer Valley Traffic Management Pty Ltd for these services be endorsed”.

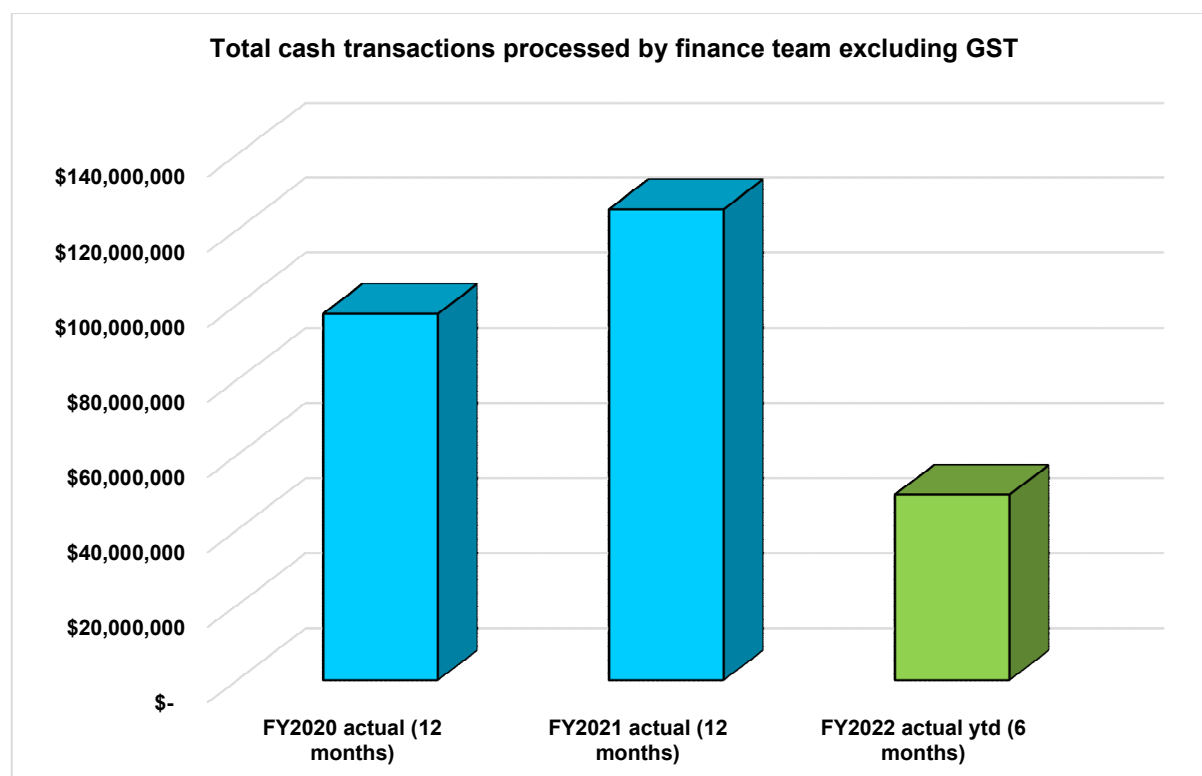
Carried*Vote - Unanimous*

| | |
|------------------------|------------------------------------|
| Subject: | Finance report |
| File Ref: | Monthly reporting - finance |
| Action Officer: | DFIN |

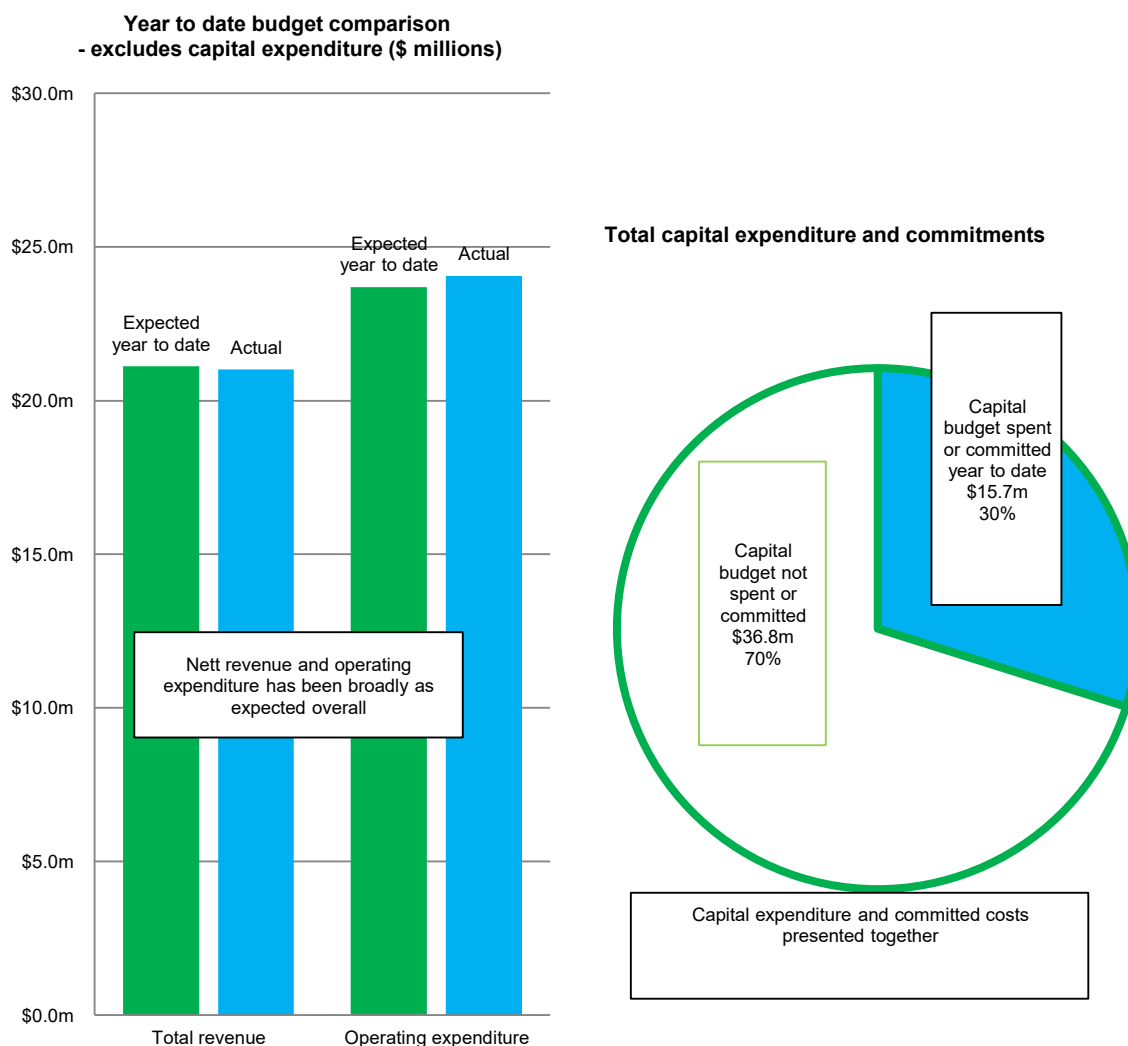
Background/Summary**Financial reports**

Reports for the period 1 July 2021 to 4 January 2022 are attached detailing the progress that has been made in relation to Council's FY2022 budget as required by Local Government Regulation 2012 s204.

The finance team has processed \$49M in transactions for the financial year to date including grants, rates and contract revenue transactions and payments to suppliers and employees. Transaction volumes have increased significantly in recent years with larger capital and recoverable works programs:



Results for the year to date are summarised as follows:



Competitive grants

- On 20 October 2021, Council was advised by the Department of Industry, Science, Energy and Resources that our application seeking \$687,950 under the Australian Government's competitive Building Better Regions Fund round 5 towards the Lowood Minden Road – Minden Village home safer and sooner project had been successful and offering "to discuss the options relating to potentially changing the scope of the project." Council has forwarded a proposed change of scope proposal to the Departments of Industry and Infrastructure seeking to shift the project and funding to between the Zabels Road North and Millewski Road intersections and is awaiting advice about this change which would allow this project to progress given the original project has been funded under a different program.
- Council officers lodged an application under the Australian Government's Black Summer Bushfire Recovery Grants Program (BSBRGP) on 23 August 2021 as follows:

| BSBRGP competitive project application | Project value | Funding sought |
|--|---------------|----------------|
| Fernvale Firewall - construct a 4.3km long, 20m wide firebreak along the southern boundary of the Fernvale urban footprint development area including 3.8 km of bitumen sealed roads (Muckerts and McCulkins Lanes) for emergency access and egress and 0.5km of cleared | \$6,777,433 | \$4,500,000 |

| | | |
|--|--|--|
| fire appliance access route near residential areas including undergrounding of powerlines. | | |
|--|--|--|

- Council officers also lodged a second BSBRGP application on 29 September 2021 as follows:

| BSBRGP competitive project application | Project value | Funding sought |
|--|---------------|----------------|
| Somerset/ Brisbane Boundary Firewall - construct a 1.67km long, 9 to 20m wide firebreak along the boundary between the Somerset and Brisbane LGAs including new bitumen sealed roads (Waverley and Sheppards Roads) which will facilitate emergency access and egress. | \$1,709,815 | \$854,907 |

- Council officers lodged an application under the Australian Government's Preparing Australian Communities Program (PACP) on 22 December 2021 as follows:

| PACP competitive project application | Project value | Funding sought |
|--|---------------|----------------|
| Somerset priority evacuation routes Austroads improvement project. Widen the bitumen surface (to 7.0m) and formation (to 9.0m) of 3 single-lane key evacuation routes (total 8.21km) being sections of Main St Lowood, Ivory Creek Rd and Toogoolawah-Biarra Rd. A review into the adequacy of evacuation routes has identified the need to widen those routes in line with Austroads-recommended widths for trunk roads. Widening the evacuation routes will reduce the risk of road crash incidents during an evacuation by 22 – 36 %. The key evacuation routes carry a total 1,078 vehicles a day including 93 heavy vehicles highlighting their importance to the local community and economy and provide important regional links. | \$7,092,476 | \$3,546,238 |

- Council officers lodged an application under the Australian Government's Queensland's Fishing Infrastructure Grants Program on 24 September 2021 as follows:

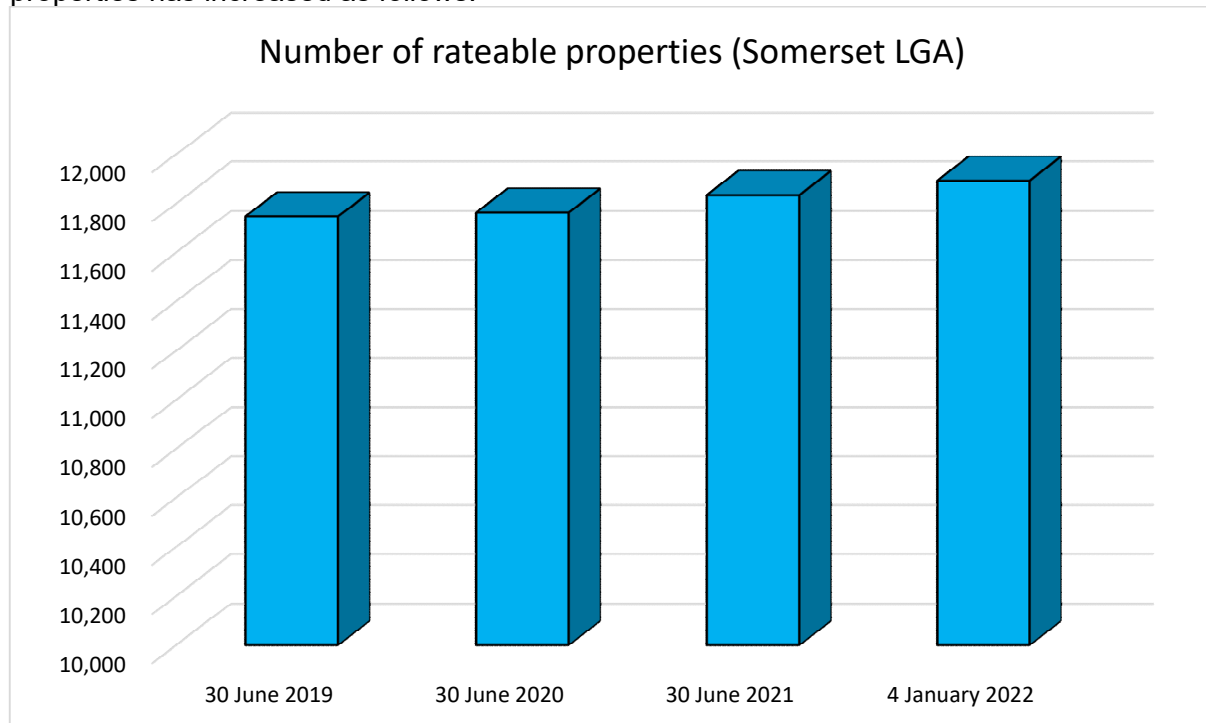
| Queensland's Fishing Infrastructure Grants Program | Project value | Funding sought |
|---|---------------|----------------|
| Mid-Brisbane River recreation safety and security CCTV project. Council seeks funding to permanently install CCTV to permanently achieve improvements to the recreational fishing and boating experience along Queensland's mid-Brisbane River. Qld Police support the project as it will create "a safer area for the community to conduct recreational activities and an increase in usage by the community". | \$70,169 | \$63,000 |

- Council officers lodged applications for \$31,711 in solar projects at the Lowood and Esk SES buildings under the 2022-23 SES Support Grant offered by Queensland Fire and Emergency Services on 17 November 2021 seeking 75% funding

- Council officers are preparing library, tourism, road and bridge funding applications under the Australian Government's Building Better Regions Fund round 6, Bridges Renewal Program and Heavy Vehicle Safety and Productivity Program and under the Queensland Local Government Grants and Subsidies Program (LGGSP)

Growth

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



Rates

Rates are issued in six monthly cycles. Total rate debtors at comparable dates (generally after the due dates) over the past 12 months were as follows:



Council issued 38 notices of intention to sell land for overdue rates totalling \$290,616 in overdue rates on 19 November 2021. Council is working with the owners of these properties and their mortgagees to recover overdue rates without incurring legal costs where possible.

Investments

Council relies on interest revenue to keep rates at the lowest possible level. Interest rates are at historic lows. An investment summary is attached detailing interest earnings from Queensland Treasury Corporation (QTC) and other sources. QTC interest rates have been variable and were 0.41% net during December 2021.

Council's key investment strategy has been to maintain two interest-bearing credit facilities totalling \$43.8 million to Urban Utilities (UU) which fund infrastructure such as Lowood wastewater treatment plant as well as providing mutual benefit to both UU and Council. These carry a combined weighted average interest rate of 2.11%. Council is currently working with Urban Utilities and state authorities to establish a third credit facility of \$10 million.

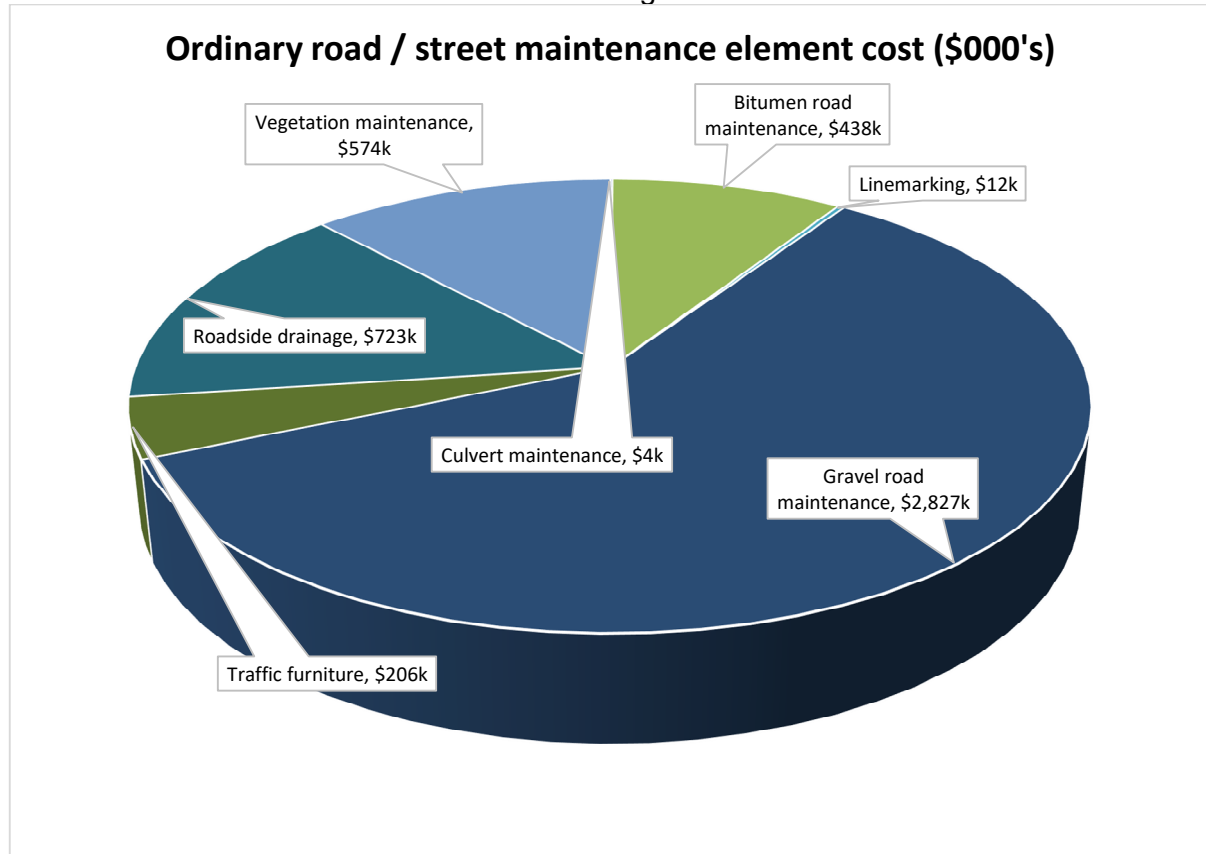
Ordinary road maintenance detail

Ordinary road maintenance costs exceed pro rata budget as below:

| Maintenance type | Total (\$000's) |
|--------------------------|--------------------|
| Bitumen road maintenance | 438 |
| Gravel road maintenance | 2,827 |
| Roadside drainage | 723 |
| Culvert maintenance | 4 |
| Vegetation maintenance | 574 |
| Traffic furniture | 206 |

| | |
|---------------------------------------|-------|
| Linemarking | 12 |
| Total actual year to date | 4,784 |
| Expected pro-rata budget year to date | 2,819 |

While overall Council net operating costs are within pro rata budget expectations, road maintenance costs exceed budget. Council has recently won Department of Transport and Main Roads (DTMR) contracts on State roads within Somerset LGA which would help fund a once-off increase in allocation at the second budget review.



As previously requested, Council's 30 most costly road segments for ordinary maintenance for the year to date were as below. Costs per linear metre have been added for context.

| Road segment | Cost (\$'000's) | Cost per metre (\$) |
|---|-----------------|---------------------|
| Bellthorpe Rd (gravel) Ch0-Ch11460 | 160 | 14 |
| Kingaham Rd (gravel) Ch0-Ch8960 | 120 | 13 |
| Banks Creek Rd (gravel) Ch4670-Ch12870 | 89 | 11 |
| West Brnch RdXing35Ch19065-19070 | 81 | |
| Diaper Rd (gravel) Ch3000-Ch6200 | 79 | 25 |
| Westvale Rd (gravel) Ch1340-Ch13550 | 77 | 6 |
| Mt Byron Rd (gravel) Ch2020-Ch15370 | 76 | 6 |
| Ivory Creek Rd (gravel) Ch10150-Ch12590 | 73 | 30 |
| Monsildale Rd (gravel) Ch1630-Ch10200 | 66 | 8 |
| Kimbala Rd (gravel) Ch8780-Ch9850 | 59 | 55 |
| Yabba Rd (gravel) Ch0-Ch3330 | 58 | 17 |
| Sunday Creek Rd (gravel) Ch1690-Ch3390 | 55 | 33 |
| Waverley Rd (gravel) Ch100-Ch1200 | 52 | 47 |
| Hope St (bitumen) Ch0-Ch230 | 49 | 213 |

| | | |
|---|-------|-----|
| Silverleaves Rd (gravel) Ch40-Ch2150 | 48 | 23 |
| Monsildale Rd (gravel) Ch12000-Ch19100 | 46 | 7 |
| Mt Byron Rd (gravel) Ch160-Ch1170 | 42 | 41 |
| Cressbrook Cab (gravel) Ch8280-Ch13860 | 41 | 7 |
| Yielo Rd (gravel) Ch5100-Ch15500 | 41 | 4 |
| Ivory Creek Rd (gravel) Ch12590-Ch15230 | 40 | 15 |
| Kimballa Rd (gravel) Ch9850-Ch13670 | 40 | 10 |
| Glenhowden Rd (gravel) Ch30-Ch1580 | 39 | 25 |
| Morden Rd (gravel) Ch1880-Ch6470 | 38 | 8 |
| Kipper Creek Rd (gravel) Ch6360-Ch10710 | 38 | 9 |
| Mt Buggery Rd (gravel) Ch0-Ch990 | 36 | 36 |
| Mt Byron Rd (gravel) Ch15370-Ch19310 | 35 | 9 |
| Banks Creek Rd (gravel) Ch3300-Ch4670 | 33 | 24 |
| William St Kilcoy (bitumen) Ch110-Ch410 | 32 | 108 |
| Mt Mulgowie Rd (gravel) Ch840-Ch3100 | 32 | 14 |
| Watsons Rd (bitumen) Ch0-Ch4870 | 32 | 7 |
| Subtotal (\$000's) | 1,707 | |

Special road maintenance/ renewal

In addition to ordinary bitumen road maintenance, expenditure on special road maintenance including resealing of bitumen roads has been budgeted of \$1.793M. Reseals will be completed out over coming months.

Attachments

Financial reports and payment listings

Recommendation

THAT Council receive the financial reports for 1 July 2021 to 4 January 2022 and payments presented for the period 30 November 2021 to 4 January 2022 totalling \$7,044,850.87 and that the contents be noted.

Resolution

Moved – Cr Choat

Seconded – Cr Wendt

“THAT Council receive the financial reports for 1 July 2021 to 4 January 2022 and payments presented for the period 30 November 2021 to 4 January 2022 totalling \$7,044,850.87 and that the contents be noted”.

Carried

Vote - Unanimous

Subject: Extraordinary decision 1 – amended revenue statement
File Ref: Budget FY2022
Action Officer: DFIN

Background/Summary

The recommendation below proposes adding new rating category 501 to Council's differential general rating categories consistent with section 94B of the Local Government Act 2009.

Attachments

Nil

Recommendation

THAT, pursuant to section 94B of the *Local Government Act 2009*, the following amended Revenue Statement for 2021/2022 be adopted.

R1: Introduction

The Revenue Statement for the year ending 30 June 2022 for the Somerset Regional Council has been adopted in accordance with Section 172 of the *Local Government Regulation 2012*.

R2: Differential General Rates**R2.1: Purpose of levying differential general rates**

Differential general rates will be levied on all rateable land in the Region. In Council's opinion, differential general rating enables there to be a more equitable relationship between revenue raised from particular land and the circumstances relevant to that land than would be the case under a standard rating system where rates are levied at a single rate in the dollar on all rateable land.

In determining its differential rating system, Council's objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations, and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

R2.2: Structure of Differential General Rating system

For the 2021/2022 financial year, the Council will levy general rates on land on the basis of 51 differential rating categories.

In summary, these 51 categories have been determined having regard to matters such as: -

- land use;
- land location;
- availability of services;
- consumption of services;
- land area;
- valuation; and
- income producing capacity of land.

R2.3: Definition - Large Water Storage Facility

The term *Large Water Storage Facility* shall refer to facilities used for the storage of water for human consumption or agricultural use with capacity greater than ten thousand (10,000) megalitres.

Where land is used for a *Large Water Storage Facility*, it will be included in category 5.

The general rate in the dollar applied to land in category 5 is set having regard to the following factors:

- High income producing capacity of the land which is reflective of its monopoly supply of a vital natural resource.
- Cost of water quality awareness on Council's operations and in the delivery of services

to its residents.

- Effects on infrastructure design and cost factors both upstream and downstream of the water storages including bridges, roads and waste management infrastructure.
- Equity issues of flooding the Region's most economically productive land with no commensurate ongoing income to replace that loss.
- Cost of provision of services to visitors to the lakes relative to the economic benefits provided by those visitors. The former South East Queensland Water Corporation estimated that there were approximately 1,000,000 visitors to Lakes Somerset and Wivenhoe per annum in recent years.
- Higher planning and deliberation costs relating to lakeside and catchment land use matters.
- Social impacts of the decision to close or otherwise limit access to the former South East Queensland Water Corporation's recreational areas and impact on Council's costs in closing the gap in the provision of services.
- Increased cost of emergency services provision in the Region relating to hosting large water storages.

R2.4: Definition - Farm Land

The term *Farm Land* shall mean land used for a purpose described by any of the following primary land use codes– 60 (Sheep Grazing – Dry), 61 (Sheep Breeding), 64 (Cattle Grazing - Breeding), 65 (Cattle Breeding and Fattening), 66 (Cattle Fattening), 67 (Goats), 68 (Dairy Cattle - Quota Milk), 69 (Dairy Cattle - Non Quota Milk), 70 (Cream), 71 (Oil Seeds), 73 (Grains), 74 (Turf Farms), 75 (Sugar Cane), 76 (Tobacco), 77 (Cotton), 78 (Rice), 79 (Orchards), 80 (Tropical Fruits), 81 (Pineapple), 82 (Vineyards), 83 (Small Crops and Fodder Irrigated), 84 (Small Crops and Fodder Non-Irrigated), 85 (Pigs), 86 (Horses), 87 (Poultry), 89 (Animals Special), 93 (Peanuts) but excluding:

- land that is:
 - used for the transmission of wholesale electricity to a retail electricity distribution network and is not subject to a registered easement for power line, electrical works or similar purposes; or
 - used or intended to be used for future hydro-electric power generation purposes;
- land used for the purposes of an airfield;
- land used for the purposes of a *Large Water Storage Facility*, as that term is defined in this document;
- *Banked Development Land*, as that term is defined in this document;
- *Extractive Industries Land*, as that term is defined in this document; and
- *Approved Extractive Industries*, as that term is defined in the document.

For avoidance of doubt, the definition of *Farm Land* includes Crown reserve land used solely

for the purpose of a stock dip.

R2.5: Definition - Commercial and Industrial Land

The term *Commercial and Industrial Land* shall mean land used for a purpose described by any of the following primary land use codes – 10 (Combined Multi Dwelling and Shops), 11 (Shop – Single), 12 (Shops - Shopping Group (more than 6 shops)), 13 (Shopping Group (2 to 6 shops)), 14 (Shops - Main Retail), 15 (Shops - Secondary Retail), 16 (Drive In Shopping Centres), 17 (Restaurant), 18 (Special Tourist Attraction), 19 (Walkway), 20 (Marina), 21 (Residential Institutions (non-medical care)), 22 (Car Park), 23 (Retail Warehouse), 24 (Sales Area Outdoor), 25 (Offices), 26 (Funeral Parlours), 27 (Hospitals, Convalescent Homes (Medical Care) (Private)), 28 (Warehouses and Bulk Stores), 29 (Transport Terminal), 30 (Service Station), 31 (Oil Depots), 32 (Wharves), 33 (Builders Yard/Contractors Yard), 34 (Cold Stores – Iceworks), 35 (General Industry), 36 (Light Industry), 37 (Noxious/Offensive Industry), 38 (Advertising Hoarding), 39 (Harbour Industries), 41 (Child Care), 42 (Hotel/Tavern), 43 (Motel), 44 (Nurseries), 45 (Theatres and Cinemas), 46 (Drive-in Theatre), 47 (Licensed Clubs), 48 (Sports Clubs/Facilities), but excluding:

- land that is used for the transmission of electricity or for radio communications or telecommunications purposes unless the electrical or radio communications or telecommunications uses occur only over part of the land that is a registered easement or a registered lease or land described by categories 240 or 244;
- land used for the purposes of an airfield;
- land used in association or connection with an airfield;
- land used for the purposes of a *Large Water Storage Facility*, as that term is defined in this document.
- *Banked Development Land*, as that term is defined in this document;
- land used for the purposes of an *Outdoor Sales Area*, as that term is defined in this document;
- land in an urban fire area which is used for the storage of more than 10 unregistered vehicles;
- land used for the purpose of storing two or more houses intended for sale and removal; and
- land used or intended to be used, in whole or in part for a *Noxious and Offensive Industry* with a land area over ten (10) hectares.

Commercial and Industrial Land also includes land used for the purposes of a caravan park provided the land is not in an urban fire area or within 1 kilometre of a *Large Water Storage Facility*, as that term is defined in this document.

R2.6: Definition – Urban Fire Area

The term *Urban Fire Area* shall mean land which is classified as being Class A, B, C or D land under schedule 1 of the *Fire and Emergency Services Regulation 2011*.

R2.7: Definition – Principal Place of Residence

The term *Principal Place of Residence* shall mean land which is the place of residence at which at least one person who constitutes the owner/s of the land predominantly resides.

In establishing whether land is the owner's *Principal Place of Residence*, Council may consider, but not be limited to the owner's declared address for electoral, taxation, government social security or national health registration purposes, or any other form of evidence deemed acceptable by the Council. Residential premises that have not met these criteria will be deemed a secondary residence.

For the avoidance of doubt, land will not be the owner's *Principal Place of Residence* where it is:

- not occupied by at least one person/s who constitute the owner/s, but occupied by any other person/s, whether in return for rent or remuneration or not, including members of the owner's family, or;
- vacant, whether permanently or temporarily (for more than 120 days of the financial year), including for the purposes of renovation or redevelopment, except in the case where:
 - (i) premises which are being renovated are and remain the principal place of residence of the owner, and the owner does not during the renovation period own any other property which is used as, or asserted by the owner for any purpose to be, the owner's place of residence; and
 - (ii) a property is vacant for a period longer than 120 contiguous days of the financial year due to the owner/s absence on an extended holiday, provided that the property remains completely vacant for the entire period of their absence; or
- flats and other multiple tenement residential properties, even where the owner of the land resides in one of the flats or tenements; or
- land primarily used for the storage of water for human consumption or agricultural use with a capacity of one mega litre or more; or
- Banked Development Land.

R2.8: Definition – Banked Development Land

Land is Banked Development Land if it is either:

- (i) The whole or part of land over which one or more current development permits have been issued for reconfiguring the land, for the creation, in total, of 9 or more lots ("Banked Development Land – Subdivision"); or
- (ii) Land for which a material change of use development permit has been issued where the approved land use (which, once commenced, would meet the definition for rating categorisation purposes of "Commercial and Industrial Land") has not commenced ("Banked Development Land – Commercial"); or
- (iii) Land for which a material change of use development permit has been issued where the approved land use (which, once commenced, would be "land used in whole or in

part for a Renewable Energy Facility) has not commenced (“Banked Development Land – Renewable Energy Facility”).

R2.9: Definition – Approved Extractive Industries Land

The term *Approved Extractive Industries Land* shall mean land for which a development permit has been issued and remains in force for a Material Change of Use for an Extractive Industry but on which extraction has not commenced in accordance with the approved conditions.

R2.10: Definition – Extractive Industries Land

The term *Extractive Industries Land* shall mean:

- land used, in whole or in part, for the purpose of an extractive industry; or
- land for which a development permit has been issued and remains in force for a Material Change of Use for an Extractive Industry on which extraction has previously commenced, but has subsequently ceased.

R2.11: Definition – Land Use Codes

The term *Land Use Codes* shall mean those codes recorded in Council’s land records which identify the principal use of the land determined by the State valuation authority.

The *Land Use Codes* are available for inspection at the Council’s office.

R2.12: Definition – Noxious or Offensive Industry

The term *Noxious or Offensive Industry* shall mean, without limitation:

- an abattoir;
- a meat processing facility; and
- any facility which processes by-products of an abattoir or meat processing facility.

R2.13: Definition – Outdoor Sales Area

The term *Outdoor Sales Area* shall mean an area used for the sale of used vehicles, used plant, vehicle or plant components or any combination of these products.

R2.14: Definition – Town Centre Facilities

The term *Town Centre Facilities* shall mean any of the following facilities:

- police stations;
- licensed aged care facilities;
- hospitals;
- schools;
- post offices; and
- ambulance stations.

R2.15: Definitions – Dwelling Houses and Dwelling Units

The term *Approved Dwelling* shall mean a dwelling house or dwelling unit which is approved for human habitation.

The term *Secondary Dwelling* shall mean a dwelling house or dwelling unit which does not share a common wall or roof line with another *Approved Dwelling* on the same land.

For the avoidance of doubt, a duplex, townhouse or a unit in apartment building, unit complex or other such similar building will not constitute a *Secondary Dwelling*.

R2.16: Definitions – Multi Residential Units

The term *Multi Residential Units* shall mean residential accommodation of more than 1 flat, caravan site or other similar styles of accommodation, where such accommodation is not for use by the ordinary travelling public. *Multi Residential Units* excludes properties described by category 501.

R2.17: Definitions – Renewable Energy Facility

The term *Renewable Energy Facility*:

- (i) shall mean the use of the land for the generation of electricity or energy from a renewable energy source, including for example, sources of bio-energy, geothermal energy, hydropower, ocean energy, solar energy or wind energy; but
- (ii) does not include the use of land to generate electricity or energy that is to be used mainly on the land.

R2.18: Definitions – Gross Floor Area

The term *gross floor area*, for a building, means the total floor area of all storeys of the building, measured from the outside of the external walls and the centre of any common walls of the building, other than areas used for:

- (i) building services, plant or equipment;
- (ii) access between levels;
- (iii) a ground floor public lobby;
- (iv) a mall;
- (v) parking, loading or manoeuvring vehicles; or
- (vi) unenclosed private balconies, whether roofed or not.

R2.19: Definitions – Intended Use

Reference to the *intended* use for rateable land is a reference to use:

- (i) that is as of right for the land under the relevant planning scheme;
- (ii) for which a development approval exists;
- (iii) for which an application for development approval has been made but not finally determined; or

- (iv) When the owner or occupier of the land has informed Council of, or has stated, publicly their intention to conduct activities upon the land.

R2.20: Definitions – Telecommunications Site

The term *Telecommunications Site* shall mean land used for the purpose of providing or facilitating any form of telecommunications such as, for example, a network switch, exchange or mobile telephone tower.

R2.21: Differential Rating Categories – Descriptions

For the 2021/2022 financial year, the Council shall adopt fifty (50) differential rating categories. The descriptions of those rating categories are set out in the following table.

| Category | Description |
|----------|---|
| 1 | Land, which is not otherwise categorised, with a rateable value of less than \$530,001. |
| 2 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 3 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 4 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of less than \$800,000. |
| 5 | Land which is used for the purposes of a <i>Large Water Storage Facility</i> . |
| 6 | Land which is <i>Farm Land</i> : (a) with a rateable value of more than \$4,000,000; or (b) with a land area of greater than 6,000 hectares; or (c) which consists of more than 60 freehold parcels of land. |
| 7 | Land, which is <i>Farm Land</i> , with a rateable value of less than \$45,000 other than land included in category 6. |
| 8 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 9 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 11 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 13 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 21 | Land which is used for the purposes of an airfield. |
| 22 | Land which is used in connection or association with an airfield. |
| 31 | Land used for providing 2 <i>Multi Residential Units</i> including a duplex |
| 32 | Land used for providing 3 to 5 <i>Multi Residential Units</i> |
| 33 | Land used for providing 6 to 10 <i>Multi Residential Units</i> |
| 34 | Land used for providing 11 to 15 <i>Multi Residential Units</i> |
| 35 | Land used for providing 16 to 19 <i>Multi Residential Units</i> |
| 36 | Land used for providing 20 to 29 <i>Multi Residential Units</i> |
| 37 | Land used for providing 30 to 39 <i>Multi Residential Units</i> |
| 38 | Land used for providing 40 to 49 <i>Multi Residential Units</i> |

| Category | Description |
|----------|---|
| 39 | Land used for providing 50 to 59 <i>Multi Residential Units</i> |
| 40 | Land used for providing 60 to 69 <i>Multi Residential Units</i> |
| 41 | Land used for providing 70 to 79 <i>Multi Residential Units</i> |
| 42 | Land used for providing 80 to 89 <i>Multi Residential Units</i> |
| 43 | Land used for providing 90 to 99 <i>Multi Residential Units</i> |
| 44 | Land used for providing more than 99 <i>Multi Residential Units</i> |
| 71 | Vacant land that consists of one freehold allotment of less than 3,000 square metres which is not in an urban fire area and which contains part of a bitumen sealed road. |
| 74 | Land, with an area greater than ten (10) hectares, used for a <i>Noxious or Offensive Industry</i> other than land included in category 402. |
| 75 | Land used for the purpose of storing two or more houses intended for sale and removal. |
| 76 | Land, with an area of more than 4,000 square metres, which is used as an <i>Outdoor Sales Area</i> and does not contain a principal place of residence. |
| 81 | Vacant land in an <i>Urban Fire Area</i> of more than 5 hectares that has a rateable valuation of less than \$10,000 |
| 82 | Vacant land in an <i>Urban Fire Area</i> and zoned Recreation and Open Space with an area of less than 1,500 square metres |
| 101 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is not located wholly outside of the High Impact Activities Management Overlay Area. |
| 102 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is located wholly outside the High Impact Activities Management Overlay Area. |
| 111 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 113 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 131 | Land used for the purposes of an <i>Approved Dwelling</i> which: forms part of a community titles scheme in which there are exactly two lot entitlements; and is not the owner's <i>Principal Place of Residence</i> . |
| 132 | Land used for the purposes of an <i>Approved Dwelling</i> which: (a) has an area of 1,000m ² or less; and (b) is not part of a community titles scheme; and (c) is in an <i>Urban Fire Area</i> ; and (d) is situated more than 1 kilometre from <i>Town Centre Facilities</i> ; and (e) is not the owner's <i>Principal Place of Residence</i> . |
| 201 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of less than \$2,000,000. |
| 202 | Land which is <i>Banked Development Land – Commercial</i> . |
| 203 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of \$2,000,000 or more. |
| 204 | Land which is <i>Banked Development Land – Renewable Energy Facility</i> . |
| 215 | Land used in whole or in part for the purpose of electricity generation on a commercial basis including but not limited to power stations and <i>Renewable Energy Facilities</i> . |

| Category | Description |
|----------|---|
| 240 | Land used as an electricity network maintenance depot. |
| 244 | Land used as a <i>Telecommunications Site</i> , including any purpose associated with or ancillary to telecommunications (such as, for example, offices, depots and storage sheds). |
| 301 | Land which is <i>Extractive Industries Land</i> |
| 302 | Land which is Approved Extractive Industries Land. |
| 401 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of \$800,000 or greater. |
| 402 | Land used or intended to be used, in whole or in part as an abattoir, with a <i>gross floor area</i> greater than 15,000 square metres. |
| 501 | Land used for the purposes of a caravan park within 1 kilometre of a <i>Large Water Storage</i> facility as that term is defined in this document upon which there are 10 or more buildings which do not have building approvals. |

R3. Joint Arrangements with Other Local Authorities for Levying Special Rates/Charges

Council has not entered into any arrangements with other local authorities for the levying of special rates and charges.

R4. Criteria Used to Decide the Amount of Cost-Recovery Fees

Council sets its cost-recovery fees on the basis of full cost recovery/user pays principles.

The amount of such fees are set so as to recover no more than the costs of administering the relevant regulatory regimes. In some cases, Council may recover less than the full cost of providing the relevant service.

R4.1 Change of Ownership Fee

Council will maintain its change of ownership fee for recording details of ownership changes. The revenue from this charge will be applied towards the costs of entering and administering changes to Council's rates, mapping, debtors, customer request system, records system and other data bases containing property owner details, the costs of addressing potential change of ownership impacts upon State Government Pensioner Rate Subsidy eligibility and arrears of rates and to the costs of administering the charging system itself including recovery issues. The full costs will exceed revenue collected. In order to minimise the costs of administering the charging system, the change of ownership fee will be levied (as a cost recovery fee) on the first rate notice issued to the new owner with appropriate disclosures that it does not represent a rate and that non-payment of the charge will not result in loss of rates discounts.

R4A. Business activity fees

Council has the power to conduct business activities and make business activity fees for services and facilities it provides on this basis. Business activity fees are made where Council provides a service and the other party to the transaction can choose whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are subject to the Commonwealth's Goods and Services Tax.

Business activity fees include but are not confined to the following: rents, plant hire, private works and hire of facilities.

R5. Explanation of Differential General Rate

Differential general rates will be raised annually on all rateable properties in the Region based on State valuations at a level that together with minimum differential general rates raises enough revenue to meet the shortfall between the recurrent and capital cash costs, outlays, returns and non-cash costs of Council's programs and internal and external revenues received in respect of those programs.

R6. Explanation of Minimum Differential General Rate

Council shall levy minimum differential general rates on all rateable properties as a method of ensuring a reasonable minimum contribution is made to the general rates income from across the Region.

It is noted that State legislation does not currently permit Council to charge a minimum differential general rate on certain development land. This is a legislative requirement and not a Council concession.

It is confirmed that each individual interest in a community titles development may be subject to a minimum differential general rate (providing the interest's proportion of the scheme's total valuation does not attract a differential general rate that is higher than the minimum differential general rate).

R7. Explanation of Utility Charges

It is the policy of Council in levying charges for services (utilities) that the charges produce sufficient income to meet the outlays of the functional programs and a return on assets invested in accordance with National Competition Policy where appropriate.

The outlays include contributions (initially funded from general revenue) to administrative costs and overheads, Council road operational costs to the extent that these costs are necessarily incurred to facilitate the conduct of the service and transfers to relevant reserves. Account is taken of ordinary or trading income, grants, subsidies or contributions received for the function and any internal or external financial accommodation arranged. Utility charges relate to waste management operations.

The Code of Competitive Conduct will not be applied to any Council activity.

R7.1 Consumer Charges

It is also the policy of Council that the consumers of Utility Services will be expected to pay on either a full or substantially user pays basis. In such cases, cost of providing this service will include the cost of acquisition of particular commodities or service, the cost of providing infrastructure or organisation to process and/or deliver the commodity or service, any overheads associated with these costs and return on assets as described earlier.

R7.2 Waste Management Charges

A utility charge for waste management shall be levied on every property within the Region, as the whole of the Region is a declared waste management area.

The amount of the utility charge for waste management shall be determined by the Council as part of each year's budget. The charge payable on a particular parcel of land shall depend on the type of service which the Council provides.

Council will make available a minimum of 1 garbage service to all properties in the Region with the following exceptions:

- Where in the view of the Chief Executive Officer or delegate, practical, economical or safe access for the refuse collector is unable to be provided.
- Where in the view of the Chief Executive Officer or delegate, there is no evidence of habitation or potential habitation within existing structures on a property such as sewerage or septic facilities.
- Where in the view of the Chief Executive Officer or delegate, there is a regular (at least weekly) approved commercial garbage service provided to a property.
- Properties designed for multiple residential tenancies will be supplied with a minimum of 1 garbage service per house, unit or flat or unless the Chief Executive Officer forms the view that a service for each house, unit or flat is not required.

Council will charge for waste management services on a pro-rata basis with charges commencing from the date of delivery of a wheelie bin or other appropriate date determined by the Chief Executive Officer or delegate.

Subject to this policy where the number of waste management services is to be reduced to not less than one service, charges shall cease on the date of customer request for the approved reduction.

Council will invoke relevant local laws, the provisions of Environmental Protection Regulation 2019 or any successor law where necessary to supply additional garbage services to any property.

Delegation is given to the Chief Executive Officer to determine if more than 1 wheelie bin is required for health or environmental reasons at any particular commercial or residential property under a relevant local law, the Environmental Protection Regulation 2019 or any successor law to be charged at the standard rate per service.

Where in the view of the Chief Executive Officer that by reason of ill health or other physical or mental incapacity, no householder in a particular residential premise is reasonably able to place a wheelie bin at the kerb adjacent to those notified premises, Council may invoke the infirm households provisions of its waste contract to provide a service to the premises.

Applications for an infirm household service must be supported by a medical certificate(s) and will contain a statutory declaration that:

- the property is used for residential purposes only;
- that there are no regular inhabitants of the property who are capable of transporting waste to the collection point; and
- that satisfactory alternative arrangements cannot be made.

An additional wheelie bin service may be provided to residents who in the opinion of the Chief Executive Officer, directly as a result of a medical condition, generate significantly greater quantities of domestic waste and/or recyclable waste, subject to the following conditions:

- A written application is made on the prescribed form and is accompanied by written

advice from a medical practitioner stating that the applicant will, as a result of their medical condition, require assistance disposing of additional waste.

- Will only be provided to properties within a wheelie bin serviced area and will be provided at no additional charge.
- May be in the form of an additional 140 or 240 litre domestic wheelie bins or an additional 240 litre recyclable waste wheelie bin.

R8. Explanation of Special Charges - Rural Fire Levy

Council's Policy is to levy a special charge on all rateable land outside an *Urban Fire Area* for the purpose of contributing towards the funding of rural fire brigades in providing fire services.

An Urban Fire Area is land which is Class A, B, C or D land under the *Fire and Emergency Services Regulation 2011*.

The Rural Fire Levy shall be applied (with exceptions as below) to all rateable land outside an *Urban Fire Area*, within that meaning of that term as defined for rating categorisation purposes.

Land which is included in differential general rating category 7 shall be excluded from the Rural Fire levy.

Council will apply different bases for applying the levy between farming and non-farming land.

The rural fire levy is applied to the areas that are not within a rural fire brigade area such as Biarra and Eskdale following advice from the Rural Fire Brigade members that rural fire volunteers are willing to attend any fire in the local government area whether within a rural fire brigade area or not.

To minimise the costs of administering the Rural Fire Levy and due to the small size of the levy, Council will raise the Rural Fire Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received after the time of issuing rates.

Therefore, if a new and separate valuation is received that is effective from prior to the issue of the previous rate notice, Council will not seek to recover additional rural fire levy amounts as a result of this advice from those prior periods.

All monies billed for rural fire purposes during the year shall be applied for rural fire purposes whether or not Council collects it. Interest earned by Council on rural fire levy arrears owing to Council shall accordingly be applied to Council's general revenue.

No discount will apply to these charges.

R9. Explanation of Special Charges – Kennels Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting dog kennels a charge relating to its structured inspection program of these premises. The charge will appear on relevant rate notices and no discount shall apply.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) kennels requiring inspection exist on the one

property, two (or more) inspection charges shall be levied as required.

R10. Explanation of Special Charges – Poultry Farm and Extractive Industries Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting intensive poultry farms and extractive industries a charge relating to its structured inspection program of these premises.

The charge will appear on relevant rate notices and no discount shall apply.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) poultry farms or two extractive industries requiring inspection exist on the one property, two (or more) inspection charges shall be levied as required.

R11. Explanation of Special Charges – Food Premises Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting food premises as established under the Food Act 2006, a charge relating to its structured inspection program of these premises. The charge will appear in half yearly instalments on relevant rate notices and no discount shall apply.

This charge will replace regulatory charges (where applicable) that would otherwise apply to activities carried out on rateable properties in order to save on administration costs and simplify dealings between Council and business.

Where regulatory charges for this or a similar purpose set in periods before 1 July 2021 have been prepaid to a date after 1 July 2021, Council will reduce the amount of this special charge on a pro rata basis to this date by applying a percentage of the charge.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) food premises requiring inspection exist on the one property, two (or more) inspection charges shall be levied as required.

R12. Explanation of Environmental Separate Charge

Council believes it has an obligation to help protect, maintain and improve the natural environment. In accordance with this obligation, Council expects to incur costs of more than \$490,032 during 2021/2022 on environmental initiatives.

Council will maintain a separate charge of \$41.50 per annum on all rateable properties (per valuation) called an “Environmental levy” so as to separately fund environmental initiatives in the Region. The levy may otherwise be described on rate notices in a way that is consistent with the service, facility or activity funded by it.

The levy funds a service, facility or activity as required for a separate charge under Section 103 of the Local Government Regulation 2012. The service, facility or activity is identified as:

- Council’s pest management program.

To minimise the costs of administering the Environmental Levy and due to the small size of the levy, Council will raise the Environmental Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received by Council after the time of issuing the rate notices.

For example, if a new and separate valuation for all or part of a property is received that is effective from a date prior to the issue of the previous rate notice, Council will not seek to recover additional environmental levy amounts from the property owner in relation to those prior periods.

Because a specific amount is to be funded, no discount will be available on the Environmental levy.

R13. Explanation of Separate Charge – State Emergency Services Levy

Pursuant to Part 5 of the Disaster Management Act 2003, Council has an obligation to ensure that it has disaster response capability. Disaster response capability means the ability to provide equipment and a suitable number of persons, using the resources available to the Council, to effectively deal with, or help another entity to deal with, an emergency situation or a disaster in the Somerset Region.

In accordance with this obligation, Council expects to incur State Emergency Services (SES) and other emergency management operating costs for 2021/2022 totalling more than \$330,624 plus additional capital expenditure nett of any government grants.

Council seeks to fund \$330,624 of the total State Emergency Services costs and the cost of other emergency service activities through the imposition of a State Emergency Service separate charge to fund most of the above costs and capital costs.

\$330,624 represents \$28 for each rateable property.

Council will maintain a separate charge of \$28 per annum on all rateable properties (per valuation) called a “State Emergency Services levy” or “SES levy” for the following reasons:

- To separately fund State Emergency Service activities in the Region and other emergency management/ disaster management activities.
- To ensure that the State Emergency Service costs are not hidden in other rates and charges as they have been in the past.
- To communicate to property owners that a significant portion of a nominal “State” activity is in fact funded by the Region.

The levy funds a service, facility or activity as required for a separate charge under Section 103 of the Local Government Regulation 2012. The service, facility or activity is defined as the various activities of State Emergency Service groups in the Region including search and rescue involvement, attendance at vehicle accidents, fires and other emergencies and other emergency activities set out in relevant legislation or sanctioned by Council.

To minimise the costs of administering the State Emergency Service Levy and due to the small size of the levy, Council will raise the State Emergency Service Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received by Council after the time of issuing the rate notices.

For example, if a new and separate valuation for all or part of a property is received that is effective from a date prior to the issue of the previous rate notice, Council will not seek to recover additional state emergency service levy amounts from the property owner in relation to those prior periods.

Because a specific amount is to be funded, no discount will be available on the State Emergency Services levy.

R14. Manner of payment of rates, charges and levies

Ratepayers may pay all rates, charges and fire levy by cash, cheque or EFTPOS at a Council office. Alternatively, ratepayers may pay rates, charges and fire levy by cash or cheque only at any other place or agency that may be appointed for that purpose by Council. Cheques may be posted to Council's mailing address.

In addition, payments including part payments can be made by telephone through automated services using debit cards, MasterCard or Visa card (or such other cards as determined by the Chief Executive Officer) and via the Internet using MasterCard or Visa card. For internal control and merchant agreement purposes, credit card payments will not be accepted by Council officers without the card being presented at a Council EFTPOS device.

Council may appoint agents for receipting funds paid via cash, debit cards, MasterCard or Visa Card as required.

Council may determine to accept payment made by other methods.

R15. Discount on Rates and Utility Charges

It is the policy of Council to grant a discount for the payment and receipt by Council on specified rates and charges outstanding on the land for the rating period on or within forty-two (42) days of the date of issue of the rates notice. The discount where applicable shall be 15% and will apply to a payment made and received in full for the current levy.

Discount shall not apply to separate or special charges (such as Rural Fire Levy and State Emergency Services Levy) and overdue rates.

Council considers 42 days ample time to pay rates.

• Discount when Special Circumstances prevent Prompt Payment

Council may allow a discount if Council is satisfied that the person liable to pay the rate or charge was prevented, by circumstances beyond that person's control, from paying the rate within the discount period specified. Each case shall be determined upon application by the ratepayer, including all appropriate documentation to support the application. Each application shall be determined by the Chief Executive Officer or delegate on its merits.

Discount for prompt payment is to be granted in the following circumstances:

- **Payment in person at the Esk, Kilcoy or Lowood Offices** - payment must be made by close of business on the discount date.
- **Payment at agencies** - payment must be made by close of business on the discount date.

- **Payment by mail** - payment must be received by close of business on the last day of discount. The postal services are the ratepayer's agent not Council's agent.
- **Payment by Telephone or Internet on facilities nominated by Council on rate notices**- payment must be made on or before the last day of discount subject to the conditions imposed by Council's telephone/ internet rates payment contractor.
- **Payment directly into Council's Bank Account** - payment must be made by close of business on the discount date so that payment appears on Council's bank statement dated on or before the date of discount and the payer must immediately advise Council in writing of the details of the deposit. Payments will only be accepted from the date of advice about the origin of payments.
- **Payment by bank transfer into Council's Bank** - Payment is taken to be received on the date that the payment is paid into Council's account (that is, the date it appears on Council's bank statement). Therefore, the ratepayer must take into account the time delay in transferring the money from the ratepayer's bank to Council's account at the National Australia Bank, Esk. For discount to be allowed, the payer must immediately advise Council in writing of the details of the deposit.
- **Underpayment of Rates account by \$20 dollars** – When the net amount of a rate assessment is short paid by the amount of \$20 dollars or less and this payment is received within the discount period, discount will be allowed but the short payment be carried forward as an outstanding balance to the next issued rate notice

R16. Levying Administration Matters

R16.1 Issue of Rate Notices

Rate notices shall be raised half yearly with supplementary credit and debit adjustments to notices already issued able to be raised at any time.

R16.2 Limits on back-charging in the event of a Council error

Where a Council error is uncovered that would lead to additional cleansing service charges being payable by a ratepayer, Council will only backdate the additional charges to the commencement of the half year period in which the error is uncovered. This will be either 1 January or 1 July whichever is the most recent. This shall not apply to general rates or to charges payable on properties used for Government purposes.

R16.3 Adjustments to service charges made without issuing supplementary notices

Where in the course of a financial year there are changes to services or other service charges or levies, Council may charge for the service based on a percentage or multiple of the actual number of services in order to achieve the correct charge without issuing a separate credit or debit adjustment notice.

For example, where a property owner takes on a garbage service at 30 July, the relevant rate notice for the period 1 July to 31 December may show "0.83" units of cleansing services. Conversely, an additional cleansing service commencing from 1 November may be charged on the 1 January to 30 June rate notice as "1.33" units of cleansing services. This method of charging shall be disclosed on rate notices and all such proportional charges shall be calculated based on rounding down in the ratepayer's favour to 2 decimal points.

Where the new charge was first applicable in a prior rating period, the rate notice of the current year may apply the relevant portion of the charge informing the ratepayer that it relates to a prior period. For example, a garbage service that commenced on 31 March may appear on the following August rate notice as 0.50 “garbage prior period” with an additional line showing 1.00 units of “garbage” referring to the current 6 month moiety.

R16.4 Discretion to not issue minor rate or rate adjustment notices

To minimise administration costs on transactions that have a minor impact on Council revenue, where a rate notice or debit supplementary rate notice would otherwise be prepared and adjustments calculated that would result in a net additional rate debt to Council of not more than \$150 and where authorised by the Chief Executive Officer no notice shall be issued.

Council will always issue refunds and/or credit adjustments regardless of size.

R16.5 Recovery of change of ownership fees and bank dishonour charges on rate notices

To minimise administration costs, Council will seek to recover change of ownership fees and bank dishonour fees from property owners from whom these are recoverable on the first rate notice to issue after the relevant event or on a later notice if applicable. Rate notices shall specify that these are not Council rates and that non-payment of these amounts will not affect any entitlement to discount on a rate otherwise identified on the rate notice.

R16.6 Calculation of interest on outstanding rates and charges

To minimise administration costs, Council may from time to time write off selected interest and other outstanding rate balances of less than \$3 if authorised by the Chief Executive Officer.

R16.7 Back charges for Council services where not mentioned on Council property search in error

That where back charges for a Council service would apply because of a Council error and there has been a change in ownership following a property search issued for the new owner that did not mention the applicability of the service charge, Council will only raise the charge from the date of possession by the new owner.

R16.8 No evidence of date of cessation of Council service

That where a service has ceased to apply on a property but there is no information or evidence about the date that the service ended, Council will raise a credit for all relevant charges raised since the commencement of the half year period in which the error is uncovered. This will be either 1 January or 1 July whichever is the most recent. Relevant charges include interest charges if applicable. If evidence about the date being earlier than 1 January or 1 July becomes available, Council will provide a full refund or credit adjustment in line with legal requirements.

R16.9 Half year levy of rates

It is noted that the first half of the financial year (1 July to 31 December) contains more days than the second half (from 1 January to 30 June). Council will nevertheless charge exactly one half of relevant general rates and services charges on each half-yearly notice. It is considered that this practice will have negligible financial impact (if any) over the course of the year and will aid ratepayers' understanding of rate notices compared to the alternative of

charging 50.4% (or whatever) of these rates and charges in the first half of the year and 49.6% in the second half.

R16.10 Risk of dishonoured payments and transfer of land

There is a risk that a payment received by Council may be subsequently dishonoured. Council will use wording on property search responses such as: "Payment of Council rate and/or debtor accounts may be made by means such as cheque. Many methods of payment are susceptible to subsequent dishonour or reversal by the payer's bank or other organisation if it transpires that there were insufficient funds to make the payment or for other reasons. Council is therefore not in a position to guarantee the payment status of this account."

R16.11 Amendment of land record

Section 156 of the Local Government Regulation 2012 requires that:

If an amendment of the land record changes the rates or charges that are or may be levied on land, the Chief Executive Officer must, as soon as practicable, give the ratepayer an amendment notice for the amendment.

Council interprets the relevant notice to include notification given before the amendment to the land record takes place including notification of impending or potential change given with a property search response, notification by the valuation authority to a property owner about changes to valuation or land use and the delivery of a wheelie bin to a property.

R16.12 Property search process and conditions

It is a condition of Somerset Regional Council property search requests that completed requests provide the prospective purchasers' full names, current direct email addresses and current postal addresses as well as the prospective purchasers' addresses for service of notices following change of ownership.

Council will write directly to prospective property owners at the time of replying to property search requests with information such as:

- A statement of thanks for their interest in the Somerset Region.
- Details of how Queensland councils are advised of ownership changes and the potential for legally valid rate notices to be issued to former owners.
- Approximate dates that the next rate notices will issue and will fall due.
- A form of statutory declaration showing details required for notification by new owners of their possession of land. This form shall be for the optional use of new owners.
- A pensioner rate subsidy form to ensure that new pensioner owners do not miss out any entitlements.
- Other matters considered appropriate.

R16.13 Change of ownership record based on advice not from official sources

Council will accept written advices given under Section 156 of the Local Government Regulation 2012 (or successor legislation) that are considered satisfactory by the Chief

Executive Officer as sufficient to alter its land record.

R16.14 State Government Emergency Management Levy definition of “prescribed property”

Council will in all relevant cases determine that portions of parcels of land are not to be classed as if they were separately levyable parcels of land in respect of the definition of “prescribed property” under the *Fire and Emergency Services Act 1990*.

R16.15 Reminder letter threshold

Council will send reminder letters after the due date for rate payment to all property owners with arrears of rates and charges which exceed \$40.

R17. State Government Pensioner Rate Subsidy

Council administers the State Government Pensioner Rate Rebate Scheme within the Region.

Council officers will attempt to make the process of determining eligibility for the scheme as simple as possible for applicants within the rules set down by the State and will attempt to provide the maximum allowable rebates in accordance with this policy.

In relation to applications received from pensioner landowners who have recently qualified for the scheme, Council will apply the subsidy depending on the time of receipt of the application in one of the following ways:

- If the application is processed before rate notices for the half-year are prepared, the subsidy will appear on the printed rate notice.
- If the application is processed after rate notices for the half-year are prepared but before the due date for payment of rates, Council will contact the ratepayer if possible before the due date and provide in writing details of the subsidy amount and the reduced amount now payable by the same due date. This will not represent a revised assessment.
- If the application is processed after the due date for payment of rates or has not previously been communicated to the ratepayer, Council will receipt the allowable subsidy against the rate assessment code as at the end of each calendar month to be included as an opening credit on the next rate notice.

In relation to properties where the subsidy has ceased to apply, Council will either:

- Include the calculation of any reduced subsidy required in the rate notice where this has not yet issued.
- Include details of relevant subsidies allowed to the current owner in property search letters along with the means of calculating how much State Government subsidy may not apply to the new owner (if the new owner is not eligible) and the address of the State Agency for forwarding refund payments due on settlement. As advised by the relevant Department, Council will not seek to obtain reclaim of any subsidy amount beyond what is obtained by the solicitor or conveyancer on settlement unless otherwise directed by the State authorities.
- Council is required to verify the continuing eligibility of pensioners for the State

Government Pensioner Rate Subsidy with Centrelink and the Department of Veterans' Affairs each year. If these agencies report a mismatch between their records and Council's, Council may be required to cease providing the subsidy. Council will not be advised of the reason for the mismatch and cannot provide further advice to ratepayers.

R18. Payment Arrangements

Council will not enter into arrangements that limit its legal power to recover rates.

R19. Overdue Rates and Charges

R19.1 Rates and Property Related Charges Due and Payable

It is the policy of Council that following the issue of a rates notice, rates and charges are due and payable forty-two (42) days after the date of the notice.

All rates and charges remaining unpaid after the expiry of forty-two (42) days will constitute overdue rates and charges for the purposes of section 132 of the *Local Government Regulation 2012*.

R19.2 Interest on Overdue Rates and Charges

In accordance with section 133 of the *Local Government Regulation*, all overdue rates and charges shall bear compound interest at the rate of 8.03% p.a., calculated on daily rests effective from 21 days after the due date for payment. This is effective 1 July 2021.

R19.3 Concessions – Overdue Rates and Charges

It is Council's general policy not to grant rebate of rates. However, in special circumstances, remission may be granted in accordance with the following guidelines:

- Pursuant to Section 122 of the Local Government Regulation 2012, an application on the approved form "Application for Rebate" be made by the owner of the land concerned.
- The services of an independent third party be used for an assessment and report of the applicant's financial status.
- The applicant/s complete an authority letter to agree to Council's independent third party to evaluate their financial status.
- Any other relevant information be supplied by the applicant or in compliance with requests by Council's Administration to support the application.
- Council considers the application for rebate together with a report prepared by Council's Administration, such report providing all the necessary and relevant information.
- Upon Council making its decision on the matter, the Administration is authorised to undertake the necessary action with regard to such application for rebate.
- The general policy of this Council is that it will not grant applications for rebate from applicants that are absentee landholders.

- Council may as it sees fit also grant a rebate in cases where it believes rating decisions may cause financial hardship and may make arrangements with ratepayers for deferral of rates in accordance with a separate Council policy.

R19.4 Prepayment of rates

The Chief Executive Officer or delegate is authorised to accept or arrange prepayment of rates and charges

Interest shall not accrue to persons whose rates are paid in advance. Discount will be granted if full payment is received on or before the expiration of the discount period.

R20. Precepts and Government Levies

Council policy is to comply with applicable legislation in the levy, collection and remittance of precepts and charges payable to the State Government.

R21. Investments

Available surplus funds are to be invested in accordance with Council's investment policy.

R22. Infrastructure Costs for New Development

Developers are required to pay the full costs of any increased capacity in the physical infrastructure due to any new developments, and where appropriate, a contribution towards social infrastructure changes required to cater for the increase or changes in population caused by new developments.

R23. Operating Capability

It is intended that the operating capability of the Council will be increased or decreased by the amount shown in the budget documents.

R24. Matters required by section 172 of the Local Government Regulation 2012

An outline and explanation of the measures that the local government has adopted for raising revenue:

- (i) the rates and charges to be levied in the financial year
The rates and charges to be levied in the financial year are outlined in the budget documents. These encompass differential general rates, utility charges, special charges for certain properties and separate charges.
- (ii) the concessions for rates and charges to be granted in the financial year
Concessions for rates and charges include a pensioner rebate on general rates in specific limited circumstances and rebates resolved by Council from time to time in accordance with policy.

R25. Local Law Debts

It is the Policy of Council to use powers available under the Local Government Act 2009 Section 142 and applicable Local Laws in respect of works performed on properties.

The following steps shall be taken:

- Council will meet legal requirements in relation to works on private properties, including providing reasonable warnings and notice.
- Council will provide an account for the amount for which the owner or occupier is liable. The account shall provide for payment terms of 30 days.
- If the account is unpaid at the expiry of 30 days, Council shall write and inform the debtor that the outstanding balance will be treated as if it were an overdue rate. Relevant information will be provided to explain the implications of this treatment including the levying of interest.
- Interest at the maximum rate applicable to rates debts shall be applied (currently 8.03%) commencing from 31 days after the issue of the relevant account.
- Council shall forward regular invoices as appropriate in relation to new interest charges on the outstanding debt.
- Council delegates authority to the Chief Executive Officer to request the formal registering of charges over properties if required.
- The Chief Executive Officer shall report to Council on those cases where charges are registered over land.

It is noted that the treatment of property based debtors accounts as rates will permit sale of lands for rate arrears where such accounts are 3 years in arrears.

R26. Rate capping

To satisfy the provisions of section 172 of the *Local Government Regulation 2012*, Council has not made a resolution limiting an increase of rates and charges for 2021/2022.

R27. Pensioner rebate of Kilcoy differential general rates

R27.1 Qualifying Pensions

Rebate of part of certain rates and charges as determined by Council from time to time may be granted to owners who are holders of a current valid Queensland pensioner concession card and who are eligible to receive a State Government Pensioner Rate Subsidy under the rules of the State Government Pensioner Rate Subsidy Scheme.

The rebate may be granted under Section 120 of the *Local Government Regulation 2012*.

Council has decided to phase out the granting of an automatic concession of this kind to pensioners, but wishes to protect those pensioners currently receiving the concession from any hardship resulting from the change. Those pensioners in receipt of the pensioner rate subsidy as at 30 June 2008 will continue to receive the subsidy provided they retain other eligibility criteria. However, no new automatic concession will be granted to those pensioners not already in receipt of the concession as at 30 June 2008.

R27.2 Application

A pensioner rebate as above shall apply to differential general rates within the former Kilcoy

Shire.

R27.3 Calculation

The rebate of differential general rates within the former Kilcoy Shire shall be equal to:

- \$20 per annum multiplied by;
- The percentage to which the landowners are entitled to receive a State Government Pensioner Rate Subsidy under the rules of that subsidy scheme as issued by State authorities from time to time.

For example, if a full State Government Pensioner Rate Subsidy applies to a rate assessment where differential general rates of \$1,000 would otherwise apply, the landowner shall be entitled to a rebate of \$20 of the rates. If 33% of the full State Government Pensioner Rate Subsidy applies, the landowner shall be entitled to a rebate of 33% of \$20 of the rates.

R27.4 Justification

Council has decided to offer the concession on differential general rates within the former Kilcoy Shire to recognise the financial impact on people of fixed incomes within the former Kilcoy Shire who enjoyed the same level of rebate in previous years.

R27.5 Administration

An application for a State Government Pensioner Rate Subsidy shall be taken to also be an application for Council pensioner rebate. The rules governing eligibility to the State Government Pensioner Rate Subsidy Scheme as issued by State authorities from time to time shall apply in determining eligibility to the Council rebate.

R28. Fines and Penalties

It is a policy of Council to comply with the statutory requirements and guidelines for the imposition of fines and penalties for breaches of regulatory provisions.

R29. Scope of Council's Land Record and Provision of Information from Land Record

The land record of Council includes all information that Council holds about properties in all data bases including but not limited to rates, mapping, debtors, customer request, records, pest mapping but excludes private details about the owner that Council is not required by law to keep and which could have no possible effect on future owners of the property including telephone numbers and personal financial details.

It is confirmed that the following events do not constitute a change of ownership within Council's land record:

- Change of name including taking of married name
- Recording an estate administrator including recording the death of a joint owner of a property (adding "estate of") or transmission to the Estate Administrator as legal personal representative.

The scheduled fee for provision of information from Council's land record may be waived when the following circumstances apply:

- Where official enquiries are made by the police, fire brigades, Australian Defence Force, power and water authorities, Australia Post, emergency services and relevant government agencies in writing.
- Where the caller requires contact details of adjoining owners for issues of public safety, fencing, development applications and the like.
- Where the caller requires details that are required to fulfil a condition imposed under a Council approval

R30. Capitalisation Thresholds

Pursuant to section 206 of the Local Government Regulation 2012, the following asset capitalisation thresholds apply:

| Asset Category | Capitalisation threshold |
|--|---------------------------------|
| Plant, furniture and equipment | \$5,000 |
| Land | \$1 |
| Buildings, infrastructure and other assets | \$10,000" |

Resolution

Moved – Cr Whalley

Seconded – Cr Gaedtke

“THAT, pursuant to section 94B of the *Local Government Act 2009*, the following amended Revenue Statement for 2021/2022 be adopted

R1: Introduction

The Revenue Statement for the year ending 30 June 2022 for the Somerset Regional Council has been adopted in accordance with Section 172 of the *Local Government Regulation 2012*.

R2: Differential General Rates

R2.1: Purpose of levying differential general rates

Differential general rates will be levied on all rateable land in the Region. In Council’s opinion, differential general rating enables there to be a more equitable relationship between revenue raised from particular land and the circumstances relevant to that land than would be the case under a standard rating system where rates are levied at a single rate in the dollar on all rateable land.

In determining its differential rating system, Council’s objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations, and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

R2.2: Structure of Differential General Rating system

For the 2021/2022 financial year, the Council will levy general rates on land on the basis of 51 differential rating categories.

In summary, these 51 categories have been determined having regard to matters such as: -

- land use;
- land location;
- availability of services;
- consumption of services;
- land area;
- valuation; and
- income producing capacity of land.

R2.3: Definition - Large Water Storage Facility

The term *Large Water Storage Facility* shall refer to facilities used for the storage of water for human consumption or agricultural use with capacity greater than ten thousand (10,000) megalitres.

Where land is used for a *Large Water Storage Facility*, it will be included in category 5.

The general rate in the dollar applied to land in category 5 is set having regard to the following factors:

- High income producing capacity of the land which is reflective of its monopoly supply of a vital natural resource.
- Cost of water quality awareness on Council's operations and in the delivery of services to its residents.
- Effects on infrastructure design and cost factors both upstream and downstream of the water storages including bridges, roads and waste management infrastructure.
- Equity issues of flooding the Region's most economically productive land with no commensurate ongoing income to replace that loss.
- Cost of provision of services to visitors to the lakes relative to the economic benefits provided by those visitors. The former South East Queensland Water Corporation estimated that there were approximately 1,000,000 visitors to Lakes Somerset and Wivenhoe per annum in recent years.
- Higher planning and deliberation costs relating to lakeside and catchment land use matters.
- Social impacts of the decision to close or otherwise limit access to the former South East Queensland Water Corporation's recreational areas and impact on Council's costs in closing the gap in the provision of services.
- Increased cost of emergency services provision in the Region relating to hosting large water storages.

R2.4: Definition - Farm Land

The term *Farm Land* shall mean land used for a purpose described by any of the following primary land use codes– 60 (Sheep Grazing – Dry), 61 (Sheep Breeding), 64 (Cattle Grazing - Breeding), 65 (Cattle Breeding and Fattening), 66 (Cattle Fattening), 67 (Goats), 68 (Dairy Cattle - Quota Milk), 69 (Dairy Cattle - Non Quota Milk), 70 (Cream), 71 (Oil Seeds), 73

(Grains), 74 (Turf Farms), 75 (Sugar Cane), 76 (Tobacco), 77 (Cotton), 78 (Rice), 79 (Orchards), 80 (Tropical Fruits), 81 (Pineapple), 82 (Vineyards), 83 (Small Crops and Fodder Irrigated), 84 (Small Crops and Fodder Non-Irrigated), 85 (Pigs), 86 (Horses), 87 (Poultry), 89 (Animals Special), 93 (Peanuts) but excluding:

- land that is:
 - used for the transmission of wholesale electricity to a retail electricity distribution network and is not subject to a registered easement for power line, electrical works or similar purposes; or
 - used or intended to be used for future hydro-electric power generation purposes;
- land used for the purposes of an airfield;
- land used for the purposes of a *Large Water Storage Facility*, as that term is defined in this document;
- *Banked Development Land*, as that term is defined in this document;
- *Extractive Industries Land*, as that term is defined in this document; and
- *Approved Extractive Industries*, as that term is defined in the document.

For avoidance of doubt, the definition of *Farm Land* includes Crown reserve land used solely for the purpose of a stock dip.

R2.5: Definition - Commercial and Industrial Land

The term *Commercial and Industrial Land* shall mean land used for a purpose described by any of the following primary land use codes – 10 (Combined Multi Dwelling and Shops), 11 (Shop – Single), 12 (Shops - Shopping Group (more than 6 shops)), 13 (Shopping Group (2 to 6 shops)), 14 (Shops - Main Retail), 15 (Shops - Secondary Retail), 16 (Drive In Shopping Centres), 17 (Restaurant), 18 (Special Tourist Attraction), 19 (Walkway), 20 (Marina), 21 (Residential Institutions (non-medical care)), 22 (Car Park), 23 (Retail Warehouse), 24 (Sales Area Outdoor), 25 (Offices), 26 (Funeral Parlours), 27 (Hospitals, Convalescent Homes (Medical Care) (Private)), 28 (Warehouses and Bulk Stores), 29 (Transport Terminal), 30 (Service Station), 31 (Oil Depots), 32 (Wharves), 33 (Builders Yard/Contractors Yard), 34 (Cold Stores – Iceworks), 35 (General Industry), 36 (Light Industry), 37 (Noxious/Offensive Industry), 38 (Advertising Hoarding), 39 (Harbour Industries), 41 (Child Care), 42 (Hotel/Tavern), 43 (Motel), 44 (Nurseries), 45 (Theatres and Cinemas), 46 (Drive-in Theatre), 47 (Licensed Clubs), 48 (Sports Clubs/Facilities), but excluding:

- land that is used for the transmission of electricity or for radio communications or telecommunications purposes unless the electrical or radio communications or telecommunications uses occur only over part of the land that is a registered easement or a registered lease or land described by categories 240 or 244;
- land used for the purposes of an airfield;
- land used in association or connection with an airfield;
- land used for the purposes of a *Large Water Storage Facility*, as that term is defined in this document.

- *Banked Development Land*, as that term is defined in this document;
- land used for the purposes of an *Outdoor Sales Area*, as that term is defined in this document;
- land in an urban fire area which is used for the storage of more than 10 unregistered vehicles;
- land used for the purpose of storing two or more houses intended for sale and removal; and
- land used or intended to be used, in whole or in part for a *Noxious and Offensive Industry* with a land area over ten (10) hectares.

Commercial and Industrial Land also includes land used for the purposes of a caravan park provided the land is not in an urban fire area or within 1 kilometre of a *Large Water Storage Facility*, as that term is defined in this document.

R2.6: Definition – Urban Fire Area

The term *Urban Fire Area* shall mean land which is classified as being Class A, B, C or D land under schedule 1 of the *Fire and Emergency Services Regulation 2011*.

R2.7: Definition – Principal Place of Residence

The term *Principal Place of Residence* shall mean land which is the place of residence at which at least one person who constitutes the owner/s of the land predominantly resides.

In establishing whether land is the owner's *Principal Place of Residence*, Council may consider, but not be limited to the owner's declared address for electoral, taxation, government social security or national health registration purposes, or any other form of evidence deemed acceptable by the Council. Residential premises that have not met these criteria will be deemed a secondary residence.

For the avoidance of doubt, land will not be the owner's *Principal Place of Residence* where it is:

- not occupied by at least one person/s who constitute the owner/s, but occupied by any other person/s, whether in return for rent or remuneration or not, including members of the owner's family, or;
- vacant, whether permanently or temporarily (for more than 120 days of the financial year), including for the purposes of renovation or redevelopment, except in the case where:
 - (ii) premises which are being renovated are and remain the principal place of residence of the owner, and the owner does not during the renovation period own any other property which is used as, or asserted by the owner for any purpose to be, the owner's place of residence; and
 - (ii) a property is vacant for a period longer than 120 contiguous days of the financial year due to the owner/s absence on an extended holiday, provided that the property remains completely vacant for the entire period of their

absence; or

- flats and other multiple tenement residential properties, even where the owner of the land resides in one of the flats or tenements; or
- land primarily used for the storage of water for human consumption or agricultural use with a capacity of one mega litre or more; or
- Banked Development Land.

R2.8: Definition – Banked Development Land

Land is Banked Development Land if it is either:

- (i) The whole or part of land over which one or more current development permits have been issued for reconfiguring the land, for the creation, in total, of 9 or more lots (“Banked Development Land – Subdivision”); or
- (ii) Land for which a material change of use development permit has been issued where the approved land use (which, once commenced, would meet the definition for rating categorisation purposes of “Commercial and Industrial Land”) has not commenced (“Banked Development Land – Commercial”); or
- (iii) Land for which a material change of use development permit has been issued where the approved land use (which, once commenced, would be “land used in whole or in part for a Renewable Energy Facility”) has not commenced (“Banked Development Land – Renewable Energy Facility”).

R2.9: Definition – Approved Extractive Industries Land

The term *Approved Extractive Industries Land* shall mean land for which a development permit has been issued and remains in force for a Material Change of Use for an Extractive Industry but on which extraction has not commenced in accordance with the approved conditions.

R2.10: Definition – Extractive Industries Land

The term *Extractive Industries Land* shall mean:

- land used, in whole or in part, for the purpose of an extractive industry; or
- land for which a development permit has been issued and remains in force for a Material Change of Use for an Extractive Industry on which extraction has previously commenced, but has subsequently ceased.

R2.11: Definition – Land Use Codes

The term *Land Use Codes* shall mean those codes recorded in Council’s land records which identify the principal use of the land determined by the State valuation authority.

The *Land Use Codes* are available for inspection at the Council’s office.

R2.12: Definition – Noxious or Offensive Industry

The term *Noxious or Offensive Industry* shall mean, without limitation:

- an abattoir;
- a meat processing facility; and
- any facility which processes by-products of an abattoir or meat processing facility.

R2.13: Definition – Outdoor Sales Area

The term *Outdoor Sales Area* shall mean an area used for the sale of used vehicles, used plant, vehicle or plant components or any combination of these products.

R2.14: Definition – Town Centre Facilities

The term *Town Centre Facilities* shall mean any of the following facilities:

- police stations;
- licensed aged care facilities;
- hospitals;
- schools;
- post offices; and
- ambulance stations.

R2.15: Definitions – Dwelling Houses and Dwelling Units

The term *Approved Dwelling* shall mean a dwelling house or dwelling unit which is approved for human habitation.

The term *Secondary Dwelling* shall mean a dwelling house or dwelling unit which does not share a common wall or roof line with another *Approved Dwelling* on the same land.

For the avoidance of doubt, a duplex, townhouse or a unit in apartment building, unit complex or other such similar building will not constitute a *Secondary Dwelling*.

R2.16: Definitions – Multi Residential Units

The term *Multi Residential Units* shall mean residential accommodation of more than 1 flat, caravan site or other similar styles of accommodation, where such accommodation is not for use by the ordinary travelling public. *Multi Residential Units* excludes properties described by category 501.

R2.17: Definitions – Renewable Energy Facility

The term *Renewable Energy Facility*:

- (iii) shall mean the use of the land for the generation of electricity or energy from a renewable energy source, including for example, sources of bio-energy, geothermal energy, hydropower, ocean energy, solar energy or wind energy; but
- (iv) does not include the use of land to generate electricity or energy that is to be used mainly on the land.

R2.18: Definitions – Gross Floor Area

The term *gross floor area*, for a building, means the total floor area of all storeys of the building, measured from the outside of the external walls and the centre of any common walls of the

building, other than areas used for:

- (vii) building services, plant or equipment;
- (viii) access between levels;
- (ix) a ground floor public lobby;
- (x) a mall;
- (xi) parking, loading or manoeuvring vehicles; or
- (xii) unenclosed private balconies, whether roofed or not.

R2.19: Definitions – Intended Use

Reference to the *intended* use for rateable land is a reference to use:

- (v) that is as of right for the land under the relevant planning scheme;
- (vi) for which a development approval exists;
- (vii) for which an application for development approval has been made but not finally determined; or
- (viii) When the owner or occupier of the land has informed Council of, or has stated, publicly their intention to conduct activities upon the land.

R2.20: Definitions – Telecommunications Site

The term *Telecommunications Site* shall mean land used for the purpose of providing or facilitating any form of telecommunications such as, for example, a network switch, exchange or mobile telephone tower.

R2.21: Differential Rating Categories – Descriptions

For the 2021/2022 financial year, the Council shall adopt fifty (50) differential rating categories. The descriptions of those rating categories are set out in the following table.

| Category | Description |
|----------|---|
| 1 | Land, which is not otherwise categorised, with a rateable value of less than \$530,001. |
| 2 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 3 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 4 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of less than \$800,000. |
| 5 | Land which is used for the purposes of a <i>Large Water Storage Facility</i> . |
| 6 | Land which is <i>Farm Land</i> : (d) with a rateable value of more than \$4,000,000; or |

| Category | Description |
|----------|---|
| | (e) with a land area of greater than 6,000 hectares; or (f) which consists of more than 60 freehold parcels of land. |
| 7 | Land, which is <i>Farm Land</i> , with a rateable value of less than \$45,000 other than land included in category 6. |
| 8 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 9 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 11 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 13 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 21 | Land which is used for the purposes of an airfield. |
| 22 | Land which is used in connection or association with an airfield. |
| 31 | Land used for providing 2 <i>Multi Residential Units</i> including a duplex |
| 32 | Land used for providing 3 to 5 <i>Multi Residential Units</i> |
| 33 | Land used for providing 6 to 10 <i>Multi Residential Units</i> |
| 34 | Land used for providing 11 to 15 <i>Multi Residential Units</i> |
| 35 | Land used for providing 16 to 19 <i>Multi Residential Units</i> |
| 36 | Land used for providing 20 to 29 <i>Multi Residential Units</i> |
| 37 | Land used for providing 30 to 39 <i>Multi Residential Units</i> |
| 38 | Land used for providing 40 to 49 <i>Multi Residential Units</i> |
| 39 | Land used for providing 50 to 59 <i>Multi Residential Units</i> |
| 40 | Land used for providing 60 to 69 <i>Multi Residential Units</i> |
| 41 | Land used for providing 70 to 79 <i>Multi Residential Units</i> |
| 42 | Land used for providing 80 to 89 <i>Multi Residential Units</i> |
| 43 | Land used for providing 90 to 99 <i>Multi Residential Units</i> |
| 44 | Land used for providing more than 99 <i>Multi Residential Units</i> |
| 71 | Vacant land that consists of one freehold allotment of less than 3,000 square metres which is not in an urban fire area and which contains part of a bitumen sealed road. |
| 74 | Land, with an area greater than ten (10) hectares, used for a <i>Noxious or Offensive Industry</i> other than land included in category 402. |
| 75 | Land used for the purpose of storing two or more houses intended for sale and removal. |
| 76 | Land, with an area of more than 4,000 square metres, which is used as an <i>Outdoor Sales Area</i> and does not contain a principal place of residence. |
| 81 | Vacant land in an <i>Urban Fire Area</i> of more than 5 hectares that has a rateable valuation of less than \$10,000 |
| 82 | Vacant land in an <i>Urban Fire Area</i> and zoned Recreation and Open Space with an area of less than 1,500 square metres |
| 101 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is not located wholly outside of the High Impact Activities Management Overlay Area. |
| 102 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is located wholly outside the High Impact Activities Management Overlay Area. |
| 111 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |

| Category | Description |
|----------|---|
| 113 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 131 | Land used for the purposes of an <i>Approved Dwelling</i> which: forms part of a community titles scheme in which there are exactly two lot entitlements; and is not the owner's <i>Principal Place of Residence</i> . |
| 132 | Land used for the purposes of an <i>Approved Dwelling</i> which: (f) has an area of 1,000m ² or less; and (g) is not part of a community titles scheme; and (h) is in an <i>Urban Fire Area</i> ; and (i) is situated more than 1 kilometre from <i>Town Centre Facilities</i> ; and (j) is not the owner's <i>Principal Place of Residence</i> . |
| 201 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of less than \$2,000,000. |
| 202 | Land which is <i>Banked Development Land – Commercial</i> . |
| 203 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of \$2,000,000 or more. |
| 204 | Land which is <i>Banked Development Land – Renewable Energy Facility</i> . |
| 215 | Land used in whole or in part for the purpose of electricity generation on a commercial basis including but not limited to power stations and <i>Renewable Energy Facilities</i> . |
| 240 | Land used as an electricity network maintenance depot. |
| 244 | Land used as a <i>Telecommunications Site</i> , including any purpose associated with or ancillary to telecommunications (such as, for example, offices, depots and storage sheds). |
| 301 | Land which is <i>Extractive Industries Land</i> |
| 302 | Land which is <i>Approved Extractive Industries Land</i> . |
| 401 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of \$800,000 or greater. |
| 402 | Land used or intended to be used, in whole or in part as an abattoir, with a <i>gross floor area</i> greater than 15,000 square metres. |
| 501 | Land used for the purposes of a caravan park within 1 kilometre of a <i>Large Water Storage</i> facility as that term is defined in this document upon which there are 10 or more buildings which do not have building approvals. |

R3. Joint Arrangements with Other Local Authorities for Levying Special Rates/Charges

Council has not entered into any arrangements with other local authorities for the levying of special rates and charges.

R4. Criteria Used to Decide the Amount of Cost-Recovery Fees

Council sets its cost-recovery fees on the basis of full cost recovery/user pays principles.

The amount of such fees are set so as to recover no more than the costs of administering the relevant regulatory regimes. In some cases, Council may recover less than the full cost of providing the relevant service.

R4.1 Change of Ownership Fee

Council will maintain its change of ownership fee for recording details of ownership changes. The revenue from this charge will be applied towards the costs of entering and administering changes to Council's rates, mapping, debtors, customer request system, records system and other data bases containing property owner details, the costs of addressing potential change of ownership impacts upon State Government Pensioner Rate Subsidy eligibility and arrears of rates and to the costs of administering the charging system itself including recovery issues. The full costs will exceed revenue collected. In order to minimise the costs of administering the charging system, the change of ownership fee will be levied (as a cost recovery fee) on the first rate notice issued to the new owner with appropriate disclosures that it does not represent a rate and that non-payment of the charge will not result in loss of rates discounts.

R4A. Business activity fees

Council has the power to conduct business activities and make business activity fees for services and facilities it provides on this basis. Business activity fees are made where Council provides a service and the other party to the transaction can choose whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are subject to the Commonwealth's Goods and Services Tax.

Business activity fees include but are not confined to the following: rents, plant hire, private works and hire of facilities.

R5. Explanation of Differential General Rate

Differential general rates will be raised annually on all rateable properties in the Region based on State valuations at a level that together with minimum differential general rates raises enough revenue to meet the shortfall between the recurrent and capital cash costs, outlays, returns and non-cash costs of Council's programs and internal and external revenues received in respect of those programs.

R6. Explanation of Minimum Differential General Rate

Council shall levy minimum differential general rates on all rateable properties as a method of ensuring a reasonable minimum contribution is made to the general rates income from across the Region.

It is noted that State legislation does not currently permit Council to charge a minimum differential general rate on certain development land. This is a legislative requirement and not a Council concession.

It is confirmed that each individual interest in a community titles development may be subject to a minimum differential general rate (providing the interest's proportion of the scheme's total valuation does not attract a differential general rate that is higher than the minimum differential general rate).

R7. Explanation of Utility Charges

It is the policy of Council in levying charges for services (utilities) that the charges produce sufficient income to meet the outlays of the functional programs and a return on assets invested in accordance with National Competition Policy where appropriate.

The outlays include contributions (initially funded from general revenue) to administrative costs and overheads, Council road operational costs to the extent that these costs are

necessarily incurred to facilitate the conduct of the service and transfers to relevant reserves. Account is taken of ordinary or trading income, grants, subsidies or contributions received for the function and any internal or external financial accommodation arranged. Utility charges relate to waste management operations.

The Code of Competitive Conduct will not be applied to any Council activity.

R7.1 Consumer Charges

It is also the policy of Council that the consumers of Utility Services will be expected to pay on either a full or substantially user pays basis. In such cases, cost of providing this service will include the cost of acquisition of particular commodities or service, the cost of providing infrastructure or organisation to process and/or deliver the commodity or service, any overheads associated with these costs and return on assets as described earlier.

R7.2 Waste Management Charges

A utility charge for waste management shall be levied on every property within the Region, as the whole of the Region is a declared waste management area.

The amount of the utility charge for waste management shall be determined by the Council as part of each year's budget. The charge payable on a particular parcel of land shall depend on the type of service which the Council provides.

Council will make available a minimum of 1 garbage service to all properties in the Region with the following exceptions:

- Where in the view of the Chief Executive Officer or delegate, practical, economical or safe access for the refuse collector is unable to be provided.
- Where in the view of the Chief Executive Officer or delegate, there is no evidence of habitation or potential habitation within existing structures on a property such as sewerage or septic facilities.
- Where in the view of the Chief Executive Officer or delegate, there is a regular (at least weekly) approved commercial garbage service provided to a property.
- Properties designed for multiple residential tenancies will be supplied with a minimum of 1 garbage service per house, unit or flat or unless the Chief Executive Officer forms the view that a service for each house, unit or flat is not required.

Council will charge for waste management services on a pro-rata basis with charges commencing from the date of delivery of a wheelie bin or other appropriate date determined by the Chief Executive Officer or delegate.

Subject to this policy where the number of waste management services is to be reduced to not less than one service, charges shall cease on the date of customer request for the approved reduction.

Council will invoke relevant local laws, the provisions of Environmental Protection Regulation 2019 or any successor law where necessary to supply additional garbage services to any property.

Delegation is given to the Chief Executive Officer to determine if more than 1 wheelie bin is

required for health or environmental reasons at any particular commercial or residential property under a relevant local law, the Environmental Protection Regulation 2019 or any successor law to be charged at the standard rate per service.

Where in the view of the Chief Executive Officer that by reason of ill health or other physical or mental incapacity, no householder in a particular residential premise is reasonably able to place a wheelie bin at the kerb adjacent to those notified premises, Council may invoke the infirm households provisions of its waste contract to provide a service to the premises.

Applications for an infirm household service must be supported by a medical certificate(s) and will contain a statutory declaration that:

- the property is used for residential purposes only;
- that there are no regular inhabitants of the property who are capable of transporting waste to the collection point; and
- that satisfactory alternative arrangements cannot be made.

An additional wheelie bin service may be provided to residents who in the opinion of the Chief Executive Officer, directly as a result of a medical condition, generate significantly greater quantities of domestic waste and/or recyclable waste, subject to the following conditions:

- A written application is made on the prescribed form and is accompanied by written advice from a medical practitioner stating that the applicant will, as a result of their medical condition, require assistance disposing of additional waste.
- Will only be provided to properties within a wheelie bin serviced area and will be provided at no additional charge.
- May be in the form of an additional 140 or 240 litre domestic wheelie bins or an additional 240 litre recyclable waste wheelie bin.

R8. Explanation of Special Charges - Rural Fire Levy

Council's Policy is to levy a special charge on all rateable land outside an *Urban Fire Area* for the purpose of contributing towards the funding of rural fire brigades in providing fire services.

An Urban Fire Area is land which is Class A, B, C or D land under the *Fire and Emergency Services Regulation 2011*.

The Rural Fire Levy shall be applied (with exceptions as below) to all rateable land outside an *Urban Fire Area*, within that meaning of that term as defined for rating categorisation purposes.

Land which is included in differential general rating category 7 shall be excluded from the Rural Fire levy.

Council will apply different bases for applying the levy between farming and non-farming land.

The rural fire levy is applied to the areas that are not within a rural fire brigade area such as Biarra and Eskdale following advice from the Rural Fire Brigade members that rural fire volunteers are willing to attend any fire in the local government area whether within a rural fire brigade area or not.

To minimise the costs of administering the Rural Fire Levy and due to the small size of the levy, Council will raise the Rural Fire Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received after the time of issuing rates.

Therefore, if a new and separate valuation is received that is effective from prior to the issue of the previous rate notice, Council will not seek to recover additional rural fire levy amounts as a result of this advice from those prior periods.

All monies billed for rural fire purposes during the year shall be applied for rural fire purposes whether or not Council collects it. Interest earned by Council on rural fire levy arrears owing to Council shall accordingly be applied to Council's general revenue.

No discount will apply to these charges.

R9. Explanation of Special Charges – Kennels Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting dog kennels a charge relating to its structured inspection program of these premises. The charge will appear on relevant rate notices and no discount shall apply.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) kennels requiring inspection exist on the one property, two (or more) inspection charges shall be levied as required.

R10. Explanation of Special Charges – Poultry Farm and Extractive Industries Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting intensive poultry farms and extractive industries a charge relating to its structured inspection program of these premises.

The charge will appear on relevant rate notices and no discount shall apply.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) poultry farms or two extractive industries requiring inspection exist on the one property, two (or more) inspection charges shall be levied as required.

R11. Explanation of Special Charges – Food Premises Inspection Program Special Charge

Council will use its special rating powers to levy the owners of properties hosting food premises as established under the Food Act 2006, a charge relating to its structured inspection program of these premises. The charge will appear in half yearly instalments on relevant rate notices and no discount shall apply.

This charge will replace regulatory charges (where applicable) that would otherwise apply to activities carried out on rateable properties in order to save on administration costs and simplify dealings between Council and business.

Where regulatory charges for this or a similar purpose set in periods before 1 July 2021 have

been prepaid to a date after 1 July 2021, Council will reduce the amount of this special charge on a pro rata basis to this date by applying a percentage of the charge.

The name of the charge may be abbreviated on rate notices.

To remove any doubt, where two (or more) food premises requiring inspection exist on the one property, two (or more) inspection charges shall be levied as required.

R12. Explanation of Environmental Separate Charge

Council believes it has an obligation to help protect, maintain and improve the natural environment. In accordance with this obligation, Council expects to incur costs of more than \$490,032 during 2021/2022 on environmental initiatives.

Council will maintain a separate charge of \$41.50 per annum on all rateable properties (per valuation) called an "Environmental levy" so as to separately fund environmental initiatives in the Region. The levy may otherwise be described on rate notices in a way that is consistent with the service, facility or activity funded by it.

The levy funds a service, facility or activity as required for a separate charge under Section 103 of the Local Government Regulation 2012. The service, facility or activity is identified as:

- Council's pest management program.

To minimise the costs of administering the Environmental Levy and due to the small size of the levy, Council will raise the Environmental Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received by Council after the time of issuing the rate notices.

For example, if a new and separate valuation for all or part of a property is received that is effective from a date prior to the issue of the previous rate notice, Council will not seek to recover additional environmental levy amounts from the property owner in relation to those prior periods.

Because a specific amount is to be funded, no discount will be available on the Environmental levy.

R13. Explanation of Separate Charge – State Emergency Services Levy

Pursuant to Part 5 of the Disaster Management Act 2003, Council has an obligation to ensure that it has disaster response capability. Disaster response capability means the ability to provide equipment and a suitable number of persons, using the resources available to the Council, to effectively deal with, or help another entity to deal with, an emergency situation or a disaster in the Somerset Region.

In accordance with this obligation, Council expects to incur State Emergency Services (SES) and other emergency management operating costs for 2021/2022 totalling more than \$330,624 plus additional capital expenditure nett of any government grants.

Council seeks to fund \$330,624 of the total State Emergency Services costs and the cost of other emergency service activities through the imposition of a State Emergency Service separate charge to fund most of the above costs and capital costs.

\$330,624 represents \$28 for each rateable property.

Council will maintain a separate charge of \$28 per annum on all rateable properties (per valuation) called a “State Emergency Services levy” or “SES levy” for the following reasons:

- To separately fund State Emergency Service activities in the Region and other emergency management/ disaster management activities.
- To ensure that the State Emergency Service costs are not hidden in other rates and charges as they have been in the past.
- To communicate to property owners that a significant portion of a nominal “State” activity is in fact funded by the Region.

The levy funds a service, facility or activity as required for a separate charge under Section 103 of the Local Government Regulation 2012. The service, facility or activity is defined as the various activities of State Emergency Service groups in the Region including search and rescue involvement, attendance at vehicle accidents, fires and other emergencies and other emergency activities set out in relevant legislation or sanctioned by Council.

To minimise the costs of administering the State Emergency Service Levy and due to the small size of the levy, Council will raise the State Emergency Service Levy on the basis of information available to it as at the date of issuing half yearly rate notices and will not make debit adjustments as a result of State valuation advices received by Council after the time of issuing the rate notices.

For example, if a new and separate valuation for all or part of a property is received that is effective from a date prior to the issue of the previous rate notice, Council will not seek to recover additional state emergency service levy amounts from the property owner in relation to those prior periods.

Because a specific amount is to be funded, no discount will be available on the State Emergency Services levy.

R14. Manner of payment of rates, charges and levies

Ratepayers may pay all rates, charges and fire levy by cash, cheque or EFTPOS at a Council office. Alternatively, ratepayers may pay rates, charges and fire levy by cash or cheque only at any other place or agency that may be appointed for that purpose by Council. Cheques may be posted to Council’s mailing address.

In addition, payments including part payments can be made by telephone through automated services using debit cards, MasterCard or Visa card (or such other cards as determined by the Chief Executive Officer) and via the Internet using MasterCard or Visa card. For internal control and merchant agreement purposes, credit card payments will not be accepted by Council officers without the card being presented at a Council EFTPOS device.

Council may appoint agents for receipting funds paid via cash, debit cards, MasterCard or Visa Card as required.

Council may determine to accept payment made by other methods.

R15. Discount on Rates and Utility Charges

It is the policy of Council to grant a discount for the payment and receipt by Council on

specified rates and charges outstanding on the land for the rating period on or within forty-two (42) days of the date of issue of the rates notice. The discount where applicable shall be 15% and will apply to a payment made and received in full for the current levy.

Discount shall not apply to separate or special charges (such as Rural Fire Levy and State Emergency Services Levy) and overdue rates.

Council considers 42 days ample time to pay rates.

- **Discount when Special Circumstances prevent Prompt Payment**

Council may allow a discount if Council is satisfied that the person liable to pay the rate or charge was prevented, by circumstances beyond that person's control, from paying the rate within the discount period specified. Each case shall be determined upon application by the ratepayer, including all appropriate documentation to support the application. Each application shall be determined by the Chief Executive Officer or delegate on its merits.

Discount for prompt payment is to be granted in the following circumstances:

- **Payment in person at the Esk, Kilcoy or Lowood Offices** - payment must be made by close of business on the discount date.
- **Payment at agencies** - payment must be made by close of business on the discount date.
- **Payment by mail** - payment must be received by close of business on the last day of discount. The postal services are the ratepayer's agent not Council's agent.
- **Payment by Telephone or Internet on facilities nominated by Council on rate notices-** payment must be made on or before the last day of discount subject to the conditions imposed by Council's telephone/ internet rates payment contractor.
- **Payment directly into Council's Bank Account** - payment must be made by close of business on the discount date so that payment appears on Council's bank statement dated on or before the date of discount and the payer must immediately advise Council in writing of the details of the deposit. Payments will only be accepted from the date of advice about the origin of payments.
- **Payment by bank transfer into Council's Bank** - Payment is taken to be received on the date that the payment is paid into Council's account (that is, the date it appears on Council's bank statement). Therefore, the ratepayer must take into account the time delay in transferring the money from the ratepayer's bank to Council's account at the National Australia Bank, Esk. For discount to be allowed, the payer must immediately advise Council in writing of the details of the deposit.
- **Underpayment of Rates account by \$20 dollars** – When the net amount of a rate assessment is short paid by the amount of \$20 dollars or less and this payment is received within the discount period, discount will be allowed but the short payment be carried forward as an outstanding balance to the next issued rate notice

R16. Levying Administration Matters

R16.1 Issue of Rate Notices

Rate notices shall be raised half yearly with supplementary credit and debit adjustments to

notices already issued able to be raised at any time.

R16.2 Limits on back-charging in the event of a Council error

Where a Council error is uncovered that would lead to additional cleansing service charges being payable by a ratepayer, Council will only backdate the additional charges to the commencement of the half year period in which the error is uncovered. This will be either 1 January or 1 July whichever is the most recent. This shall not apply to general rates or to charges payable on properties used for Government purposes.

R16.3 Adjustments to service charges made without issuing supplementary notices

Where in the course of a financial year there are changes to services or other service charges or levies, Council may charge for the service based on a percentage or multiple of the actual number of services in order to achieve the correct charge without issuing a separate credit or debit adjustment notice.

For example, where a property owner takes on a garbage service at 30 July, the relevant rate notice for the period 1 July to 31 December may show "0.83" units of cleansing services. Conversely, an additional cleansing service commencing from 1 November may be charged on the 1 January to 30 June rate notice as "1.33" units of cleansing services. This method of charging shall be disclosed on rate notices and all such proportional charges shall be calculated based on rounding down in the ratepayer's favour to 2 decimal points.

Where the new charge was first applicable in a prior rating period, the rate notice of the current year may apply the relevant portion of the charge informing the ratepayer that it relates to a prior period. For example, a garbage service that commenced on 31 March may appear on the following August rate notice as 0.50 "garbage prior period" with an additional line showing 1.00 units of "garbage" referring to the current 6 month moiety.

R16.4 Discretion to not issue minor rate or rate adjustment notices

To minimise administration costs on transactions that have a minor impact on Council revenue, where a rate notice or debit supplementary rate notice would otherwise be prepared and adjustments calculated that would result in a net additional rate debt to Council of not more than \$150 and where authorised by the Chief Executive Officer no notice shall be issued.

Council will always issue refunds and/or credit adjustments regardless of size.

R16.5 Recovery of change of ownership fees and bank dishonour charges on rate notices

To minimise administration costs, Council will seek to recover change of ownership fees and bank dishonour fees from property owners from whom these are recoverable on the first rate notice to issue after the relevant event or on a later notice if applicable. Rate notices shall specify that these are not Council rates and that non-payment of these amounts will not affect any entitlement to discount on a rate otherwise identified on the rate notice.

R16.6 Calculation of interest on outstanding rates and charges

To minimise administration costs, Council may from time to time write off selected interest and other outstanding rate balances of less than \$3 if authorised by the Chief Executive Officer.

R16.7 Back charges for Council services where not mentioned on Council property

search in error

That where back charges for a Council service would apply because of a Council error and there has been a change in ownership following a property search issued for the new owner that did not mention the applicability of the service charge, Council will only raise the charge from the date of possession by the new owner.

R16.8 No evidence of date of cessation of Council service

That where a service has ceased to apply on a property but there is no information or evidence about the date that the service ended, Council will raise a credit for all relevant charges raised since the commencement of the half year period in which the error is uncovered. This will be either 1 January or 1 July whichever is the most recent. Relevant charges include interest charges if applicable. If evidence about the date being earlier than 1 January or 1 July becomes available, Council will provide a full refund or credit adjustment in line with legal requirements.

R16.9 Half year levy of rates

It is noted that the first half of the financial year (1 July to 31 December) contains more days than the second half (from 1 January to 30 June). Council will nevertheless charge exactly one half of relevant general rates and services charges on each half-yearly notice. It is considered that this practice will have negligible financial impact (if any) over the course of the year and will aid ratepayers' understanding of rate notices compared to the alternative of charging 50.4% (or whatever) of these rates and charges in the first half of the year and 49.6% in the second half.

R16.10 Risk of dishonoured payments and transfer of land

There is a risk that a payment received by Council may be subsequently dishonoured. Council will use wording on property search responses such as: "Payment of Council rate and/or debtor accounts may be made by means such as cheque. Many methods of payment are susceptible to subsequent dishonour or reversal by the payer's bank or other organisation if it transpires that there were insufficient funds to make the payment or for other reasons. Council is therefore not in a position to guarantee the payment status of this account."

R16.11 Amendment of land record

Section 156 of the Local Government Regulation 2012 requires that:

If an amendment of the land record changes the rates or charges that are or may be levied on land, the Chief Executive Officer must, as soon as practicable, give the ratepayer an amendment notice for the amendment.

Council interprets the relevant notice to include notification given before the amendment to the land record takes place including notification of impending or potential change given with a property search response, notification by the valuation authority to a property owner about changes to valuation or land use and the delivery of a wheelie bin to a property.

R16.12 Property search process and conditions

It is a condition of Somerset Regional Council property search requests that completed requests provide the prospective purchasers' full names, current direct email addresses and current postal addresses as well as the prospective purchasers' addresses for service of

notices following change of ownership.

Council will write directly to prospective property owners at the time of replying to property search requests with information such as:

- A statement of thanks for their interest in the Somerset Region.
- Details of how Queensland councils are advised of ownership changes and the potential for legally valid rate notices to be issued to former owners.
- Approximate dates that the next rate notices will issue and will fall due.
- A form of statutory declaration showing details required for notification by new owners of their possession of land. This form shall be for the optional use of new owners.
- A pensioner rate subsidy form to ensure that new pensioner owners do not miss out any entitlements.
- Other matters considered appropriate.

R16.13 Change of ownership record based on advice not from official sources

Council will accept written advices given under Section 156 of the Local Government Regulation 2012 (or successor legislation) that are considered satisfactory by the Chief Executive Officer as sufficient to alter its land record.

R16.14 State Government Emergency Management Levy definition of “prescribed property”

Council will in all relevant cases determine that portions of parcels of land are not to be classed as if they were separately levyable parcels of land in respect of the definition of “prescribed property” under the *Fire and Emergency Services Act 1990*.

R16.15 Reminder letter threshold

Council will send reminder letters after the due date for rate payment to all property owners with arrears of rates and charges which exceed \$40.

R17. State Government Pensioner Rate Subsidy

Council administers the State Government Pensioner Rate Rebate Scheme within the Region.

Council officers will attempt to make the process of determining eligibility for the scheme as simple as possible for applicants within the rules set down by the State and will attempt to provide the maximum allowable rebates in accordance with this policy.

In relation to applications received from pensioner landowners who have recently qualified for the scheme, Council will apply the subsidy depending on the time of receipt of the application in one of the following ways:

- If the application is processed before rate notices for the half-year are prepared, the subsidy will appear on the printed rate notice.
- If the application is processed after rate notices for the half-year are prepared but

before the due date for payment of rates, Council will contact the ratepayer if possible before the due date and provide in writing details of the subsidy amount and the reduced amount now payable by the same due date. This will not represent a revised assessment.

- If the application is processed after the due date for payment of rates or has not previously been communicated to the ratepayer, Council will receipt the allowable subsidy against the rate assessment code as at the end of each calendar month to be included as an opening credit on the next rate notice.

In relation to properties where the subsidy has ceased to apply, Council will either:

- Include the calculation of any reduced subsidy required in the rate notice where this has not yet issued.
- Include details of relevant subsidies allowed to the current owner in property search letters along with the means of calculating how much State Government subsidy may not apply to the new owner (if the new owner is not eligible) and the address of the State Agency for forwarding refund payments due on settlement. As advised by the relevant Department, Council will not seek to obtain reclaim of any subsidy amount beyond what is obtained by the solicitor or conveyancer on settlement unless otherwise directed by the State authorities.
- Council is required to verify the continuing eligibility of pensioners for the State Government Pensioner Rate Subsidy with Centrelink and the Department of Veterans' Affairs each year. If these agencies report a mismatch between their records and Council's, Council may be required to cease providing the subsidy. Council will not be advised of the reason for the mismatch and cannot provide further advice to ratepayers.

R18. Payment Arrangements

Council will not enter into arrangements that limit its legal power to recover rates.

R19. Overdue Rates and Charges

R19.1 Rates and Property Related Charges Due and Payable

It is the policy of Council that following the issue of a rates notice, rates and charges are due and payable forty-two (42) days after the date of the notice.

All rates and charges remaining unpaid after the expiry of forty-two (42) days will constitute overdue rates and charges for the purposes of section 132 of the *Local Government Regulation 2012*.

R19.2 Interest on Overdue Rates and Charges

In accordance with section 133 of the *Local Government Regulation*, all overdue rates and charges shall bear compound interest at the rate of 8.03% p.a., calculated on daily rests effective from 21 days after the due date for payment. This is effective 1 July 2021.

R19.3 Concessions – Overdue Rates and Charges

It is Council's general policy not to grant rebate of rates. However, in special circumstances,

remission may be granted in accordance with the following guidelines:

- Pursuant to Section 122 of the Local Government Regulation 2012, an application on the approved form “Application for Rebate” be made by the owner of the land concerned.
- The services of an independent third party be used for an assessment and report of the applicant’s financial status.
- The applicant/s complete an authority letter to agree to Council’s independent third party to evaluate their financial status.
- Any other relevant information be supplied by the applicant or in compliance with requests by Council’s Administration to support the application.
- Council considers the application for rebate together with a report prepared by Council’s Administration, such report providing all the necessary and relevant information.
- Upon Council making its decision on the matter, the Administration is authorised to undertake the necessary action with regard to such application for rebate.
- The general policy of this Council is that it will not grant applications for rebate from applicants that are absentee landholders.
- Council may as it sees fit also grant a rebate in cases where it believes rating decisions may cause financial hardship and may make arrangements with ratepayers for deferral of rates in accordance with a separate Council policy.

R19.4 Prepayment of rates

The Chief Executive Officer or delegate is authorised to accept or arrange prepayment of rates and charges

Interest shall not accrue to persons whose rates are paid in advance. Discount will be granted if full payment is received on or before the expiration of the discount period.

R20. Precepts and Government Levies

Council policy is to comply with applicable legislation in the levy, collection and remittance of precepts and charges payable to the State Government.

R21. Investments

Available surplus funds are to be invested in accordance with Council’s investment policy.

R22. Infrastructure Costs for New Development

Developers are required to pay the full costs of any increased capacity in the physical infrastructure due to any new developments, and where appropriate, a contribution towards social infrastructure changes required to cater for the increase or changes in population caused by new developments.

R23. Operating Capability

It is intended that the operating capability of the Council will be increased or decreased by the amount shown in the budget documents.

R24. Matters required by section 172 of the Local Government Regulation 2012

An outline and explanation of the measures that the local government has adopted for raising revenue:

- (i) the rates and charges to be levied in the financial year
The rates and charges to be levied in the financial year are outlined in the budget documents. These encompass differential general rates, utility charges, special charges for certain properties and separate charges.
- (ii) the concessions for rates and charges to be granted in the financial year
Concessions for rates and charges include a pensioner rebate on general rates in specific limited circumstances and rebates resolved by Council from time to time in accordance with policy.

R25. Local Law Debts

It is the Policy of Council to use powers available under the Local Government Act 2009 Section 142 and applicable Local Laws in respect of works performed on properties.

The following steps shall be taken:

- Council will meet legal requirements in relation to works on private properties, including providing reasonable warnings and notice.
- Council will provide an account for the amount for which the owner or occupier is liable. The account shall provide for payment terms of 30 days.
- If the account is unpaid at the expiry of 30 days, Council shall write and inform the debtor that the outstanding balance will be treated as if it were an overdue rate. Relevant information will be provided to explain the implications of this treatment including the levying of interest.
- Interest at the maximum rate applicable to rates debts shall be applied (currently 8.03%) commencing from 31 days after the issue of the relevant account.
- Council shall forward regular invoices as appropriate in relation to new interest charges on the outstanding debt.
- Council delegates authority to the Chief Executive Officer to request the formal registering of charges over properties if required.
- The Chief Executive Officer shall report to Council on those cases where charges are registered over land.

It is noted that the treatment of property based debtors accounts as rates will permit sale of lands for rate arrears where such accounts are 3 years in arrears.

R26. Rate capping

To satisfy the provisions of section 172 of the *Local Government Regulation 2012*, Council has not made a resolution limiting an increase of rates and charges for 2021/2022.

R27. Pensioner rebate of Kilcoy differential general rates

R27.1 Qualifying Pensions

Rebate of part of certain rates and charges as determined by Council from time to time may be granted to owners who are holders of a current valid Queensland pensioner concession card and who are eligible to receive a State Government Pensioner Rate Subsidy under the rules of the State Government Pensioner Rate Subsidy Scheme.

The rebate may be granted under Section 120 of the *Local Government Regulation 2012*.

Council has decided to phase out the granting of an automatic concession of this kind to pensioners, but wishes to protect those pensioners currently receiving the concession from any hardship resulting from the change. Those pensioners in receipt of the pensioner rate subsidy as at 30 June 2008 will continue to receive the subsidy provided they retain other eligibility criteria. However, no new automatic concession will be granted to those pensioners not already in receipt of the concession as at 30 June 2008.

R27.2 Application

A pensioner rebate as above shall apply to differential general rates within the former Kilcoy Shire.

R27.3 Calculation

The rebate of differential general rates within the former Kilcoy Shire shall be equal to:

- \$20 per annum multiplied by;
- The percentage to which the landowners are entitled to receive a State Government Pensioner Rate Subsidy under the rules of that subsidy scheme as issued by State authorities from time to time.

For example, if a full State Government Pensioner Rate Subsidy applies to a rate assessment where differential general rates of \$1,000 would otherwise apply, the landowner shall be entitled to a rebate of \$20 of the rates. If 33% of the full State Government Pensioner Rate Subsidy applies, the landowner shall be entitled to a rebate of 33% of \$20 of the rates.

R27.4 Justification

Council has decided to offer the concession on differential general rates within the former Kilcoy Shire to recognise the financial impact on people of fixed incomes within the former Kilcoy Shire who enjoyed the same level of rebate in previous years.

R27.5 Administration

An application for a State Government Pensioner Rate Subsidy shall be taken to also be an application for Council pensioner rebate. The rules governing eligibility to the State Government Pensioner Rate Subsidy Scheme as issued by State authorities from time to time shall apply in determining eligibility to the Council rebate.

R28. Fines and Penalties

It is a policy of Council to comply with the statutory requirements and guidelines for the imposition of fines and penalties for breaches of regulatory provisions.

R29. Scope of Council's Land Record and Provision of Information from Land Record

The land record of Council includes all information that Council holds about properties in all data bases including but not limited to rates, mapping, debtors, customer request, records, pest mapping but excludes private details about the owner that Council is not required by law to keep and which could have no possible effect on future owners of the property including telephone numbers and personal financial details.

It is confirmed that the following events do not constitute a change of ownership within Council's land record:

- Change of name including taking of married name
- Recording an estate administrator including recording the death of a joint owner of a property (adding "estate of") or transmission to the Estate Administrator as legal personal representative.

The scheduled fee for provision of information from Council's land record may be waived when the following circumstances apply:

- Where official enquiries are made by the police, fire brigades, Australian Defence Force, power and water authorities, Australia Post, emergency services and relevant government agencies in writing.
- Where the caller requires contact details of adjoining owners for issues of public safety, fencing, development applications and the like.
- Where the caller requires details that are required to fulfil a condition imposed under a Council approval

R30. Capitalisation Thresholds

Pursuant to section 206 of the Local Government Regulation 2012, the following asset capitalisation thresholds apply:

| Asset Category | Capitalisation threshold |
|--|---------------------------------|
| Plant, furniture and equipment | \$5,000 |
| Land | \$1 |
| Buildings, infrastructure and other assets | \$10,000" |

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Extraordinary decision 2 – amended rating resolutions 2021/2022 – categories for differential general rates |
| File Ref: | Budget FY2022 |
| Action Officer: | DFIN |

Background/Summary

The recommendation below proposes adding new rating category 501 to Council's differential general rating categories consistent with section 94B of the Local Government Act 2009.

Attachments

Nil

Recommendation

THAT, pursuant to section 94B of the *Local Government Act 2009*:

- RR1. Pursuant to Sections 80 and 81 of the Local Government Regulation 2012, the categories into which rateable land is categorised be as set out in paragraph R2.21 of the 2021/2022 revenue statement, and the description of each of those categories be as set out in the second column of paragraph R2.21 of the 2021/2022 revenue statement. To remove any doubt, the differential general rating categories (as shown in revenue statement R2.21) are:

| Category | Description |
|----------|---|
| 1 | Land, which is not otherwise categorised, with a rateable value of less than \$530,001. |
| 2 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 3 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 4 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of less than \$800,000. |
| 5 | Land which is used for the purposes of a <i>Large Water Storage Facility</i> . |
| 6 | Land which is <i>Farm Land</i> : (a) with a rateable value of more than \$4,000,000; or (b) with a land area of greater than 6,000 hectares; or (c) which consists of more than 60 freehold parcels of land. |
| 7 | Land, which is <i>Farm Land</i> , with a rateable value of less than \$45,000 other than land included in category 6. |
| 8 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 9 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 11 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 13 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 21 | Land which is used for the purposes of an airfield. |
| 22 | Land which is used in connection or association with an airfield. |
| 31 | Land used for providing 2 <i>Multi Residential Units</i> including a duplex |
| 32 | Land used for providing 3 to 5 <i>Multi Residential Units</i> |
| 33 | Land used for providing 6 to 10 <i>Multi Residential Units</i> |
| 34 | Land used for providing 11 to 15 <i>Multi Residential Units</i> |

| Category | Description |
|----------|--|
| 35 | Land used for providing 16 to 19 <i>Multi Residential Units</i> |
| 36 | Land used for providing 20 to 29 <i>Multi Residential Units</i> |
| 37 | Land used for providing 30 to 39 <i>Multi Residential Units</i> |
| 38 | Land used for providing 40 to 49 <i>Multi Residential Units</i> |
| 39 | Land used for providing 50 to 59 <i>Multi Residential Units</i> |
| 40 | Land used for providing 60 to 69 <i>Multi Residential Units</i> |
| 41 | Land used for providing 70 to 79 <i>Multi Residential Units</i> |
| 42 | Land used for providing 80 to 89 <i>Multi Residential Units</i> |
| 43 | Land used for providing 90 to 99 <i>Multi Residential Units</i> |
| 44 | Land used for providing more than 99 <i>Multi Residential Units</i> |
| 71 | Vacant land that consists of one freehold allotment of less than 3,000 square metres which is not in an urban fire area and which contains part of a bitumen sealed road. |
| 74 | Land, with an area greater than ten (10) hectares, used for a <i>Noxious or Offensive Industry</i> other than land included in category 402. |
| 75 | Land used for the purpose of storing two or more houses intended for sale and removal. |
| 76 | Land, with an area of more than 4,000 square metres, which is used as an <i>Outdoor Sales Area</i> and does not contain a principal place of residence. |
| 81 | Vacant land in an <i>Urban Fire Area</i> of more than 5 hectares that has a rateable valuation of less than \$10,000 |
| 82 | Vacant land in an <i>Urban Fire Area</i> and zoned Recreation and Open Space with an area of less than 1,500 square metres |
| 101 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is not located wholly outside of the High Impact Activities Management Overlay Area. |
| 102 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is located wholly outside the High Impact Activities Management Overlay Area. |
| 111 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 113 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 131 | Land used for the purposes of an <i>Approved Dwelling</i> which: <ul style="list-style-type: none"> (a) forms part of a community titles scheme in which there are exactly two lot entitlements; and (b) is not the owner's <i>Principal Place of Residence</i>. |
| 132 | Land used for the purposes of an <i>Approved Dwelling</i> which: <ul style="list-style-type: none"> (a) has an area of 1,000m² or less; and (b) is not part of a community titles scheme; and (c) is in an <i>Urban Fire Area</i>; and (d) is situated more than 1 kilometre from <i>Town Centre Facilities</i>; and (e) is not the owner's <i>Principal Place of Residence</i>. |
| 201 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of less than \$2,000,000. |
| 202 | Land which is <i>Banked Development Land – Commercial</i> . |
| 203 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of \$2,000,000 or more. |

| Category | Description |
|----------|---|
| 204 | Land which is <i>Banked Development Land – Renewable Energy Facility</i> . |
| 215 | Land used in whole or in part for the purpose of electricity generation on a commercial basis including but not limited to power stations and <i>Renewable Energy Facilities</i> . |
| 240 | Land used as an electricity network maintenance depot. |
| 244 | Land used as a <i>Telecommunications Site</i> , including any purpose associated with or ancillary to telecommunications (such as, for example, offices, depots and storage sheds). |
| 301 | Land which is <i>Extractive Industries Land</i> |
| 302 | Land which is <i>Approved Extractive Industries Land</i> . |
| 401 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of \$800,000 or greater. |
| 402 | Land used or intended to be used, in whole or in part as an abattoir, with a <i>gross floor area</i> greater than 15,000 square metres. |
| 501 | Land used for the purposes of a caravan park within 1 kilometre of a <i>Large Water Storage</i> facility as that term is defined in this document upon which there are 10 or more buildings which do not have building approvals. |

- RR2. For the purposes of interpreting the descriptions appearing in paragraph R2.21 of the revenue statement, Council adopts the definitions set out in paragraphs R2.3, R2.4, R2.5, R2.6, R2.7, R2.8, R2.9, R2.10, R2.11, R2.12, R2.13, R2.14, R2.15, R2.16, R2.17, R2.18, R2.19 and R2.20 of the revenue statement.
- RR3. Pursuant to Section 81(4) and (5) of the Local Government Regulation 2012 the Council hereby delegates to the Chief Executive Officer the power to identify the rating category to which each parcel of rateable land belongs. In carrying out this task, the Chief Executive Officer may have regard to the guidance provided by the information contained in Council's land records.

Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

“THAT, pursuant to section 94B of the *Local Government Act 2009*:

- RR1. Pursuant to Sections 80 and 81 of the Local Government Regulation 2012, the categories into which rateable land is categorised be as set out in paragraph R2.21 of the 2021/2022 revenue statement, and the description of each of those categories be as set out in the second column of paragraph R2.21 of the 2021/2022 revenue statement. To remove any doubt, the differential general rating categories (as shown in revenue statement R2.21) are:

| Category | Description |
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| 1 | Land, which is not otherwise categorised, with a rateable value of less than \$530,001. |
| 2 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 3 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is not the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 4 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of less than \$800,000. |
| 5 | Land which is used for the purposes of a <i>Large Water Storage Facility</i> . |

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| 6 | Land which is <i>Farm Land</i> : (d) with a rateable value of more than \$4,000,000; or (e) with a land area of greater than 6,000 hectares; or (f) which consists of more than 60 freehold parcels of land. |
| 7 | Land, which is <i>Farm Land</i> , with a rateable value of less than \$45,000 other than land included in category 6. |
| 8 | Land, which is <i>Farm Land</i> , with a rateable value of between \$650,001 and \$4,000,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 9 | Land, which is <i>Farm Land</i> , with a rateable value of between \$45,000 and \$650,000 where such land is the owner's <i>Principal Place of Residence</i> other than land included in category 6. |
| 11 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 13 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of a single <i>Approved Dwelling</i> and which is the owner's <i>Principal Place of Residence</i> . |
| 21 | Land which is used for the purposes of an airfield. |
| 22 | Land which is used in connection or association with an airfield. |
| 31 | Land used for providing 2 <i>Multi Residential Units</i> including a duplex |
| 32 | Land used for providing 3 to 5 <i>Multi Residential Units</i> |
| 33 | Land used for providing 6 to 10 <i>Multi Residential Units</i> |
| 34 | Land used for providing 11 to 15 <i>Multi Residential Units</i> |
| 35 | Land used for providing 16 to 19 <i>Multi Residential Units</i> |
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| 40 | Land used for providing 60 to 69 <i>Multi Residential Units</i> |
| 41 | Land used for providing 70 to 79 <i>Multi Residential Units</i> |
| 42 | Land used for providing 80 to 89 <i>Multi Residential Units</i> |
| 43 | Land used for providing 90 to 99 <i>Multi Residential Units</i> |
| 44 | Land used for providing more than 99 <i>Multi Residential Units</i> |
| 71 | Vacant land that consists of one freehold allotment of less than 3,000 square metres which is not in an urban fire area and which contains part of a bitumen sealed road. |
| 74 | Land, with an area greater than ten (10) hectares, used for a <i>Noxious or Offensive Industry</i> other than land included in category 402. |
| 75 | Land used for the purpose of storing two or more houses intended for sale and removal. |
| 76 | Land, with an area of more than 4,000 square metres, which is used as an <i>Outdoor Sales Area</i> and does not contain a principal place of residence. |
| 81 | Vacant land in an <i>Urban Fire Area</i> of more than 5 hectares that has a rateable valuation of less than \$10,000 |
| 82 | Vacant land in an <i>Urban Fire Area</i> and zoned Recreation and Open Space with an area of less than 1,500 square metres |
| 101 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is not located wholly outside of the High Impact Activities Management Overlay Area. |
| 102 | Land which is not otherwise categorized with a rateable value of \$530,001 or greater and which is located wholly outside the High Impact Activities Management Overlay Area. |
| 111 | Land, outside of an <i>Urban Fire Area</i> , which is used for the purposes of an |

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| | <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 113 | Land, within an <i>Urban Fire Area</i> , which is used for the purposes of an <i>Approved Dwelling</i> and a <i>Secondary Dwelling</i> , where such land is the owner's <i>Principal Place of Residence</i> . |
| 131 | Land used for the purposes of an <i>Approved Dwelling</i> which: (c) forms part of a community titles scheme in which there are exactly two lot entitlements; and (d) is not the owner's <i>Principal Place of Residence</i> . |
| 132 | Land used for the purposes of an <i>Approved Dwelling</i> which: (f) has an area of 1,000m ² or less; and (g) is not part of a community titles scheme; and (h) is in an <i>Urban Fire Area</i> ; and (i) is situated more than 1 kilometre from <i>Town Centre Facilities</i> ; and (j) is not the owner's <i>Principal Place of Residence</i> . |
| 201 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of less than \$2,000,000. |
| 202 | Land which is <i>Banked Development Land – Commercial</i> . |
| 203 | Land which is <i>Banked Development Land – Subdivision</i> and has a rateable value of \$2,000,000 or more. |
| 204 | Land which is <i>Banked Development Land – Renewable Energy Facility</i> . |
| 215 | Land used in whole or in part for the purpose of electricity generation on a commercial basis including but not limited to power stations and <i>Renewable Energy Facilities</i> . |
| 240 | Land used as an electricity network maintenance depot. |
| 244 | Land used as a <i>Telecommunications Site</i> , including any purpose associated with or ancillary to telecommunications (such as, for example, offices, depots and storage sheds). |
| 301 | Land which is <i>Extractive Industries Land</i> |
| 302 | Land which is <i>Approved Extractive Industries Land</i> . |
| 401 | Land, which is <i>Commercial and Industrial Land</i> , that has a rateable value of \$800,000 or greater. |
| 402 | Land used or intended to be used, in whole or in part as an abattoir, with a <i>gross floor area</i> greater than 15,000 square metres. |
| 501 | Land used for the purposes of a caravan park within 1 kilometre of a <i>Large Water Storage</i> facility as that term is defined in this document upon which there are 10 or more buildings which do not have building approvals. |

- RR2. For the purposes of interpreting the descriptions appearing in paragraph R2.21 of the revenue statement, Council adopts the definitions set out in paragraphs R2.3, R2.4, R2.5, R2.6, R2.7, R2.8, R2.9, R2.10, R2.11, R2.12, R2.13, R2.14, R2.15, R2.16, R2.17, R2.18, R2.19 and R2.20 of the revenue statement.

RR3. Pursuant to Section 81(4) and (5) of the Local Government Regulation 2012 the Council hereby delegates to the Chief Executive Officer the power to identify the rating category to which each parcel of rateable land belongs. In carrying out this task, the Chief Executive Officer may have regard to the guidance provided by the information contained in Council's land records."

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | Extraordinary decision 3 – amended differential general rate |
| File Ref: | Budget FY2022 |
| Action Officer: | DFIN |

Background/Summary

The recommendation below proposes adding new rating category 501 to Council's differential general rating categories consistent with section 94B of the Local Government Act 2009.

Attachments

Nil

Recommendation

THAT, pursuant to section 94B of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government Regulation 2012*:

- a differential general rate of 1.1746 cents in the dollar be made and levied on all rateable land in Category 1 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.7229 cents in the dollar be made and levied on all rateable land in Category 2 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.7465 cents in the dollar be made and levied on all rateable land in Category 3 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.5727 cents in the dollar be made and levied on all rateable land in Category 4 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.526 cents in the dollar be made and levied on all rateable land in Category 5 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.7465 cents in the dollar be made and levied on all rateable land in Category 6 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.9274 cents in the dollar be made and levied on all rateable land in Category 7 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.5793 cents in the dollar be made and levied on all rateable land in Category 8 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.5895 cents in the dollar be made and levied on all rateable land in Category 9 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.5439 cents in the dollar be made and levied on all rateable land in Category 11 within the Somerset Regional Council area for the year ending 30 June 2022

ending 30 June 2022

- a differential general rate of 0.7196 cents in the dollar be made and levied on all rateable land in Category 13 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 15.6692 cents in the dollar be made and levied on all rateable land in Category 21 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.6398 cents in the dollar be made and levied on all rateable land in Category 22 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1.6307 cents in the dollar be made and levied on all rateable land in Category 31 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.6191 cents in the dollar be made and levied on all rateable land in Category 32 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 33 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 34 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 35 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 36 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 37 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 12.554 cents in the dollar be made and levied on all rateable land in Category 38 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 39 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 40 within the Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 41 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 42 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 43 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 44 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 33.0992 cents in the dollar be made and levied on all rateable land in Category 71 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.4788 cents in the dollar be made and levied on all rateable land in Category 74 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.1014 cents in the dollar be made and levied on all rateable land in Category 75 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.1328 cents in the dollar be made and levied on all rateable land in Category 76 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1025.693 cents in the dollar be made and levied on all rateable land in Category 81 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 38.92 cents in the dollar be made and levied on all rateable land in Category 82 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.027 cents in the dollar be made and levied on all rateable land in Category 101 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 7.0059 cents in the dollar be made and levied on all rateable land in Category 102 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.7179 cents in the dollar be made and levied on all rateable land in Category 111 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1.0289 cents in the dollar be made and levied on all

rateable land in Category 113 within the Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 3.4676 cents in the dollar be made and levied on all rateable land in Category 131 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.21 cents in the dollar be made and levied on all rateable land in Category 132 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.3819 cents in the dollar be made and levied on all rateable land in Category 201 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.0413 cents in the dollar be made and levied on all rateable land in Category 202 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 5.1692 cents in the dollar be made and levied on all rateable land in Category 203 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.3891 cents in the dollar be made and levied on all rateable land in Category 204 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 28.5922 cents in the dollar be made and levied on all rateable land in Category 215 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 9.5694 cents in the dollar be made and levied on all rateable land in Category 240 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 15.2623 cents in the dollar be made and levied on all rateable land in Category 244 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 5.8775 cents in the dollar be made and levied on all rateable land in Category 301 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.9427 cents in the dollar be made and levied on all rateable land in Category 302 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.7564 cents in the dollar be made and levied on all rateable land in Category 401 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 7.4913 cents in the dollar be made and levied on all rateable land in Category 402 within the Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 64.9002 cents in the dollar be made and levied on all rateable land in Category 501 within the Somerset Regional Council area for the year ending 30 June 2022

Resolution

Moved – Cr Wendt

Seconded – Cr Choat

“THAT, pursuant to section 94B of the *Local Government Act 2009* and sections 80 and 81 of the *Local Government Regulation 2012*:

- a differential general rate of 1.1746 cents in the dollar be made and levied on all rateable land in Category 1 within the Somerset Regional Council area for the year ending 30 June 2022
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- a differential general rate of 0.5439 cents in the dollar be made and levied on all rateable land in Category 11 within the Somerset Regional Council area for the year ending 30 June 2022
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2022

- a differential general rate of 15.6692 cents in the dollar be made and levied on all rateable land in Category 21 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.6398 cents in the dollar be made and levied on all rateable land in Category 22 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1.6307 cents in the dollar be made and levied on all rateable land in Category 31 within the Somerset Regional Council area for the year ending 30 June 2022
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- a differential general rate of 10.6035 cents in the dollar be made and levied on all rateable land in Category 35 within the Somerset Regional Council area for the year ending 30 June 2022
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Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 40 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 41 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 42 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 43 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 13.7705 cents in the dollar be made and levied on all rateable land in Category 44 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 33.0992 cents in the dollar be made and levied on all rateable land in Category 71 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.4788 cents in the dollar be made and levied on all rateable land in Category 74 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.1014 cents in the dollar be made and levied on all rateable land in Category 75 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.1328 cents in the dollar be made and levied on all rateable land in Category 76 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1025.693 cents in the dollar be made and levied on all rateable land in Category 81 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 38.92 cents in the dollar be made

and levied on all rateable land in Category 82 within the Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 3.027 cents in the dollar be made and levied on all rateable land in Category 101 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 7.0059 cents in the dollar be made and levied on all rateable land in Category 102 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.7179 cents in the dollar be made and levied on all rateable land in Category 111 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 1.0289 cents in the dollar be made and levied on all rateable land in Category 113 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 3.4676 cents in the dollar be made and levied on all rateable land in Category 131 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.21 cents in the dollar be made and levied on all rateable land in Category 132 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.3819 cents in the dollar be made and levied on all rateable land in Category 201 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.0413 cents in the dollar be made and levied on all rateable land in Category 202 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 5.1692 cents in the dollar be made and levied on all rateable land in Category 203 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 4.3891 cents in the dollar be made and levied on all rateable land in Category 204 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 28.5922 cents in the dollar be made

and levied on all rateable land in Category 215 within the Somerset Regional Council area for the year ending 30 June 2022

- a differential general rate of 9.5694 cents in the dollar be made and levied on all rateable land in Category 240 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 15.2623 cents in the dollar be made and levied on all rateable land in Category 244 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 5.8775 cents in the dollar be made and levied on all rateable land in Category 301 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 0.9427 cents in the dollar be made and levied on all rateable land in Category 302 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 2.7564 cents in the dollar be made and levied on all rateable land in Category 401 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 7.4913 cents in the dollar be made and levied on all rateable land in Category 402 within the Somerset Regional Council area for the year ending 30 June 2022
- a differential general rate of 64.9002 cents in the dollar be made and levied on all rateable land in Category 501 within the Somerset Regional Council area for the year ending 30 June 2022”.

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | Extraordinary decision 4 – amended minimum differential general rate |
| File Ref: | Budget FY2022 |
| Action Officer: | DFIN |

Background/Summary

The recommendation below proposes adding new rating category 501 to Council’s differential general rating categories consistent with section 94B of the Local Government Act 2009.

Attachments

Nil

| |
|-----------------------|
| Recommendation |
|-----------------------|

THAT, pursuant to section 94B of the *Local Government Act 2009* and section 77 of the *Local Government Regulation 2012*, the minimum amount of the differential general rates to be levied by the Somerset Regional Council in respect of rateable land in each category within the Somerset Region be and is hereby determined as follows:

- a minimum differential general rate of \$1,455.70 be and is hereby determined in respect of all rateable land in Category 1 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 2 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 3 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,206.30 be and is hereby determined in respect of all rateable land in Category 4 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,409.82 be and is hereby determined in respect of all rateable land in Category 5 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 6 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$437.20 be and is hereby determined in respect of all rateable land in Category 7 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$872.14 be and is hereby determined in respect of all rateable land in Category 8 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$872.14 be and is hereby determined in respect of all rateable land in Category 9 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,024.78 be and is hereby determined in respect of all rateable land in Category 11 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$833.64 be and is hereby determined in respect of all rateable land in Category 13 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$60,483.96 be and is hereby determined in

respect of all rateable land in Category 21 within the Somerset Regional Council area for the year ending 30 June 2022

- a minimum differential general rate of \$6,200.14 be and is hereby determined in respect of all rateable land in Category 22 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$2,451.62 be and is hereby determined in respect of all rateable land in Category 31 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$3,687.00 be and is hereby determined in respect of all rateable land in Category 32 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$7,374.08 be and is hereby determined in respect of all rateable land in Category 33 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$13,518.84 be and is hereby determined in respect of all rateable land in Category 34 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$19,664.92 be and is hereby determined in respect of all rateable land in Category 35 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$24,581.46 be and is hereby determined in respect of all rateable land in Category 36 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$36,855.00 be and is hereby determined in respect of all rateable land in Category 37 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$49,140.94 be and is hereby determined in respect of all rateable land in Category 38 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$61,425.84 be and is hereby determined in respect of all rateable land in Category 39 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$73,710.52 be and is hereby determined in respect of all rateable land in Category 40 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$85,996.56 be and is hereby determined in respect of all rateable land in Category 41 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$98,281.24 be and is hereby determined in respect of all rateable land in Category 42 within the Somerset Regional Council area for the year ending 30 June 2022

- a minimum differential general rate of \$110,567.38 be and is hereby determined in respect of all rateable land in Category 43 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$122,853.10 be and is hereby determined in respect of all rateable land in Category 44 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,434.20 be and is hereby determined in respect of all rateable land in Category 71 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$12,889.54 be and is hereby determined in respect of all rateable land in Category 74 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,281.76 be and is hereby determined in respect of all rateable land in Category 75 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,281.76 be and is hereby determined in respect of all rateable land in Category 76 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,455.70 be and is hereby determined in respect of all rateable land in Category 81 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 82 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 101 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 102 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,247.78 be and is hereby determined in respect of all rateable land in Category 111 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,246.56 be and is hereby determined in respect of all rateable land in Category 113 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,813.60 be and is hereby determined in respect of all rateable land in Category 131 within the Somerset Regional Council area for the year ending 30 June 2022

- a minimum differential general rate of \$1,821.60 be and is hereby determined in respect of all rateable land in Category 132 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 201 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 202 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 203 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 204 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,483.64 be and is hereby determined in respect of all rateable land in Category 215 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,483.74 be and is hereby determined in respect of all rateable land in Category 240 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,732.42 be and is hereby determined in respect of all rateable land in Category 244 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$6,986.18 be and is hereby determined in respect of all rateable land in Category 301 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$911.56 be and is hereby determined in respect of all rateable land in Category 302 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 401 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 402 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$198,000.00 be and is hereby determined in respect of all rateable land in Category 501 within the Somerset Regional Council area for the year ending 30 June 2022

Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

“THAT, pursuant to section 94B of the *Local Government Act 2009* and section 77 of the *Local Government Regulation 2012*, the minimum amount of the differential general rates to be levied by the Somerset Regional Council in respect of rateable land in each category within the Somerset Region be and is hereby determined as follows:

- a minimum differential general rate of \$1,455.70 be and is hereby determined in respect of all rateable land in Category 1 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 2 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 3 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,206.30 be and is hereby determined in respect of all rateable land in Category 4 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,409.82 be and is hereby determined in respect of all rateable land in Category 5 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$876.44 be and is hereby determined in respect of all rateable land in Category 6 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$437.20 be and is hereby determined in respect of all rateable land in Category 7 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$872.14 be and is hereby determined in respect of all rateable land in Category 8 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$872.14 be and is hereby determined in respect of all rateable land in Category 9 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,024.78 be and is hereby determined in respect of all rateable land in Category 11 within the Somerset Regional Council area for the year ending

30 June 2022

- a minimum differential general rate of \$833.64 be and is hereby determined in respect of all rateable land in Category 13 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$60,483.96 be and is hereby determined in respect of all rateable land in Category 21 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$6,200.14 be and is hereby determined in respect of all rateable land in Category 22 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$2,451.62 be and is hereby determined in respect of all rateable land in Category 31 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$3,687.00 be and is hereby determined in respect of all rateable land in Category 32 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$7,374.08 be and is hereby determined in respect of all rateable land in Category 33 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$13,518.84 be and is hereby determined in respect of all rateable land in Category 34 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$19,664.92 be and is hereby determined in respect of all rateable land in Category 35 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$24,581.46 be and is hereby determined in respect of all rateable land in Category 36 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$36,855.00 be and is hereby determined in respect of all rateable land in Category 37 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$49,140.94 be and is hereby determined in respect of all rateable land in Category 38

within the Somerset Regional Council area for the year ending 30 June 2022

- a minimum differential general rate of \$61,425.84 be and is hereby determined in respect of all rateable land in Category 39 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$73,710.52 be and is hereby determined in respect of all rateable land in Category 40 within the Somerset Regional Council area for the year ending 30 June 2022
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- a minimum differential general rate of \$122,853.10 be and is hereby determined in respect of all rateable land in Category 44 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,434.20 be and is hereby determined in respect of all rateable land in Category 71 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$12,889.54 be and is hereby determined in respect of all rateable land in Category 74 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,281.76 be and is hereby determined in respect of all rateable land in Category 75 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,281.76 be and is hereby determined in respect of all rateable land in Category 76 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,455.70 be and is

hereby determined in respect of all rateable land in Category 81 within the Somerset Regional Council area for the year ending 30 June 2022

- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 82 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 101 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 102 within the Somerset Regional Council area for the year ending 30 June 2022
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- a minimum differential general rate of \$1,732.42 be and is hereby determined in respect of all rateable land in Category 244 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$6,986.18 be and is hereby determined in respect of all rateable land in Category 301 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$911.56 be and is hereby determined in respect of all rateable land in Category 302 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 401 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$1,606.18 be and is hereby determined in respect of all rateable land in Category 402 within the Somerset Regional Council area for the year ending 30 June 2022
- a minimum differential general rate of \$198,000.00 be and is hereby determined in respect of all rateable land in Category 501 within the Somerset Regional Council area for the year ending 30 June 2022”.

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Extraordinary decision 5 – amended adoption of budget and other financial documents |
| File Ref: | Budget FY2022 |
| Action Officer: | DFIN |

Background/Summary

The recommendation below proposes amending the budget and other financial documents relating to the addition of new rating category 501 to Council's differential general rating categories and consistent with section 94B of the Local Government Act 2009.

Attachments

Amended Budget Appendix A

Recommendation

1. THAT, pursuant to section 94B of the *Local Government Act 2009*, the amended budget (attached as Appendix A) presented for the 2021/2022 financial year incorporating:

- the budget including relevant measures of financial sustainability and other details (section 169 of the Local Government Regulation 2012)
- long term financial forecast (section 171 of the Local Government Regulation 2012)
- long term asset management plan (section 167 of the Local Government Regulation 2012)

be adopted

2. THAT Council confirms that the amended budget incorporates the following Council policies in accordance with section 169 (2) of the Local Government Regulation 2012 which have been previously adopted:

- Revenue policy
- Revenue statement

3. THAT Council confirms that the long term asset management plan incorporates the following previously-adopted Council policies which provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and infrastructure of the local government:

- Asset management policy – general
- Asset management policy – bridges
- Asset management policy – buildings and other structures
- Asset management policy – roads
- Asset management policy – footpaths

Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

1. "THAT, pursuant to section 94B of the *Local Government Act 2009*, the amended budget (attached as Appendix A) presented for the 2021/2022 financial year incorporating:

- the budget including relevant measures of financial sustainability and other details (section 169 of the Local Government Regulation 2012)
- long term financial forecast (section 171 of the Local Government Regulation 2012)

- long term asset management plan (section 167 of the Local Government Regulation 2012)

be adopted

2. THAT Council confirms that the amended budget incorporates the following Council policies in accordance with section 169 (2) of the Local Government Regulation 2012 which have been previously adopted:

- Revenue policy
- Revenue statement

3. THAT Council confirms that the long term asset management plan incorporates the following previously-adopted Council policies which provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and infrastructure of the local government:

- Asset management policy – general
- Asset management policy – bridges
- Asset management policy – buildings and other structures
- Asset management policy – roads
- Asset management policy – footpaths".

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | YEO Report – Review of Working with Children Risk Management Strategy, Policy and Procedures |
| File Ref: | Community Services – Youth Development – Youth Services |
| Action Officer: | Youth Engagement Officer |

Background/Summary

The following report seeks to update Somerset Regional Council's Working with Children documentation following an annual review of the following documents:

- Working With Children Risk Management Strategy
- Working With Children Policy
- WWC001 – Procedures for Working with Children – Suspicions or Disclosures of Harm
- WWC002 – Procedures for Working with Children – Services, Activities and Events

The review has indicated that significant updates should be made to two documents:

- Working With Children Policy
- WWC001 – Procedures for Working with Children – Suspicions or Disclosures of Harm

The updates required for the two outlined documents are in line with a change to a Queensland Government department name and a change in legislation.

On 12 November 2020 the Department of Child Safety, Youth and Women, under Public Service Departmental Arrangements Notice (No. 4) 2020, was renamed and established as the Department of Children, Youth Justice and Multicultural Affairs. Child Safety Services still sits in this space and therefore an update of department name is required for relevant Working with Children documents.

On 5 July 2021 new legislation was introduced in Queensland in reference to protecting children from sexual offences. These changes are found in the *Criminal Code (Child Sexual Offences Reform) and Other Amendment Act 2020*. The outcome of this legislation results in Council employees, Councillors, volunteers and contingent workers – as an accountable person associated with an institution (i.e. Council) – being accountable for ‘failure to protect child from child sexual offence’ (229BB). In addition, the legislation outlines ‘failure to report belief of child sexual offence committed in relation to child’ (229BC) which applies to any adult.

As a result of the *Criminal Code (Child Sexual Offences Reform) and Other Amendment Act 2020*, C036 Working with Children Policy and WWC001 – Procedures for Working With Children – Suspicions or Disclosures of Harm will need to be updated to include this legislative amendment. The procedures outlined in WWC001 have not altered, as they already indicated the correct procedure in this space, however information regarding mandatory reporting requirements has changed as a result of the legislation and has been included in the amended procedure document.

The Working with Children Risk Management Strategy and WWC002 – Procedures for Working With Children – Services, Activities and Events should also be updated to acknowledge that the annual review has taken place.

Attachments

- Attachment 1 Working with Children Risk Management Strategy
- Attachment 2 C036 Working with Children Policy
- Attachment 3 WWC001 – Procedures for Working with Children – Suspicions or Disclosures of Harm
- Attachment 4 WWC002 – Procedures for Working with Children – Services, Activities and Events

Recommendation

THAT Council adopt the following reviewed strategy, policy and procedures:

1. Working With Children Risk Management Strategy
2. C036 Working with Children Policy
3. WWC001 – Procedures for Working with Children – Suspicions or Disclosures of Harm and
4. WWC002 – Procedures for Working with Children – Services, Activities and Events

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council adopt the following reviewed strategy, policy and procedures:

1. Working With Children Risk Management Strategy (appendix B)
2. C036 Working with Children Policy (appendix C)
3. WWC001 – Procedures for Working with Children – Suspicions or Disclosures of Harm (appendix D) and
4. WWC002 – Procedures for Working with Children – Services, Activities and Events (Appendix E)”.

Carried

Vote - Unanimous

Subject: The Condensery – Cultural Tourism Accelerator Grant Program

File Ref:
Action Officer: GC and ACM

Background/Summary

Somerset Regional Council has the opportunity to apply for grant funding through the *Cultural Tourism Accelerator Program* – part of a Regional Arts Tourism package which aims to increase tourism visitation in regional, rural, and remote communities by providing financial support for arts and cultural activities.

The grant streams are aimed at increasing visitation to existing arts and cultural venues, events, and programs. The Condensery has the opportunity to apply for the following funding streams which will facilitate two unique projects.

Project 1 : Targeted Marketing Campaign

A strategic and targeted marketing campaign to achieve a particular visitation outcome. The campaign will accompany an existing project, event, festival, venue or annual program.

This project will deliver an outdoor and social media marketing campaign to attract audiences from SE QLD to a survey exhibition of work by eminent local artist Merton Chambers at The Condensery, Toogoolawah from 9 July - 4 September 2022.

The campaign will highlight Merton Chamber's significant contribution to regional arts while building the profile of The Condensery as a quality producer and presenter of contemporary regional arts. Through outdoor advertising on billboards situated along major SE QLD arterials such as the Brisbane Valley, Warrego and D'Aguilar highways, visitors who would not normally be aware of The Condensery and its program will be attracted by the quality and vibrancy of its offering. This will be complemented by a highly targeted social media campaign.

The project will encourage visitation to The Condensery but also to the village of Toogoolawah and neighbouring Somerset towns of Esk, Kilcoy, Somerset, Harlin, Moore and Linville, which offer quality tourism experiences.

Project 2 : Experience Initiative

An initiative that adds an offer or experience to an existing program, to increase visitation or extend the visitor experience of 'place.'

This project proposes a new dedicated website featuring an interactive public art trail to highlight the strong cultural offerings of the Somerset region and drive physical visitation to public art sites and The Condensery.

A new web platform will create direct appeal for visitors, existing and potential, by showcasing the public art offer of the region and the artistic program and events run by The Condensery to best advantage. The project will reflect the distinctiveness of The Condensery and the region's public art through high quality design and imagery and build consumer confidence in the physical experience by prioritising the accessibility of key directional information and contact details.

By compiling all activities and opportunities in one place, the new web presence will maximise searchability, ensure travellers have easy to access information at their fingertips (ie smartphones) and utilise search engine optimization (SEO) to ensure maximum reach, growing audiences and driving tourism for the region.

The project will highlight the significant place-based experiences on offer in the Somerset region by creating appealing information and resources. The interactive map will entice visitors to follow a physical pathway through the cultural activities of the region, emphasising the experience on offer at each stop. Local community groups and schools will be engaged through the accessibility of additional interpretative and educational material accompanying The Condensery's artistic program and the region's public art.

The new site would showcase The Condensery's new visual identity and would complement council's existing corporate website and share content (such as the art gallery trail), with Experience Somerset.

It is anticipated that The Condensery would provide 95% of the content and that much of this would be reproduced from material which already exists in the galleries program, signage and promotional materials making it less labor intensive for staff to administer.

Capacity would be built into the grant application for the website to be hosted by an external company.

The full amount of \$10 000 will be applied for in both cases with the closing dates for both grant opportunities on 22 January 2022

Attachments

Nil

Recommendation

That Council apply for two grants under the Cultural Tourism Accelerator Program

1. The targeted marketing campaign for the exhibition by Merton Chambers and
2. Experience Initiative to build a purpose built web site for the Condensery.

Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

"That Council apply for two grants under the Cultural Tourism Accelerator Program

1. The targeted marketing campaign for the exhibition by Merton Chambers and
2. Experience Initiative to build a purpose built web site for the Condensery".

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | CSRAG - The Condensery Somerset Regional Art Gallery Advisory Committee Meeting – 1 November 2021 |
| File Ref: | 2020 – 2021 The Condensery – Somerset Regional Art Gallery Advisory Committee – |
| Action Officer: | DCORP |

Background

The Condensery Somerset Regional Art Gallery Advisory Committee (CSRAG) met on

Monday, 1 November 2021 to discuss miscellaneous items of business. The meeting report from the meeting is attached.

The following recommendations from the committee are acknowledged and may be placed into a future actions list.

| Item No. | Suggested Actions / Recommendations | Action to be taken |
|----------|---|--|
| 1. | THAT Council include an item about the creative interface between Arts and Business with the Arts and Culture Strategic plan. | DCORP/ACM to create Arts and Culture Strategic Plan and include this item. |
| 2. | THAT Council adopt "The Condensery" strategic Plan and note its significance to not only The Condensery but the region and further acknowledge the contributions made by its author to the document | For discussion by Council |
| 3. | THAT Council revisit the masterplan document for The Condensery and a new redefined document that interfaces with the strategic plan be bought back to the committee for its consideration. | DCORP/ACM – to be placed on future actions list |
| 4. | THAT Council adopt the branding concept for The Condensery and the statement "Curious" as an organising principal be included to support the brand identity. | For discussion by Council |
| 5. | THAT an item be placed on a future agenda of CSRAG for possible considerations regarding a permanent collection | DCORP/ACM – to be placed on future actions list |
| 6. | THAT as part of the report being bought back to the February meeting of CSRAG about the availability of ecommerce at The Condensery that the possibility of operating a small gallery shop is considered and part of that report. | DCORP/ACM – to be placed on future actions list |
| 7. | THAT a shortlist of the proposed exhibitions for the "Bomb Shelter" be created and bought back to the committee for endorsement. | ACM – to be placed on future actions list |

Attachments

1. Meeting Report for CSRAG Meeting of 1 November 2021
2. "The Condensery" Somerset Regional Art Gallery Strategic Plan 2022-2025.
3. Branding Concept for "The Condensery"

Recommendation

THAT Council

1. Receive the meeting report for the CSRAG Committee meeting held on Monday, 1 November 2021 and
2. Adopt the branding concept for The Condensery and the statement "Curious" as an organising principal be included to support the brand identity
3. Adopt "The Condensery" strategic Plan 2022-2025.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

"THAT Council

1. Receive the meeting report for the CSRAG Committee meeting held on Monday, 1 November 2021 and
2. Adopt the branding concept for The Condensery and the statement “Curious” as an organising principal be included to support the brand identity
3. Adopt “The Condensery” strategic Plan 2022-2025”.

Carried*Vote - Unanimous*

Subject: Kilcoy Motocross Event Management Plan 2022
File Ref: Council Properties - Leasing Out – Kilcoy Motocross 2022
Action Officer: DCORP

Background/Summary

Council has previously resolved to grant a lease to the Kilcoy Motorcycle Club (the Club) over Lots 1 and 2 SP134321 located at Neurum Road, Kilcoy. The lease of the site expires on 30 June 2023. Re-negotiation of the lease will occur during 2022.

The lease document requires the preparation of an annual event management plan. Please find attached the proposed Event Management Plan for 2022.

The Club has requested a similar number of days consistent with previous years. However, further clarity is detailed below regarding coaching activities.

The event management plan proposed for 2022 includes:

| Activity | Days per year 2022 | Days per year 2021 |
|---|--|--|
| Practice | 15 | 15 |
| Competition (Club Race Days and National / State Events) [Note: Dates for the 2 day National Events have not been secured with Motorcycling Queensland.] | 12 (10 events, 2 of which are 2-day events) | 13 (11 events, 2 of which are 2-day events) |
| Coaching (Saturday 2022) | 10 | 10 |
| Week Day Coaching Clinics (afternoon only) | 24 (2 per month) | 24 (2 per month) |
| Coaching School (on weekend or school holidays) | 3 clinics - 1 to 4 days 9 days proposed | 10 |

The club has not requested additional days of use for the 2022 calendar. Competition days will decrease by one day. These days are the highest participation and attendance days.

Week Day Coaching Clinics (afternoon only)

The Club has various coaches that would like the opportunity to host coaching clinics from 12.00 – 5.00pm on various week day afternoons, with attendees expected to be in the order of 8 – 25 people. Two (2) week day coaching sessions per month are requested. Previously, these dates may not have been set at the start of the year. However, the Club has requested approval for 10 specified dates in the 2022 event calendar.

The Club has also proposed that occasionally, if this session is not used for coaching, the Club may utilise this time for a practice session with the number of riders not expected to be more than 25 riders.

Coaching School (1 – 4 days on weekend or school holidays)

Additionally, from time to time coaches throughout Australia will book the track for between 1 - 4 days for an intensive coaching school to be held on a weekend or during school holidays. Rider numbers would be approximately 10 - 40 depending on the length of the coaching clinic, and the number of coaches available to provide tuition as per student / teacher ratios.

The Club advises that as the riders will be learning different skills including off bike fitness, nutrition etc the noise is limited in comparison to a race day. The focus is more on developing skills than speed. It is also a requirement of Motorcycling Australia that all riders must complete 5 hours of competency with an accredited coach prior to moving up to a higher capacity bike.

Council has previously limited sessions of this type to a maximum of 10 days per year, with permission sought from Council when a date is allocated. For the 2022 Calendar the club have allocated 3 sessions of three days.

Coaching - Weekend

These days have been set as Saturdays only. Previously the timing of the Weekend Coaching was not advised.

Additional or Substitute Days

As per the Event Management Plan for 2022, any additional days need to be approved by Council. Substitute days caused by rain or similar events will be approved by the CEO or delegate subject to the club requesting the change to a date that will provide a minimum of two weeks notification and meeting standard requirements set by Council.

Event Management Plan Review

The Event Management Plan for 2021 (as approved plus additional Council requirements set by resolution) have been reviewed and compared to the 2022 Event Management Plan to ensure the 2022 Plan includes all requirements set by Council.

Changes made by the club are as follows:

Background

Membership 2022 - 485 (2021 - 600)

Three national events proposed in 2021 reduced to two events in 2022.

Event Schedule

National events may include:

National Events – SEQ MX Series – date to be advised by MQ

Coaching

Coaching weekend 2021 day not specified changed to Saturday in 2022.

Patron Details

Club race days in 2022 – 290 riders while in 2021 – 300 riders.

Toilets and Showers

Club Race days – an additional 5 portaloos provided. In 2021 3 portaloos provided with an additional 2 portaloos provided based on numbers. The paragraph provided this explanation has been removed.

The Event Management Plan proposed by the club for 2022 meets all the requirements

previously set by Council. For the 2021 year there were no significant issues or breaches that would warrant further changes to the Plan.

A sound test was undertaken during the year and the noise from the club measured at the noise receptor was less than the standard. The report from the consultant is attached. Sound measurements were provided from each event. The club had indicated action taken where a motorbike did not meet requirements.

Attachments

- Attachment 1 - Proposed Event Management Plan 2022
- Attachment 2 - Event Calendar 2022
- Attachment 3 – Noise monitoring Report from Acoustic Consultant
- Attachment 4 – Kilcoy Motocross Site Plan

Recommendation

1. THAT Council approve the proposed Calendar of Events for 2022 for the Kilcoy Motorcycle Club, comprising 12 competition days, 15 practice days, 10 coaching days, 24 week day clinics (afternoon only) and 9 coaching school days (weekend or school holidays).
2. THAT Council Officers further review the Event Calendar section of the 2022 Event Management Plan to reconsider the process of event cancelling and rescheduling with a report brought back to Council.

Resolution

Moved – Cr Brieschke

Seconded – Cr Wendt

1. "THAT Council approve the proposed Calendar of Events for 2022 for the Kilcoy Motorcycle Club, comprising 12 competition days, 15 practice days, 10 coaching days, 24 week day clinics (afternoon only) and 9 coaching school days (weekend or school holidays).
2. THAT Council Officers further review the Event Calendar section of the 2022 Event Management Plan to reconsider the process of event cancelling and rescheduling with a report brought back to Council."

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Disability Respite Care Services Kilcoy |
| File Ref: | Government Relations - State and Federal Government Liaison |
| Action Officer: | DCORP - CDO |

Background/Summary

Council wrote to the Queensland State Minister for disability and Aged Care Services the Honourable Craig Crawford MP and Senator the Hon Linda Reynolds Minister for the National Disability Insurance Scheme on 15 November 2021. The substance of the correspondence to Minister Crawford and Senator Reynolds was to bring to their attention the problem that had

occurred with Anglicare withdrawing services to the clients currently receiving services at the Kilcoy Respite centre who were disabled.

Anglicare had advised clients that they would have to arrange for services to be delivered to them by a different provider and they will have to do that at a different location to the Respite Centre. This advice was provided in late August early September 2021.

Council's Community Development Officer (CDO) has been the only officer from any level of government who has contributed to the discussions with the clients and providers in Kilcoy. Council's CDO identified ALARA as the most likely and best resourced current provider who could assist in this area. No officer from the National Disability Insurance Agency has been in contact with the clients or their relatives or the current and prospective providers.

The Minister uses terms like the "market-based approach" to the provision of services in a small community to our most vulnerable citizens. The Department's advice to the Minister does not appreciate the situation intimately and does not appreciate the lack of action from the Department and from the National Disability Insurance Agency.

ALARA Qld Inc have been engaging regularly with the Kilcoy community regarding offering an alternative day respite service for disabled and aged clients in Kilcoy. They will be commencing a three day a week service from January at the Kilcoy Memorial Hall, to fill the void left when AnglicareSQ withdrew from offering centre based support from the end of November 2021

Attachments

Attachment 1 – Letter from the Minister for Disability and Aged Services the Honourable Craig Crawford MP

Attachment 2 – Letter from Senator Hon Linda Reynolds Minister for the NDIS

Recommendation

That Council note the contents of the letter and seek a deputation to the relevant Ministers to better explain the delivery of respite services to aged and disabled clients in Kilcoy.

Resolution

Moved – Cr Brieschke

Seconded – Cr Gaedtke

"That Council note the contents of the letter and seek a deputation to the relevant Ministers to better explain the delivery of respite services to aged and disabled clients in Kilcoy".

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | New Toogoolawah Community Gym – Camera Installation, 24 Hour Access and Extended Operating Hours Trial |
| File Ref: | Recreation and Cultural Services – Service Provision – Recreation Facilities |
| Action Officer: | A/MRT |

Background / Context

The construction of the new Toogoolawah Community Gym (TCG) is due for practical completion in late February 2022. The opening of the new facility has raised interest in the usage of the facility. The following report outlines a potential to offer 24-hour access to the facility and a trial of extended operating hours.

Somerset Health and Fitness will manage the new TCG in line with their current management agreement through to 30 August 2022. This will allow for approximately six months of operation under their current agreement. The tender for the management of the TCG and Toogoolawah Swimming Pool (TSP) will be combined in 2022 and are scheduled to be released in March 2022.

Council has obtained 18 pieces of good quality gymnasium equipment to fit out the facility at no cost to Council.

24-HOUR GYM ACCESS

Part of the rationale for obtaining funding to construct the new TCG was due to the limited accessibility of the current TCG, located in McConnell Park – Toogoolawah, to the wider community. The current facility caters to a core clientele of approximately 55 women, whom are predominately locals aged 60 years and over. Whilst the facility will become more accessible with the installation of the new equipment, it will still have limited accessibility due to limited operating hours.

An efficient strategy to increase facility usage would be to install 24-hour access at the facility. 24-hour access would allow for wider community usage as it would allow younger full-time workers to access the facility before and after work. 24-hour access is currently available at the Fernvale Indoor Sports Centre.

To assist in the transition of the lessee from the existing facility to the new facility Council could install a swipe card system and duress alarms in the new facility. It is not commercially viable for the current lessee to install this equipment given the remaining lease period. 24-hour access would also make the facility more commercially viable for prospective future tenderers, delivering a value for money investment for Council.

The approximate costs to install the 24-hour access system is \$15,000 to \$20,000. Council Officers, in consultation with the TCG construction Project Manager and Builder, have identified a cost saving of \$25,000 to fund the installation of the system through removing the concertina door to be installed. The infrastructure to support the door has already been installed, the saving is from the cost of the door procurement, meaning the door can be installed in the future.

The management the 24-hour access will be the responsibility of lessee. The lessee is responsible for all risk assessments and management of the 24-hour access.

CAMERA INSTALLATION

Clause 18 of the Council Closed Circuit Television (CCTV) Policy (C/033) states that “No fixed new CCTV camera position is to be established without a Council resolution.”

It is proposed that up to six additional CCTV cameras be installed on site to adequately capture security vision at the facility and support the management of 24-hour access. The cost of the supply and installation of the cameras is approximately \$2,500 excluding GST. The cost for the supply and installation would be allocated against the existing project budget.

INCREASED OPERATING HOURS TRIAL

The TCG is currently open for 15 hours per week in a standard operating week. There is a high interest amongst the local community in the use of the new gym. To confirm the interest translates to patronage of the new facility, there is potential to conduct an eight week trial of increased operating hours. Whilst the 24-hour access would provide greater opportunities for incidental individual use, the increased operating hours would provide greater opportunities for structured use (e.g. group exercise and classes) and for individuals that would not be permitted to access the facility unsupervised.

Operating hours could be increased from 15 to 28 hours per week (please see table 1 below) and greater align the operating hours of the TCG with the TSP.

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday | Public Holidays |
|---|-------------------------|-------------------------|-------------------------|------------------------|------------|------------|------------|-----------------|
| Toogoolawah Swimming Pool | 3pm - 6pm | 6am - 9am 3pm - 6pm | 6am - 9am 3pm - 6pm | 6am - 9am 3pm - 6pm | 3pm - 6pm | 11am - 5pm | 12pm - 5pm | 12pm - 5pm |
| Toogoolawah Community Gym - Current Operating Hours | 7am - 10am | 4pm - 7pm | 7am - 10am | 4pm - 7pm | 7am - 10am | CLOSED | CLOSED | CLOSED |
| Toogoolawah Community Gym - Proposed Operating Hours | 7am - 10am 3pm - 6pm | 7am - 10am 3pm - 6pm | 7am - 10am 3pm - 6pm | 3pm - 6pm | 7am - 10am | 8am - 12pm | CLOSED | CLOSED |

Table 1: TSP and TCG Current Operating Timetable vs Potential TCG Operating Timetable

The approximate cost to conduct an eight-week trial of increased operating hours at the new facility would be \$4,333 + GST, which includes the lessee's operating fee and utilities.

There would be minimal operating risks in extending the operating hours on a trial basis. The new trial would be conducted in line with the opening of the new facility. A potential risk for Council is the community's expectation that extension of hours for one or both facilities will be ongoing or permanent. This would pose an ongoing financial risk to Council. This potential risk could be effectively mitigated through a communication plan.

Conversely, the benefits to Council include gaining real data on community service engagement and potentially offering a service that would meet a real demand within the local community. A potential trial would also have the added benefit of informing Council's tender specifications for the upcoming facility management lease.

Attachments

Nil.

Recommendation

THAT Council

1. Approve the installation of up to six additional CCTV cameras at the new Toogoolawah Community Gym.
2. Approve 24-hour access to the new Toogoolawah Community Gym and install infrastructure to allow for 24-hour access utilising cost savings from not procuring the planned concertina door.
3. Approves expenditure of \$4,333 + GST for an eight-week trial of increased operating hours, 15 to 28 hours, for the new Toogoolawah Community Gym.

Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

“THAT Council

1. Approve the installation of up to six additional CCTV cameras at the new Toogoolawah Community Gym.
2. Approve 24-hour access to the new Toogoolawah Community Gym and install infrastructure to allow for 24-hour access utilising cost savings from not procuring the planned concertina door.
3. Approves expenditure of \$4,333 + GST for an eight-week trial of increased operating hours, 15 to 28 hours, for the new Toogoolawah Community Gym”.




Carried




Vote - Unanimous







Subject: Tourism and Promotions Report December 2021
File Ref: Tourism – Promotions
Action Officer: A/MRT

The following is the December 2021 summary of activities for Somerset Explore and Visitor Information Centres and the Tourism team members.


Visitor Statistics


| | Somerset | Brisbane | Other SEQ | Rest of state | Interstate | International | Total |
|---|----------|----------|-----------|---------------|------------|---------------|-------|
|  Esk VIC | 60 | 63 | 50 | 12 | 18 | 0 | 203 |
|  Kilcoy Explore Centre | 79 | 102 | 99 | 32 | 21 | 0 | 333 |
|  Fernvale Explore Centre | 94 | 96 | 23 | 17 | 21 | 0 | 251 |

| | First | Second | Third |
|-----|--|--|---|
| Esk |  Maps and Directions |  Glen Rock Gallery |  Outdoor activities |

| | | | |
|-----------------|--|---|--|
| | | | |
| Fernvale |  Maps and Directions |  Outdoor Activities |  Fishing/Boating |
| Kilcoy |  Maps and Directions |  Caravanning Camping |  and Environmental Centre |

Motivators

| Merchandise Sold  | |
|---|------|
| Esk | \$38 |
| Fernvale | \$7 |
| Kilcoy | \$44 |

| Active Volunteers  | |
|--|----|
| Esk | 12 |
| Fernvale | 17 |
| Kilcoy | 8 |
| TOTAL | 38 |

Digital Media

Facebook



2824 (+11)

Instagram



1352 (+13)

Website



Page Views: 4581

Visitors: 87% new, 13% returning

Peak Time: sessions on 28 December 2021

Most Popular Pages: Experience Somerset home page, Somerset Park Campgrounds, and Boating and Fishing

Device Type: 67% mobile, 29% desktop and 4% tablet

Referrals: Visit Brisbane (153), tnr.qld.gov.au (134), and Queensland.com (78)

Volunteer acknowledgement and engagement

42 volunteers from Esk, Toogoolawah, Kilcoy and Fernvale joined together to celebrate another year together of volunteering. Volunteers visited Stonehouse Retreat and Sister Bake Co before enjoying a Christmas meal at the Toogoolawah Hotel. A special announcement and presentation for 5 and 15 year service was recognised at the evening dinner event.

Glen Rock Art Gallery (Esk Visitor Information Centre)

The Glen Rock Stitchers displayed their craft in the Glen Rock Gallery in December. A Christmas theme was throughout the display which was popular with locals and visitors alike for last minute Christmas gifts. Unfortunately, due to the changing COVID-19 requirements for vaccination status, the display closed on 17 December 2021.

Events

Somerset Christmas Light Competition and Trail 2021 was a huge success. Over 40 entries were received. A report will be going to workshop regarding the 2022 event.

SEQ Food Trails

At the end of December, Somerset had 19 food businesses listed on the Somerset SEQ Food Trails website.

Council engaged Caravel Media, the contractor for SEQ Food Trails to produce a Brisbane Valley Rail Foodie Trail. The video was used as part of a social media advertising campaign from mid-November to mid-December to encourage visitation to the region. Engagement results will be made available in 2022.

Visitors, operators and Somerset residents are encouraged to share their food photos on Instagram with the hashtag #experiencesomerset. Images tagged #experiencesomerset will feed into the Somerset food trails homepage. Content and images are updated regularly.

Somerset Tourism Strategy

N/A for reporting period.

Somerset Visitor Guide 2022-2023 edition

The Tourism Team released the advertising prospectus of the next edition of the Somerset Visitor Guide. Bookings are closed with 31 Somerset tourism operators purchasing advertising in the guide. All visual content has now been captured. 19 locations throughout Somerset were utilised, featuring local attractions and tourism operators. The Guide remains on track to be published in early 2022, with content and images sent to the graphic design company this month. Website redevelopment is currently under investigation with quotes sourced.

Promotional activities:

N/A for reporting period.

Attachments

Nil

Recommendations

THAT Council receive the Tourism and Promotions Report for the month of December 2021 and that the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“THAT Council receive the Tourism and Promotions Report for the month of December 2021 and that the contents be noted”.

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Toogoolawah Golf Club Hosting the 2022 Queensland Athletics All Schools Cross Country Championships |
| File Ref: | Recreation and Cultural Services – Event Management – Community Events – Festivals - Sporting |
| Action Officer: | A/MRT |

Background / Context

Following the success of the 121st annual Queensland Cross Country Championships at the Toogoolawah Golf Club in July 2021, Council resolved (at the 13 October 2021 Ordinary Council meeting) to commit funding of \$12,500 excluding GST in the 2022-23 financial year budget and \$12,500 excluding GST in the 2023-24 toward sponsoring the 2022 and 2023 Queensland Cross Country Championships under the condition that the event be held at the Toogoolawah Golf Club and a Memorandum of Understanding be agreed upon by all parties.

Queensland Athletics (QA) have since approached the Toogoolawah Golf Club and Council to conduct the 2022 QA All Schools Cross Country Championships (ASCCC) at the Toogoolawah Golf Club on Saturday 7 May.

The ASCCC is an event of greater size than the Queensland Cross Country Championships, with an anticipated 900 competitors and 2,500 to 3,000 spectators and officials expected to attend. The Queensland Cross Country Championships held in Toogoolawah in 2021 saw a total of 597 competitors with an estimated crowd size of 1,700. Competitors aged between 6 and 19 are eligible to participate in the event. The event will be almost exclusively attended by families based outside of the Somerset Region. This would be a great opportunity to showcase the Somerset Region to a high value tourism segment - intrastate family traveller market.

The expenditure to support this event is not allocated within the 2021-22 financial year budget. Were Council to proceed with reallocating support from the 2022 Queensland Cross Country Championships to the 2022 ASCCC, funds would need to be directed elsewhere from within the existing budget. This could occur within an upcoming budget review.

QA have proposed that the previously agreed 2023 Queensland Cross Championships would remain as scheduled, July or August 2023 at the Toogoolawah Golf Club.

Attachments

Nil.

Recommendation

THAT Council allocate funding of \$12,500 excluding GST from within the 2021-22 financial year budget at the next budget review toward sponsoring the 2022 Queensland All Schools Cross Country Championships under the conditions that the event be held at the Toogoolawah Golf Club and a Memorandum of Understanding be agreed upon by Queensland Athletics, the Toogoolawah Golf Club and Somerset Regional Council.

Resolution

Moved – Cr Brieschke

Seconded – Cr Choat

“THAT Council allocate funding of \$12,500 excluding GST from within the 2021-22 financial year budget at the next budget review toward sponsoring the 2022 Queensland All Schools Cross Country Championships under the conditions that the event be held at the Toogoolawah Golf Club and a Memorandum of Understanding be agreed upon by Queensland Athletics, the Toogoolawah Golf Club and Somerset Regional Council”.

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Corporate and Community Services Monthly Report – December 2021 |
| File Ref: | INFORMATION MANAGEMENT - REPORTING - Corporate Service Report |
| Action Officer: | DCORP |

Background/Summary

In delivering on Council's Operational Plan and commitment to excellent customer service, the Corporate and Community Services Department offer the following information as a representation of activities undertaken during the month of December 2021.







Records

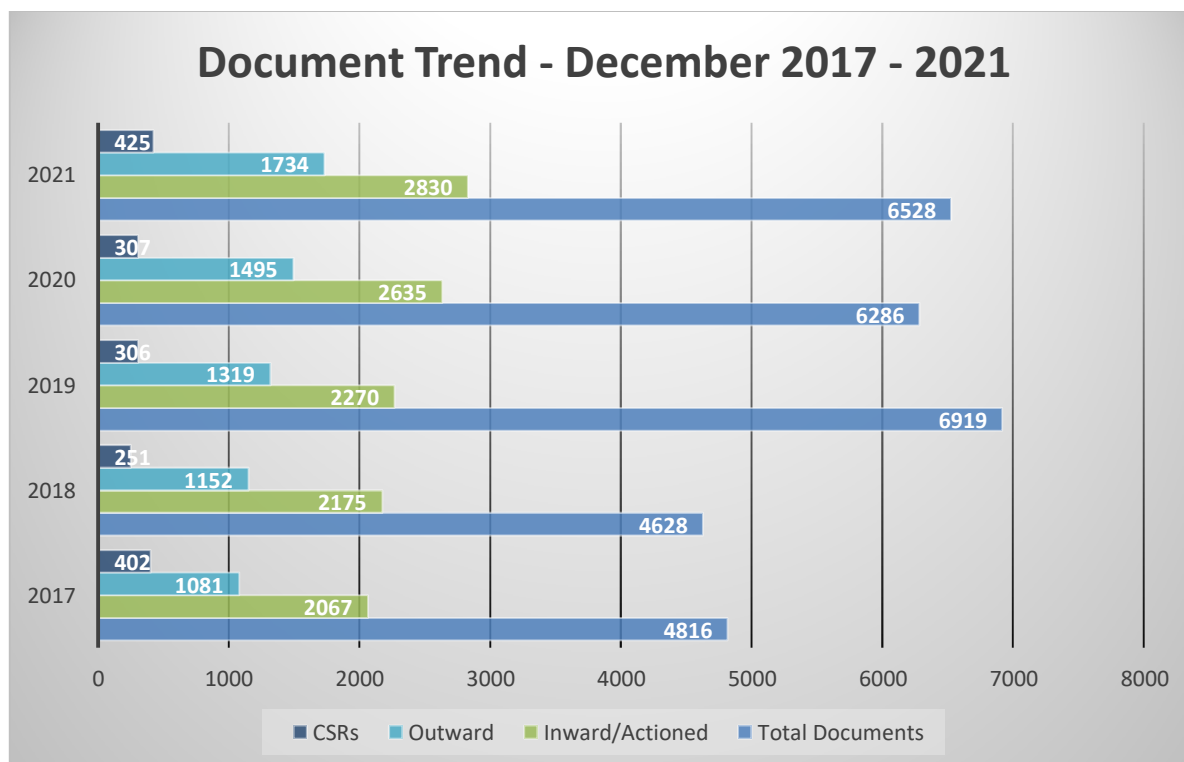
Documentation – At a Glance – December 2021

| | |
|---|---|
| Inward/Actioned Documents – 2830 | Outward Correspondence - 1734 |
| Customer Service Requests - 425 | Councillor Requests – Thirty-Two (32) |
| Decision Notices/Workshop Outcomes - Decision Notices – Fifty-One (51) Workshop Actions – Ten (10) | Tender/Quotation – Tenders – Zero (0) Numbered Quotations – Zero (0) |

Total Documents Registered for the month of December 2021 – 6528 – 3.7% Increase

Comparison Figures – Registered Documentation – December 2020 – 6286

| | | |
|--|--|--|
|  Emails In - 2352 Emails Out - 1545 |  Customer Requests - 425 Councillor Requests - 32 |  Letters In – 525 Letters Out - 201 |
|  Invoices - 600 |  Receipts - 142 |  New Folders - 202 |



Information and Communication Technology (ICT)

Software and infrastructure upgrades continue in line with budgetary considerations and operational requirements, and work continues implementing audit recommendations in line with target dates.

A suitably verifiable solution for internal electronic signatures has been trialled and the pilot will commence in January.

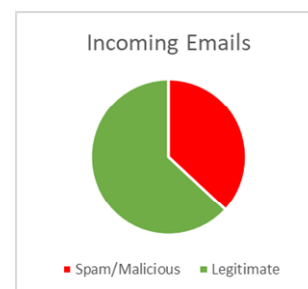
A replacement public mapping solution is nearing readiness, with the internal solution currently under development. Resourcing of GIS continues to be an issue with no specifically assigned staff.

Cyber Security

Percentage of incoming emails identified as malicious remains steady at almost 40% although total volumes were well down with the Christmas period. Phishing emails continue to target Office365 and videoconferencing utilities, with several incoming malicious emails received from compromised email accounts at vendors and other government entities including Councils.

Phishing testing of all corporate email users continues in line with audit requirements, with four users 'caught' in the most recent quarterly phishing test and requested to repeat online cyber security training. Phishing testing involves sending benign copies of malicious emails to staff and Councillors to increase their awareness and test their response to a potential risk and forms an important part of cyber security preparedness.

Targeted attacks continue against internet facing resources, with the Australian Cyber Security Centre (ACSC) and Queensland Government Chief Information Officer (QGCIO) continuing to warn of ongoing campaigns by foreign nations and organised hacker groups targeting Australian government and business networks. Recent attacks have focused on targeted phishing emails and leveraging newly discovered software vulnerabilities before patches to fix them are released or installed, and there has been an increase in activity over the holiday period attempting to take advantage of diminished ICT staff numbers and an increase in remote working.

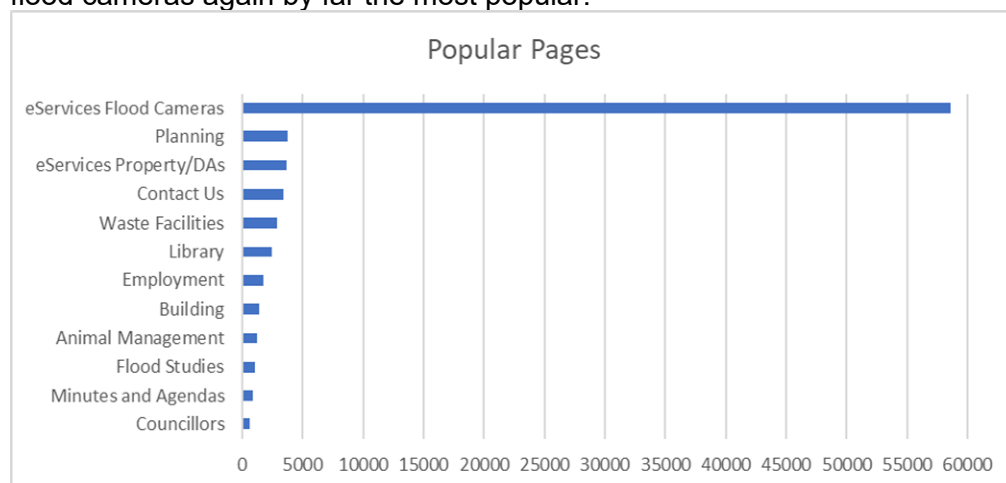


December also saw a series of major vulnerabilities announced in the Log4j logging utility used by many software packages. It is difficult to detect and patch as the utility is often embedded in other executables. It is one of the worst vulnerabilities in recent years as it is trivial to exploit, network accessible (including via internet if firewalls are incorrectly configured) and can result in complete network takeover. Unfortunately, the patches themselves have introduced new flaws so we are now several versions into the patch and counting.

Thousands of compromise attempts continue to be detected on Council firewalls and websites, mostly comprising automated script attacks and targeting known vulnerabilities or weak passwords.

Websites

The primary corporate website (somerset.qld.gov.au) received 65,187 page views for the month, while eServices (eservices.somerset.qld.gov.au) received 74,339 page views with flood cameras again by far the most popular.









Corporate Services

| Corporate Services | | | | |
|--|---|--------------------|--|--|
| Enquiries | | | | |
| Property matters | Grazing tender enquiries Enquiries for purchase of Council land Sale of remaining Haslingden Park Estate parcels in process Sale of remaining Braemore parcels – Tender in process Emails sent re: property sale Braemore Covenant review Easement review Permit to occupy enquiry | | | |
| Governance | (incl. local laws, legislation, systems and processes, delegations, policies, RTI, internal review) Responded to internal enquiries re: easements and covenants | | | |
| Governance Matters | | | | |
| Authorised Persons documentation | x 41 | | | |
| Policies / procedures | N/A | | | |
| Annual Report | N/A | | | |
| SPER | Update of SPER register | | | |
| Quarterly Advisory Agendas / Reports / related enquiries | Fernvale Recreation Grounds | Advisory Committee | | |
| | Esk Recreation Grounds | Advisory Committee | | |
| | Kilcoy Recreation Grounds | Advisory Committee | | |
| | The Condensery Somerset Regional Art Gallery | Advisory Committee | | |

| | | | | | |
|--|--|-------|----------------------------|----------|-----------|
| | Somerset RADF Monthly Corporate and Community Services Meeting | Civic | Centre | Advisory | Committee |
| Property Matters | | | | | |
| Tenders | N/A | | | | |
| Acquisition and Disposal | Property sales enquiries | | | | |
| Leases / Licences | 2 | | | | |
| Easements | Standard easement documentation provision | | | | |
| Road matters (including realignments, acquisitions, openings/closures) | Esk Old Yellow Gully Bridge | | Forest Fernvale | | Road Road |
| Strategic property investigations | Reserve change of use investigations | | Amalgamation investigation | x | 2 |
| Other Projects / Tasks | Provision of CAG Title Searches | | advice for CAG's reports | | |

Arts and Culture

The Condensery – Somerset Regional Art Gallery

| | | |
|---|---|--|
|  145 Visitors |  879 Facebook Followers 4,010 Facebook Reach 15 Facebook Posts |  2 Grant Applications in Development 1 Grant Application Successful |
|  Feedback 'Amazing! So conceptual for a regional gallery. Love to see what you do in the future' |  1 new kids activity program |  2 Exhibitions Presented 12 Exhibitions in Development |

The Condensery News

Exhibitions/Artistic Program

Drawn to Home continues on show in Gallery 1 and 2 and features new and recent work by Western Sydney based artist Catherine O'Donnell and The Lost Hour by Diana Baker Smith in the bomb shelter exhibition space. Both exhibitions have received keen media coverage with features in The Somerset, The Independent Somerset, Art Collector online, Instagram and newsletter as well as interest from ABC Toowoomba.

Preparations have begun for the next exhibition, Material Sound, which will open at The Condensery on 28 January with a new performance by Brisbane based artist Ross Manning.

The Condensery hosted the Asia Pacific Triennial (APT10) Kids activity program from QAGOMA. The series of artist designed kids art making activities will be available until April 2022 with a new activity featuring each month. The activities have proved very successful thus far with families visiting, including one family of four children visiting twice.

Our artist in residence, Caitlin Franzmann visited again in early December to meet with locals in Linville, Jinibara Elder Uncle Noel and artists BJ Murphy and Libby Harward as well as Dinjibara man Steve Marsh. Her research is contributing towards the development of her work for exhibition in November 2022.

Research has begun for the exhibition of work by eminent local artist Merton Chambers in July 2022.

Other Activities








A Strategic Plan has been prepared for The Condensery and was discussed at workshop in December. The plan sets out the vision and values for the gallery going forward as well as the opportunities for growth and development.

A new visual identity and logo for The Condensery has been developed by design agency Goldi. The new logo and visual identity will allow for outdated signage and marketing materials to be refreshed and highlight the significance of The Condensery brand moving forward.

A position description has been developed for the new Learning and Engagement Officer, as a result of the successful Tackling Tough Times Together application. In addition to the position, the grant funds an annual program of art making activities for children and young people that addresses the impact of drought, assists with recovery and builds resilience through creative opportunity and expression.

Gallery Curator, Rachel Arndt, officially opened the Barbara Cleveland Thinking Business at Redland Art Gallery in early December.

Somerset Libraries

| | | | |
|---|---|--|---|
|  1193 Reach 790 Followers 30 Posts |  2044 Website visits |  10,042 Physical Circulated | Items  8 Events and Activities |
|  336 Computer Bookings |  4060 Catalogue Searches |  5275 Total Interactions 32 New Members | 1563 Esk 1806 Kilcoy 1528 Lowood 337 Toogoolawah 41 Outreach |


Somerset Libraries News

December proved to be a busy month for Somerset Libraries, with libraries playing a part in assisting patrons to meet Queensland Government COVID requirements. Recognising that libraries would play a key role in simultaneous informational and health literacy, Council approved free printing of household vaccination certificates for all Somerset Residents, an incentive that was eagerly welcomed by the community.

Technical enquiries were up at 228 enquiries from 109 in the previous month. Across the four branches, staff spent approximately 140 hours assisting patrons in setting up My Gov accounts and linking vaccination certificates to Check-In QLD Apps. This was primarily undertaken over the 10-day period from Monday, 10 December to Friday, 24 December and thus equated to 3.5 hours of staff assistance per library each day.

December also saw the start of the Summer School Holiday Program. Among other workshops, Kilcoy and Lowood Libraries trialled an alternative programming method of passive programming, whereby craft trolleys were set up for freestyle craft and exploration. 154 patrons (45 at Kilcoy and 109 at Lowood) participated in this program. with many patrons making repeat visits as craft materials were swapped out.




Somerset Civic Centre

| | | | |
|--|--|---|--|
|  13 Community Events |  1561 Visitors | Community Partnerships / Key Stakeholder Engagements Successful delivery of local school end of year events – Toogoolawah State and High School and Esk State School. | Top Feedback 'What a wonderful year and we really appreciate the support we are receiving from yourself and others at the Civic Centre' Valley of the Lakes Garden Club |
|  9 Corporate/Civic Events |  2 Programs Developed |  Marketing Reach | 8 Facebook Posts 172 Facebook Followers Reach – 1548 |

Somerset Civic Centre News

The training for the new venue management software, EventPro has been undertaken by Customer Service, Event and Venue Management staff. Access to the software has commenced and all Civic Centre booking are in from July 2021.







Several successful, community events were delivered with December being a busy month for end of year events, awards and Christmas break-up functions. Some of these included the Esk Community Choir Christmas Concert and Jammin' in Esk Christmas Concert.


| | | |
|---|---|---|
|  <p>Seniors Event 115</p> |  <p>SRC Team Building Day 200</p> |  <p>Team Somerset Day Somerset Civic Centre</p> |
| <p>Assisted with other Events: Toogoolawah State High School Awards Night Garden Club Monthly Meeting and Workshop Wilston Ecclesial Church Camp</p> | | <p>Feedback: "A wonderfully positive morning and I have received lots of fantastic feedback from all sections of the workforce." SRC Executive</p> |

Sport and Recreation

The following contains an overview of Sport and Recreation programs and projects for the month of December 2021.

Indoor sport, gymnasium and aquatic facility operations

| Facility | Commentary / Highlights | Attendance for the Month | Comparative to Month Historical Average | Membership Change (comparative to previous month) - Total |
|--------------------------------------|--|--------------------------|---|---|
| Fernvale Indoor Sports Centre | <ul style="list-style-type: none"> 39 young people participated in the Braking the Cycle program, accumulating 1,300 learner kms. | TBC | TBC |  -18 (584) |
| Kilcoy Indoor Sports Centre | <ul style="list-style-type: none"> New membership record for the Centre Multiple events held, including Christmas Break Up and Athletics and Soccer Awards One reportable incident occurred – no follow up action required by Council | 1,469 |  (1,202) |  +10 (229) |
| Toogoolawah Community Gym | <ul style="list-style-type: none"> Promoting services and new challenges through a range of internal and external channels | 296 |  (250) | No Change (45) |
| Esk Swimming Pool | <ul style="list-style-type: none"> All facilities are managed by Somerset Leisure Several events were cancelled or postponed due to poor weather Council assisted the Toogoolawah State School with transport to the Kilcoy | TBC | TBC | N/A |
| Kilcoy Aquatic Centre | | 1,754 |  (3,587) | N/A |
| Lowood Swimming Pool | | 1,617 |  (3,129) | N/A |

| | | | | |
|----------------------------------|---|-----|---|-----|
| Toogoolawah Swimming Pool | Aquatic Centre for their annual Swimming Carnival due to construction works for the new Toogoolawah Community Gym and Swimming Pool Splash Pad. | 592 |  (1,761) | N/A |
|----------------------------------|---|-----|---|-----|

Sport and Recreation Highlights and Projects

- Pool Movie Nights held at the Lowood Swimming Pool and Kilcoy Centre on the Tuesday 14 and Thursday 16 December respectively. The events offered free entry and a free barbeque meal for the community. The events were supported by the facility lessee, Somerset Leisure, and the Lowood Scouts Group and Kilcoy Swimming Club respectively. Attendances were positive, with 113 attending the Lowood event and 143 attending the Kilcoy event.
- Construction of the New Toogoolawah Community Gym continued through December. The construction of the facility is due for completion in late February 2022.
- A preliminary draft master for the Re-development of the Kilcoy Indoor Sports Centre was received in December. The report will be further revised through early 2022 prior to community consultation occurring.

Community Development

The focus during this month has been on youth mental health. A whole of region meeting with selected service providers, school representatives, police, Councillors and staff from the Darling Downs West Moreton PHN was held on 2 December to further develop strategies for addressing this issue in our region. Further meetings are being planned for the new year. Work was also finalised on the Kilcoy High School Wellbeing Journal, which will be presented to the students at a lunch time launch at the start of the new school year. The journal features over forty pages of resource material developed in association with the students, as well as pages to journal their weekly goals, achievements and reflections. Work also commenced on a similar journal for the primary school, which should be available in early February. Both journals have been funded through a grant being auspiced by Lutheran Services, as part of a collaborative partnership with Council.

As part of the West Moreton Older Person's Collaborative action plan, around 200 seniors' calendars were distributed to the doctor's surgeries within Somerset. The calendars developed by ADA Australia contain valuable information for seniors including pages on such topics as My Aged Care, enduring powers of attorney and understanding elder abuse to name a few. It is recognised that seniors often do not know what is available to them and so providing this information in a user friendly form, may help bridge the knowledge gap. More calendars have been requested for distribution in January.

The ten week session of Movement to Music in Kilcoy finished in December. The program was funded through the Localised Mental Health Initiative Grant and had forty-six regular attendees. A survey completed by just over half the participants indicated that three quarters noticed an improvement in their mental health and mood, as a result of the opportunity to go out, socialise and exercise.

ALARA Qld Inc have been engaging regularly with the Kilcoy community regarding offering an alternative day respite service for disabled and aged clients in Kilcoy. They will be commencing a three day a week service from January at the Kilcoy Memorial Hall, to fill the void left when AnglicareSQ withdrew from offering centre based support from the end of November 2021.

Council's Bushfire and Recovery Community Development Officer left during the month, with another six months to run in the contract. Handover of the various projects was completed ahead of his departure.

Youth Engagement Working With Children

An annual review of the Working With Children documents was undertaken and a report will be submitted to Council with recommended amendments.

School Holiday Program

The Summer School Holiday Program started on 11 December 2021 and will include events up to 26 January 2022. The School Holiday Program webpage, available at www.somerset.qld.gov.au/school-holiday-program, will continue to be updated throughout December as required.

Somerset Youth Leaders' Camp

The final details for the Somerset Youth Leaders' Camp 2022 have been submitted to Gold Coast Recreation Centre. There will be 26 participants at the camp in 2022.

Networks and Committees

Somerset Youth Mental Health Workshop
Talkin' It Up Steering Committee

Attachments

Nil

Recommendation

That the Corporate Service Report for December 2021 be received and the contents noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Gaedtke

“That the Corporate Service Report for December 2021 be received and the contents noted”.

Carried

Vote - Unanimous

| | |
|------------------------|---|
| Subject: | Operations Report for December 2021 |
| File Ref: | Governance – Reporting – Officer Reports |
| Action Officer: | CSSA - DC |

Background/Summary

Technical Design Team

Design Team (Michael Kinion)

This team is currently finalising the last designs for the 2021/2022 capital works budget program. The design team continues to provide support to the construction crews on various construction projects including Kennedy Street stormwater projects – Kilcoy, Mangerton Street, Eskdale Road and George Street projects - Toogoolawah and Banks Creek Road project - Fernvale. The design team also continue to provide support to external contractors along the Brisbane Valley Rail Trail in Lowood and Lowood Minden Road - Minden.

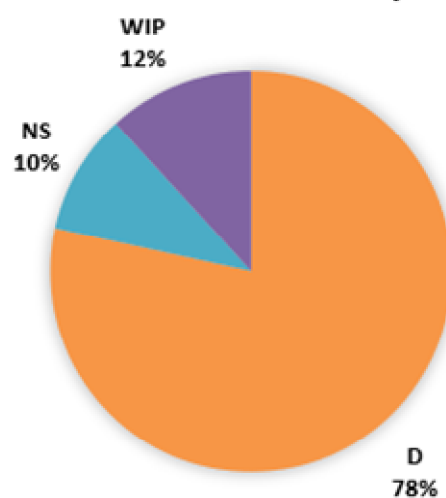
The Technical Design team continue to set out traffic counters within the region, as noted below and provide continual assessment of Council infrastructure to ensure our information

remains current within our asset system. The “Design Program Status” pie charts below show the current progress of the designs for financial year 2021/2022.

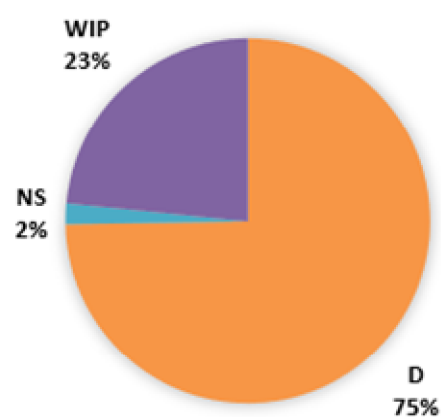
| Permit | Dec 2021 | Dec 2020 |
|--|----------|----------|
| Land Access Permit | 37 | 44 |
| Property Access Applications | 34 | 10 |
| National Heavy Vehicle Regulator Permits Processed | 9 | 4 |

Design Budget Progression

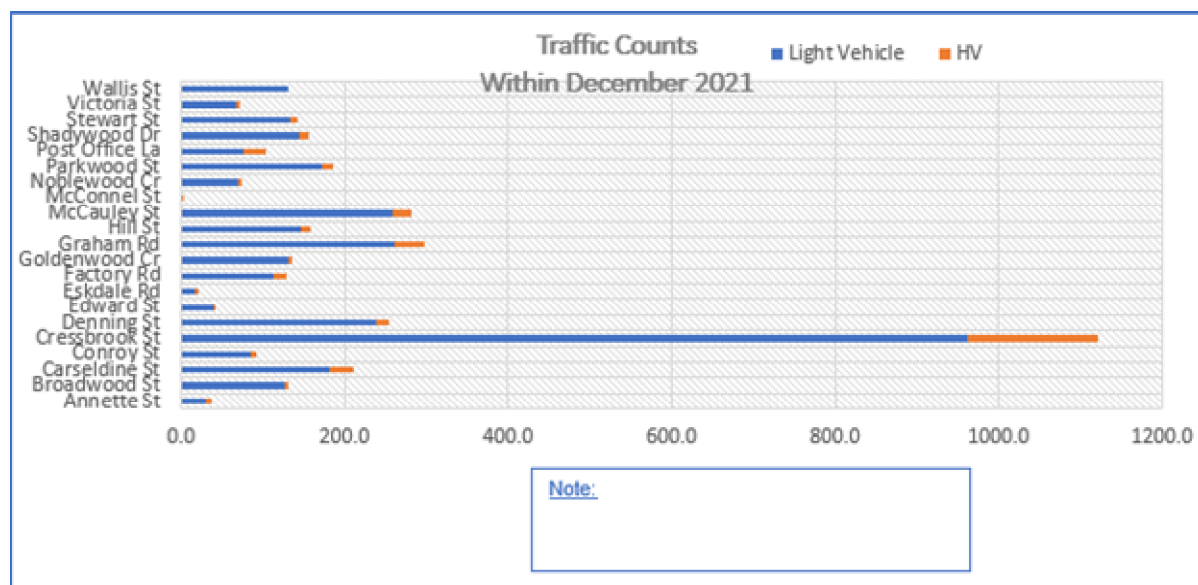
DESIGN PROGRAM STATUS (BY COUNT)



DESIGN PROGRAM STATUS (BY BUDGET)



Traffic Counts



Works Department

Day Labour Works

- Drainage structure improvements continue on the stormwater network in Toogoolawah and Kilcoy is progressing including Taylor Street, Kilcoy Pool drainage, Brown Street and Kennedy Street – Kilcoy.
- Mangerton Street drainage and road reconstruction works is progressing for completion with sealing completed in December (including Bellambi Street turnaround).
- Banks Creek Road, Fernvale – kerbing and drainage works in progress.
- Gravel maintenance on following roads in the northern and southern regions completed this month including Ryans Road - Coominya, Sandford Street - Moore, Burrows Street – Moore and Waverley Road, Lake Manchester.
- Grading crews are ongoing in Northern and Southern Regions – focusing on segment damage from recent rainfall.
- Mowing and slashing works on Council and DTMR road are continuing. Slashing and spraying of culvert and armour rails are in progress.

Workshop

- Completed repairs, services, and scheduled maintenance of Council fleet.
- Repairs carried out to a large number of plant items over the holiday period.
- Monthly check and start test on emergency gensets were carried out at Esk Civic Centre, Esk Administration office, Fernvale Futures and Kilcoy depot.
- Carried out operational inspections on all Council playgrounds and carried out repairs where required.

Department of Transport and Main Roads (TMR) Works

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

- Repairing potholes, edge breaks and sealing of patches on pavement repairs over the TMR and Council networks.
- TMR Stage 1 Stabilisation Brisbane Valley Highway works – extended pavement repairs removing old asphalt patches in large quantities. Completion mid-December. This is making good, recycled gravel for use on gravel roads.
- Stage 2 Stabilising works submission to DTMR for continuation of current works on DTMR network of Brisbane Valley Highway, Esk Hampton Road and Wivenhoe Somerset Road.

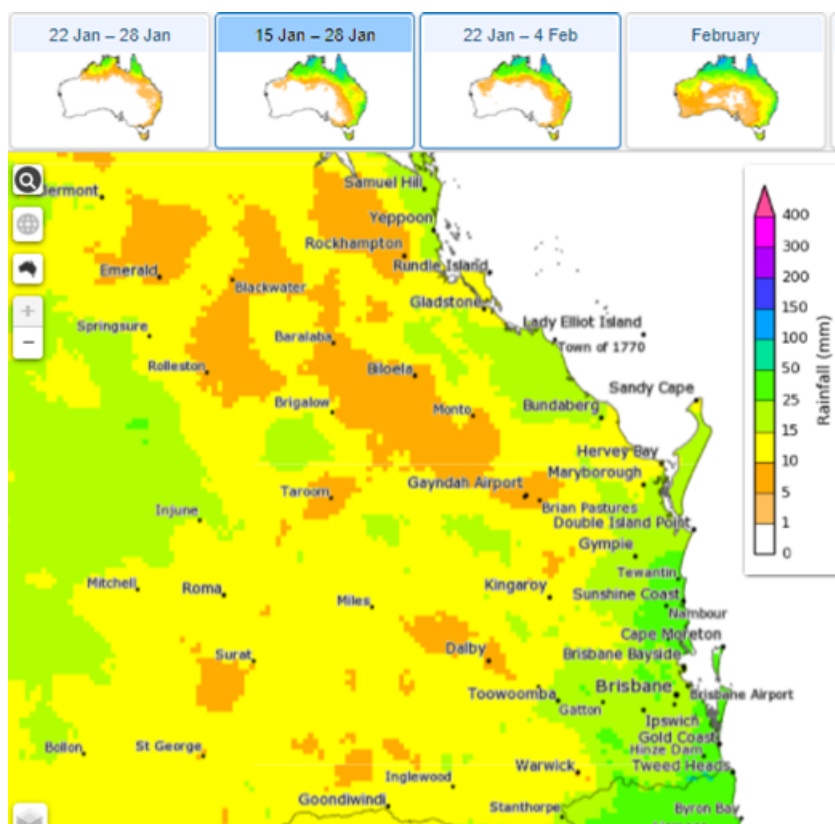
- Tree clearing works completed on road shoulders on Esk Hampton Road and Wivenhoe Somerset Road
- Guard rail repairs and improvements at several locations on Brisbane Valley Highway and D'Aguilar Highway.
- Reseal Preparation works undertaken on Esk Hampton Road, edge repairs and patching as required during holiday period.

Works carried out by Contractors

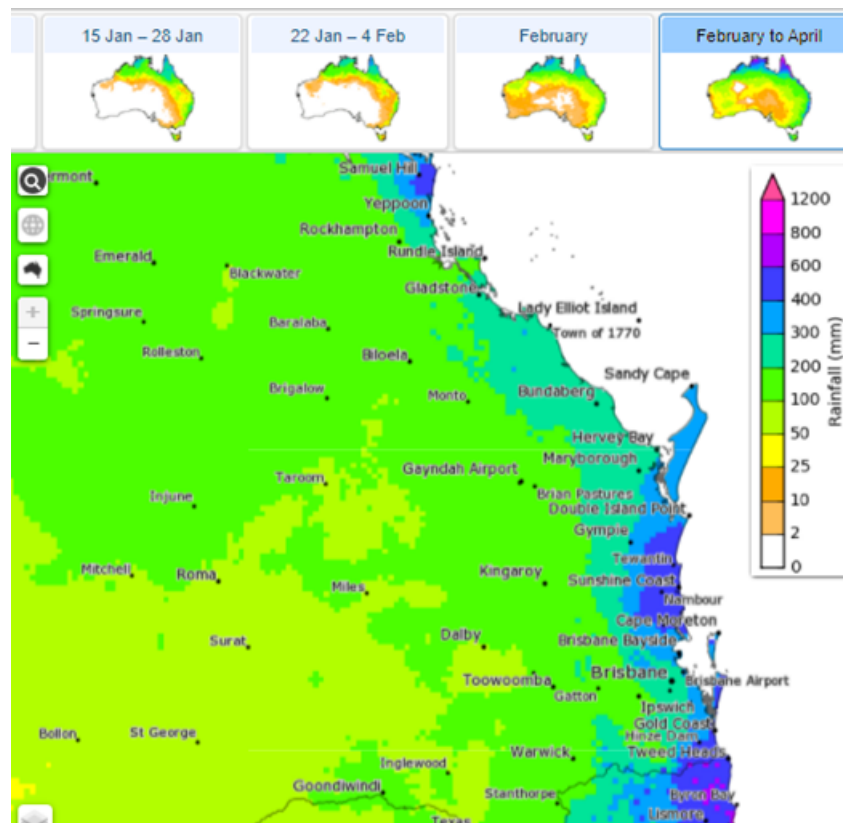
- Esk landfill stage 4 works in progress by Brown contractors with cell excavation works.
- A and M Civil Contracting continuing with stabilising works on Brisbane Valley Highway for December.
- Lowood Minden Road project – Brown Contractors progressing culvert construction and road reconstruction.
- BVRT Lowood to Fernvale section in progress with Brown Contractors.
- Sandy Creek Fire Break Trail Path construction in progress with Brown Contractors.
- A and M Civil Contracting Fernvale sports park pipeline construction works reaching practical completion end of December.
- RPQ sealing program following on the TMR Stabilisation work segments identified for reseal under TMR direction.

Weather Outlook

A La Niña weather event is underway in the Pacific for the second consecutive year, meaning a wet summer for Australia. It will also likely mean cooler days, more tropical cyclones, and an early onset of the first rains of the wet season across the north. January to April rainfall is likely to be above median for eastern Queensland.



Outlook for remainder of January (these are the most likely totals – i.e. 75% chance)



Outlook for February to April (these are the most likely totals – i.e. 75% chance)

Disaster Management

- LDMG placed on ALERT (1/12/2021) due to significant rainfall in the region, with a number of roads closed as a result – including crossings in the Mount Stanley and Neurum areas, along with Twin Bridges and Savages Crossing due to water rising in Lockyer Creek. A copy of our Facebook Post is shown below – issued 1 December 2021. LDMG taken off ALERT on 3 December 2021.

Somerset Regional Council
Published by Kathy Somerset · 43m · 🌐

With the rain that we've had over the last 24-48 hours creeks are starting to flow. Especially around the Lockyer Creek. The gauge at Glenore Grove (in the Lockyer Valley Regional Council area) is over 9m which is already higher than last weekend. To view the river heights across the Brisbane River Catchment, visit http://www.bom.gov.au/cgi-bin/wrap_fwo.pl?IDQ60286.html


BOM have advised that the Lockyer Ck at Glenore Grove is currently at 9.34 metres and rising, with minor flooding. The Lockyer Ck at Glenore Grove may exceed the moderate flood level (11.00 m) Wednesday afternoon.

A number of roads may be impacted today and into tomorrow. We expect that Twin Bridges and Savages Crossing could become inundated at some stage during this period.

Visit <https://qldtraffic.qld.gov.au/> for road closures across the State including the Somerset Region. For just Somerset, you can look at Council's Disaster Dashboard for road closures, and you can also look at one of 9 cameras at various crossings in the region <http://disaster.somerset.qld.gov.au/>

If you know of any roads that have water across them or are damaged, please call Council on 54 244 000 to report it.

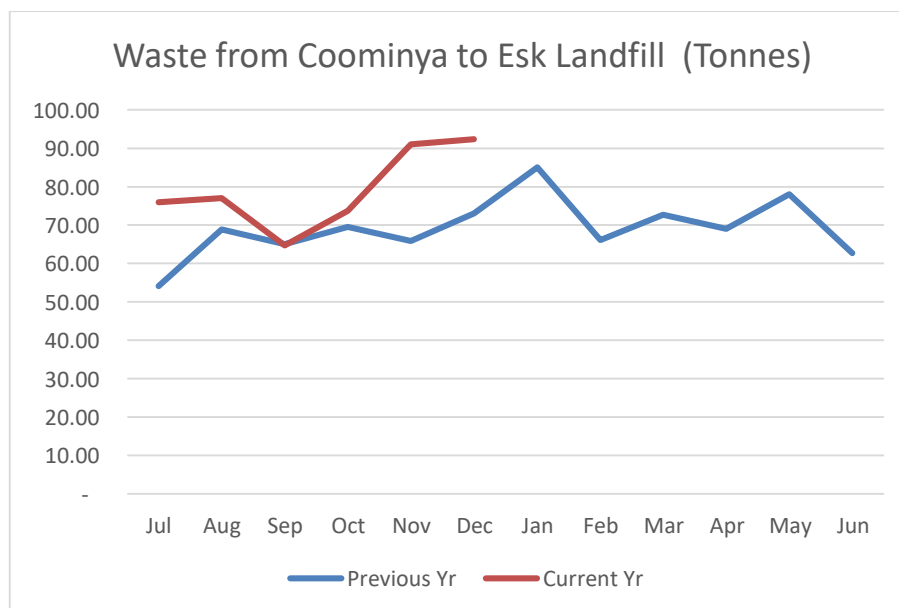
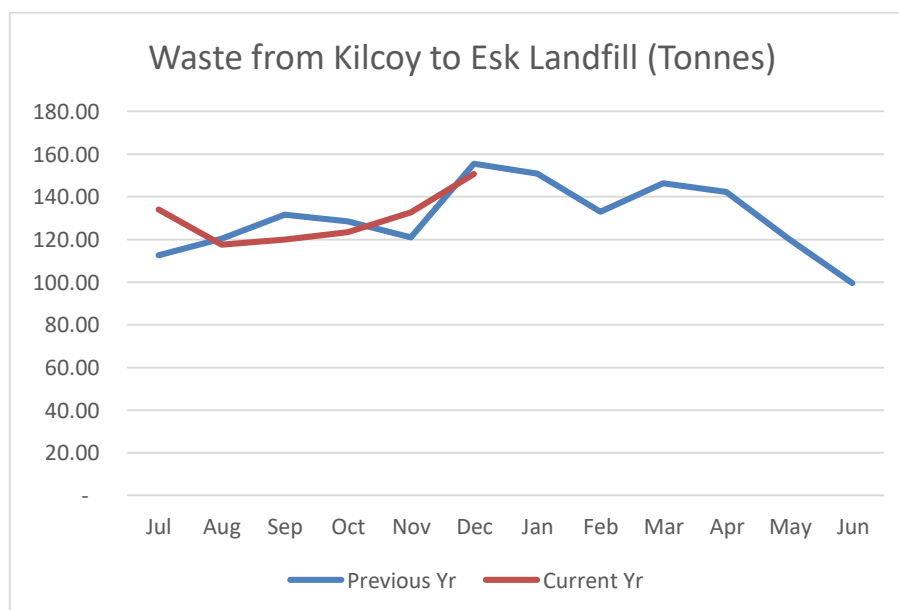
Stay safe everyone, and drive carefully.

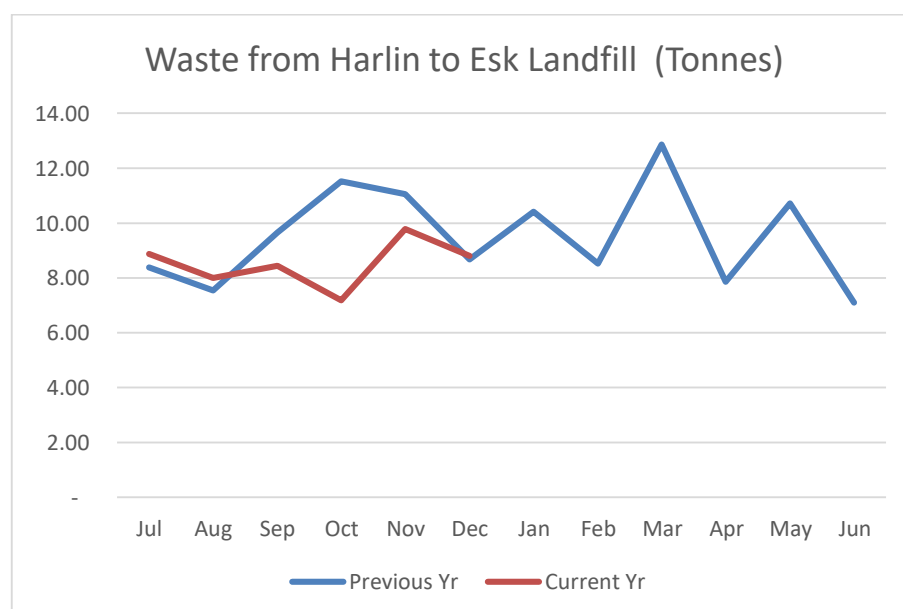
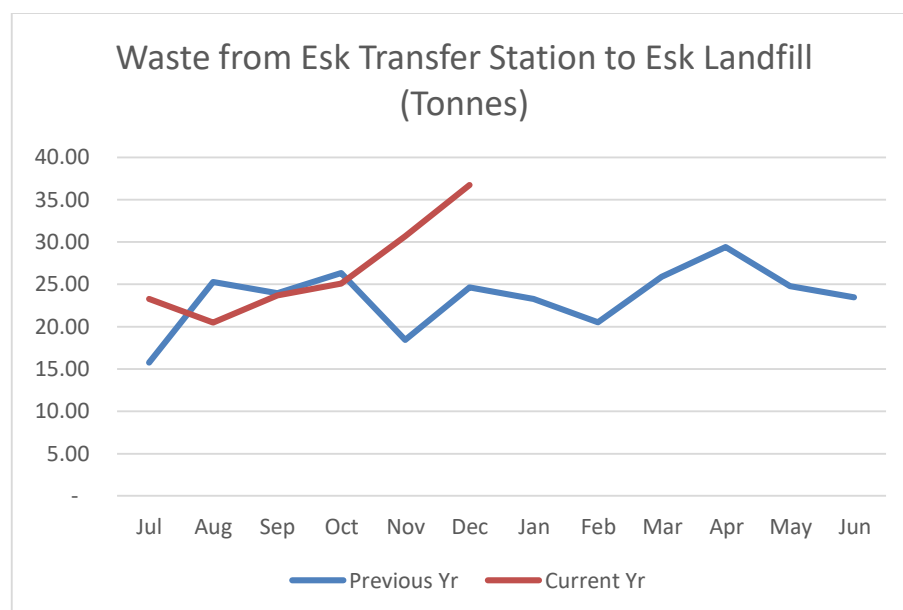


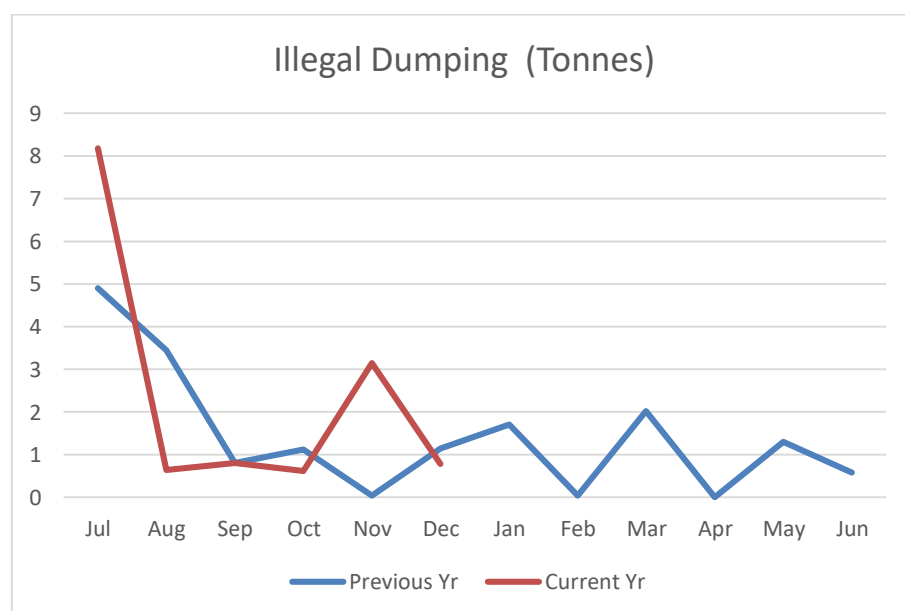
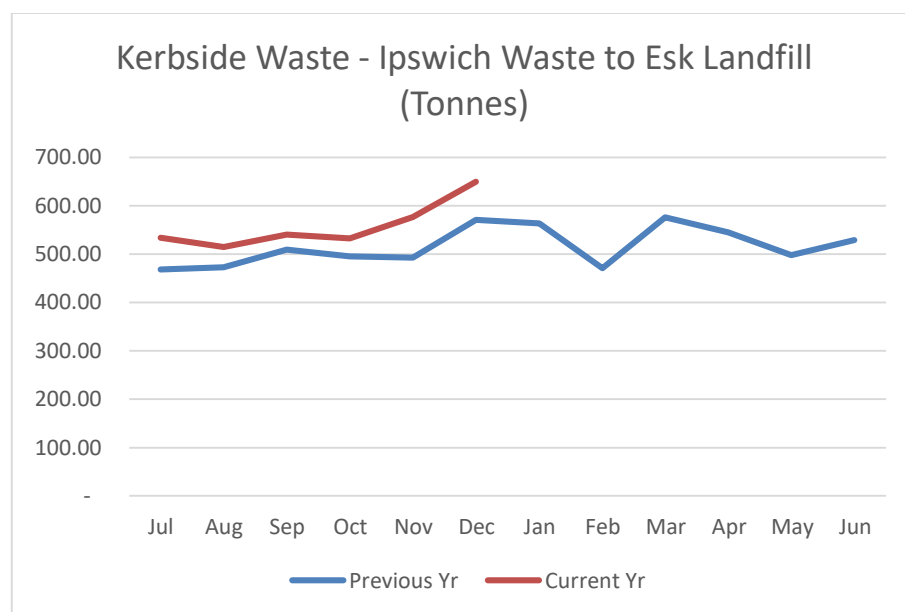
- LDCC placed on STAND UP (1/12/2021) with staff monitoring the flooding situation, particularly along the Lockyer Creek where BOM suggested Glenore Grove could exceed 11.00m. LDCC was STOOD DOWN on 3 December 2021.
- Cameras at Twin Bridges and Savages Crossing had to be removed prior to crossings being inundated.
- Pfizer clinic held at Fernvale Community Hall 3 and 4 December 2021.
- Drive through testing clinic held at Fernvale Futures on 2 December 2021.
- SRC worked with West Moreton Health and PHN to facilitate a vaccination bus to travel the region. Unfortunately, the project was cancelled at short notice.
- DMO participated in the Disaster Management Engagement Group.
- Road inspections conducted on crossings inundated during the recent rainfall. Not expected to meet the \$134,000 trigger point for DRFA activation.
- QERMF Risk Study completed to DRAFT and being sent to LDMG for approval and review.
- Flood Camera maintenance conducted – no major issues found.
- DMO and NRMO attended the Local (West Moreton) Fire Management Group meeting.

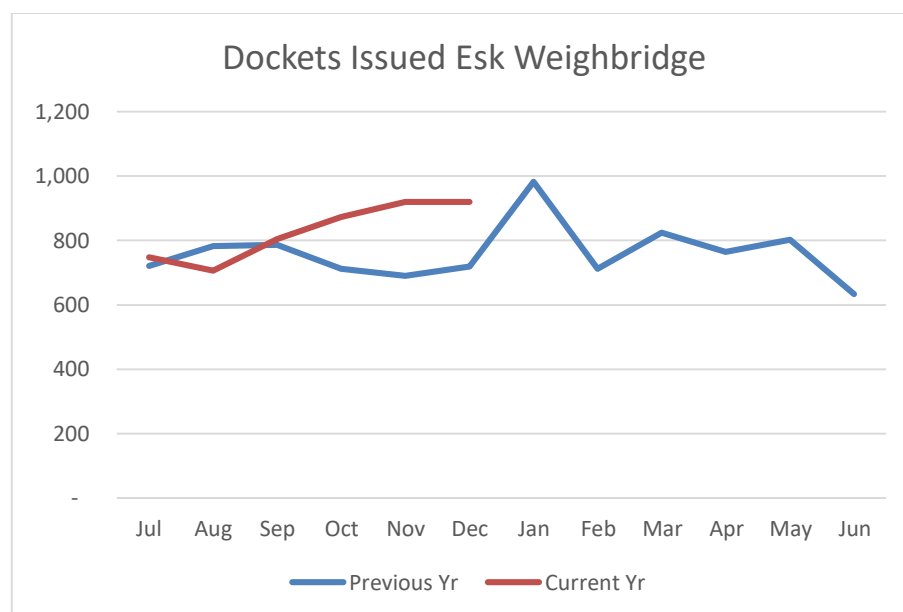
- Council engaged a contractor to create a fire break along Breens Lane to help with bushfire risk mitigation for the township of Esk.
- Grant funded evacuation trailers (x2) and bedding received at the Esk Depot to be used when establishing evacuation centres.
- Council assisted QFES in promoting disaster preparedness messages, including warnings about driving on flooded roads.
- Began trial of Solar Powered 4G cameras to replace hired cameras at Twin Bridges.
- BOM Data previously downloaded as part of a Somerset subscription has been moved to a shared service as part of our WaterRide managed solution saving us approximately \$4,000 per annum.
- COVID workforce planning conducted for swift implementation in the new year.

Waste Management



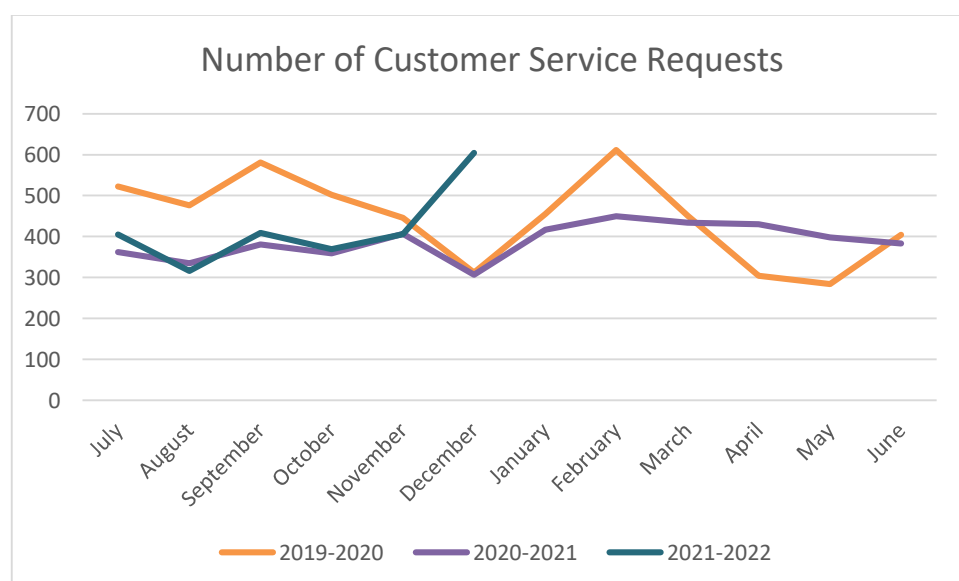


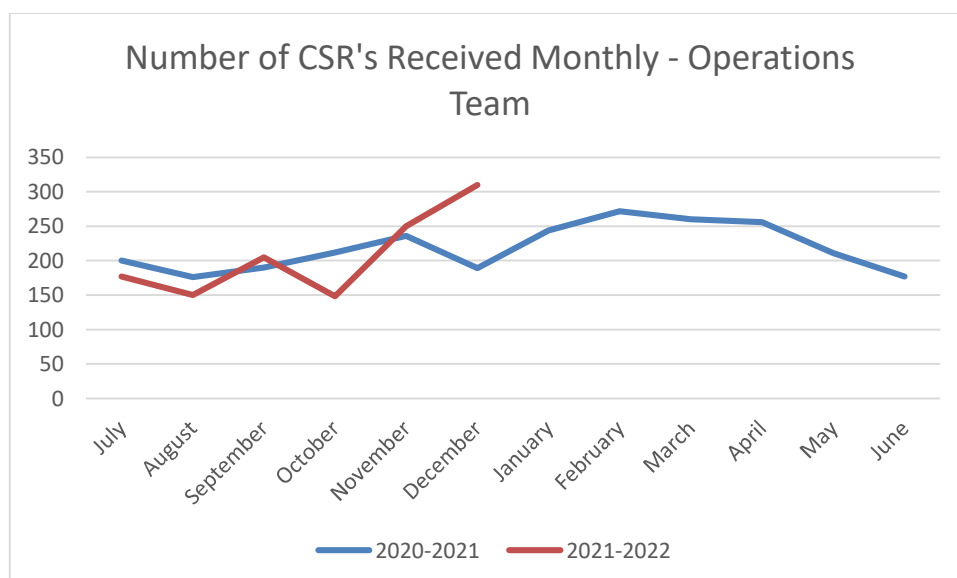




Customer Service Requests

Council received 605 customer service requests for the month of December 2021. A copy of the report is attached for your information.





Note – Facility maintenance CSR's are now part of Operations and have been included.

| | Ja n- 21 | Fe b- 21 | Mar- 21 | Apr- 21 | May -21 | Ju n- 21 | Jul -21 | Au g- 21 | Se p- 21 | Oc t- 21 | No v- 21 | De c- 21 |
|--|----------------|----------------|------------|------------|------------|----------------|------------|----------------|----------------|----------------|----------------|----------------|
| Cemeteries | 2 | 2 | 0 | 2 | 2 | 0 | 0 | 2 | 0 | 1 | 2 | 0 |
| Departmental reviews | 0 | 0 | 2 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 |
| Fences on roadways | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Illegal dumping clean ups | 6 | 5 | 4 | 7 | 4 | 9 | 7 | 4 | 8 | 11 | 13 | 3 |
| Overgrown Council land | 7 | 12 | 1 | 4 | 2 | 1 | 0 | 2 | 3 | 2 | 1 | 5 |
| Parks including mowing, cleaning/maintenance park equipment including public toilets, tables and chairs, shade shelters etc. | 5 | 11 | 7 | 15 | 7 | 13 | 4 | 2 | 5 | 6 | 13 | 6 |
| Roads - bitumen | 21 | 27 | 30 | 20 | 24 | 17 | 17 | 17 | 20 | 6 | 15 | 37 |
| Roads - gravel | 15 | 35 | 42 | 49 | 25 | 19 | 20 | 13 | 16 | 7 | 18 | 27 |
| Roads - drainage | 23 | 10 | 16 | 8 | 15 | 6 | 8 | 7 | 6 | 9 | 14 | 34 |
| Roads - culverts | 2 | 2 | 3 | 2 | 2 | 1 | 3 | 0 | 2 | 3 | 4 | 1 |
| Roads - vegetation | 36 | 55 | 44 | 49 | 28 | 16 | 21 | 16 | 27 | 15 | 27 | 59 |
| Roads - footpaths | 4 | 9 | 6 | 11 | 7 | 8 | 4 | 2 | 4 | 4 | 13 | 10 |
| Roads - linemarking | 2 | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 1 | 1 | 0 | 0 |
| Roads - bridgework | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| Roads - traffic furniture | 18 | 15 | 24 | 18 | 19 | 19 | 9 | 11 | 21 | 12 | 22 | 26 |
| Rural Property Number | 3 | 5 | 3 | 3 | 8 | 6 | 9 | 6 | 4 | 5 | 5 | 11 |

| | | | | | | | | | | | | |
|---|---------|---------|-----|-----|-----|---------|---------|---------|---------|---------|---------|---------|
| Stormwater issues within private properties | 1 | 1 | 4 | 2 | 1 | 2 | 1 | 1 | 0 | 0 | 0 | 2 |
| Waste management | 3 | 2 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 1 | 0 |
| Wheelie bins (IWS) - | | | | | | | | | | | | |
| Cancellation of extra services | 3 | 4 | 3 | 2 | 2 | 1 | 1 | 1 | 9 | 2 | 1 | 1 |
| Damaged lids and wheels | 11 | 7 | 5 | 6 | 8 | 11 | 11 | 9 | 9 | 6 | 10 | 3 |
| Replacement Split Bins | 26 | 25 | 21 | 23 | 15 | 12 | 23 | 24 | 22 | 18 | 20 | 23 |
| New Services | 2 | 4 | 10 | 9 | 6 | 5 | 11 | 18 | 6 | 11 | 14 | 8 |
| Extra services | 12 | 13 | 6 | 1 | 6 | 6 | 6 | 5 | 7 | 11 | 9 | 4 |
| Stolen bins | 6 | 1 | 5 | 8 | 11 | 7 | 2 | 3 | 10 | 7 | 5 | 4 |
| Missed services | 26 | 10 | 5 | 6 | 5 | 1 | 6 | 0 | 1 | 0 | 1 | 1 |
| Contractor Requests | 3 | 0 | 5 | 3 | 1 | 3 | 2 | 1 | 1 | 1 | 1 | 0 |
| Wheelie bins (Cleanaway) - | | | | | | | | | | | | |
| Cancellation of extra services | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | | | 0 | 0 |
| Damaged lids and wheels | 1 | 5 | 3 | 1 | 3 | 2 | 0 | 2 | 5 | 2 | 1 | 3 |
| Replacement Split Bins | 1 | 5 | 5 | 1 | 4 | 0 | 1 | 0 | 10 | 3 | 2 | 7 |
| New Services | 1 | 5 | 3 | 0 | 1 | 4 | 2 | 2 | 2 | 2 | 5 | 4 |
| Extra services | 0 | 2 | 0 | 1 | 3 | 1 | 2 | 0 | 2 | 0 | 1 | 0 |
| Stolen bins | 0 | 0 | 1 | 2 | 0 | 2 | 3 | 2 | 1 | 2 | 1 | 1 |
| Missed services | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 0 |
| Contractor Requests | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Facilities | | | | | | | | | | | | |
| Air conditioning | | | | | | | | | | | 1 | 0 |
| Carpentry, painting, tiling and flooring N/A | | | | | | | | | | | 7 | 1 |
| Electrical | | | | | | | | | | | 4 | 2 |
| Equipment, furniture and fixtures | | | | | | | | | | | 3 | 4 |
| Grounds maintenance | | | | | | | | | | | 1 | 1 |
| Pest Control | | | | | | | | | | | | 1 |
| Plumbing | | | | | | | | | | | 11 | 13 |
| Roofing and guttering | | | | | | | | | | | 2 | 3 |
| Security, locks and CCTV | | | | | | | | | | | 2 | 2 |
| Vandalism | | | | | | | | | | | | 3 |
| | 24 4 | 27 2 | 260 | 256 | 211 | 17 7 | 17 7 | 15 0 | 20 5 | 14 8 | 25 0 | 31 0 |
| <i>Note: Facility maintenance included within Operations from 1 November 2021</i> | | | | | | | | | | | | |

Attachment

Customer service report for December 2021 - attachment 1

Recommendation

THAT Council receive the Operations Report for December 2021 and the contents noted.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT Council receive the Operations Report for December 2021 and the contents noted”.

Carried

Vote - Unanimous

| | |
|------------------------|--|
| Subject: | Regional Road and Transport Group Program Review |
| File Ref: | Community services / service provision / regional roads and transport group committee |
| Action Officer: | DDM |

Background/Summary

With various funding announcements, reallocation of the TIDS funding, and the need to program for the 2025/26 financial year, the TIDS program requires review.

To meet the requirements of the Regional Roads and Transport Alliance, the amended TIDS program needs to be presented to the Northern South East Queensland Roads and Transport Group (NSEQ RRTG). The NSEQ RRTG Technical and Executive Committee is scheduled to meet on 17 February 2022 where this matter will be discussed with endorsement to be sought by the Executive Committee. It is noted that the NSEQ RRTG is very flexible regarding member Councils reviewing project delivery, on the proviso that the overall budget allocation remains unchanged.

Attachment one (1) shows the existing 2021-22 to 2024-25 TIDS program as last reviewed by Council, and Attachment two (2) shows the revised 2021-22 to 2025-26 program. Council Officer's provide the following commentary regarding the revised program:

- The Roads and Transport Alliance recently approved changes to annual RRTG TIDS allocations. As a result, this has resulted in changes to allocations across the State. For Somerset this has been a positive change, equating to an increase allocation of \$46,439 starting in the 2022/23 financial year (\$92,878 with Council contribution).
- Allocation has been added for the 2025-26 financial year. This includes additional School Program of Works endorsed by Council on 28 April 2021 have been included in the program.
- Additional projects have been included where there were gaps in the program and for “Future Works”.

Council is requested to consider and endorse the revised 2021/22 to 2025/26 TIDS program to allow it to be approved by the NSEQ RRTG.

Attachments

Existing TIDS Program Development 2021-22 to 2024-25_attachment 1

Revised TIDS Program Development 2021-22 to 2025-26_attachment 2

Recommendation

THAT Council endorse the revised TIDS Programs 2021-22 to 2024-26 for presentation to the Northern South East Queensland Regional Roads and Transport Group Executive Meeting for approval.

Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

“THAT Council endorse the revised TIDS Programs 2021-22 to 2024-26 for presentation to the Northern South East Queensland Regional Roads and Transport Group Executive Meeting for approval”.

Carried*Vote - Unanimous*

| | |
|------------------------|---|
| Subject: | Establishment of Council of Mayors (SEQ) 2032 Regional Working Group |
| File Ref: | COMSEQ |
| Action Officer: | CEO |

Background/Summary

The Council of Mayor (SEQ) have worked with member Councils, the State and Federal Governments to secure the world's largest event for South East Queensland – the Brisbane 2032 Olympic and Paralympics Games.

With the Games secured Council of Mayor (SEQ) remains committed to working with member Councils to ensure South East Queensland maximises the benefits only an Olympics can bring. Accordingly, the Council of Mayor (SEQ) board has resolved to establish a 2032 Regional Working Group.

The purpose of the 2032 Regional Working Group is to support regional collaboration and information sharing, identify key regional legacy opportunities, and coordinate this work at a regional level across the eleven Local Governments Areas of Council of Mayor (SEQ). This could include a regional approach to opportunities such as pre-games training and events, accessibility, and trade.

It is proposed the newly formed 2032 Regional Working Group will meet on Friday, 18 March 2022. Council is invited to nominate up to one Councillor and two Council officers to join the group.

While only one Councillor position is available on the working group, it is good practice to have two Councillors nominated, one as a primary member and the other as a backup.

Attachments

Letter 15 December 2021 - Council of Mayor (SEQ)

Recommendation

THAT Council nominates Cr Graeme Lehmann, Cr, Mr Andrew Johnson, Chief Executive Officer, and Mr Luke Hannan, Director Planning and Development, as Somerset Regional Council's representatives on the Council of Mayor (SEQ) 2032 Regional Working Group.

Resolution

Moved – Cr Whalley

Seconded – Cr Wendt

"THAT Council nominates Cr Graeme Lehmann, Cr Isidro, Mr Andrew Johnson, Chief Executive Officer, and Mr Luke Hannan, Director Planning and Development, as Somerset Regional Council's representatives on the Council of Mayor (SEQ) 2032 Regional Working Group".

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

Nil

Mayor and Councillor Reports**Mayor Graeme Lehmann - Mayor's Report**

Report of Mayor Lehmann's activities from 17 December 2021 to 19 January 2022 –

For the period 17 December 2021 to 19 January 2022, I have attended various community Christmas events. As it has been the festival season most people have enjoyed time with family and there has been minimal events taking place. I wish everyone all the best for the coming year.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

"THAT the report of Mayor Lehmann 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 9.50am.

APPENDIX A – Amended Budget

Somerset Regional Council
Amended Budget - adoption level
Year Ending 30 June 2022
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|---------------------|--------------------|--------------------|---------------------|--------------------|---------------------|--------------------|--------------------|
| Statement of cash flows | | | | | | | | |
| FUNDS IN | | | | | | | | |
| Capital grants and subsidies | 25,962,986 | 3,020,894 | - | - | - | 22,942,092 | - | - |
| Contributions from developers | 125,000 | - | - | - | - | 125,000 | - | - |
| Associated entity profit share and tax equivalents | 2,521,460 | - | - | 2,521,460 | - | - | - | - |
| Fees and charges | 1,553,100 | 224,790 | - | 53,690 | - | 133,000 | 1,070,180 | 71,440 |
| Interest earned | 1,350,628 | - | - | 1,350,628 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,361,800 | 277,800 | - | 3,524,322 | 24,000 | 525,242 | 10,436 | - |
| Other revenue | 1,702,383 | 456,480 | 9,060 | 1,236,843 | - | - | - | - |
| Sales revenue | 5,275,004 | - | - | - | - | 5,275,004 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,694,999) | - | - | (3,194,148) | - | - | - | (500,851) |
| Rates and utility charges excluding discounts and rebates | 28,613,034 | - | - | 24,816,261 | - | - | 86,766 | 3,710,007 |
| TOTAL FUNDS IN | 67,770,396 | 3,979,964 | 9,060 | 30,309,056 | 24,000 | 29,000,338 | 1,167,382 | 3,280,596 |
| FUNDS OUT | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 84,033,104 | 6,127,503 | 2,535,949 | 1,769,021 | 2,018,255 | 62,016,675 | 4,034,685 | 5,531,016 |
| Internal recovery | - | (141,123) | - | - | - | (202,095) | - | 343,218 |
| Plant purchases | 1,247,300 | - | - | - | - | 1,247,300 | - | - |
| Loan redemption | - | - | - | - | - | - | - | - |
| TOTAL FUNDS OUT | 85,280,404 | 5,986,380 | 2,535,949 | 1,769,021 | 2,018,255 | 63,061,880 | 4,034,685 | 5,874,234 |
| NET FUNDS MOVEMENT | (17,510,007) | (2,006,416) | (2,526,889) | 28,540,035 | (1,994,255) | (34,061,541) | (2,867,303) | (2,593,638) |
| CHANGES IN RESERVES AND EQUITY MOVEMENTS | (17,510,007) | - | - | (26,480,540) | - | 8,758,291 | - | 212,242 |
| NET FUNDS MOVEMENT AND EQUITY MOVEMENTS | - | (2,006,416) | (2,526,889) | 55,020,575 | (1,994,255) | (42,819,832) | (2,867,303) | (2,805,880) |

Somerset Regional Council
Amended Budget - adoption level
Year Ending 30 June 2022
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|-------------------|--------------------|--------------------|-------------------|--------------------|---------------------|--------------------|------------------|
| Statement of income and expenditure | | | | | | | | |
| OPERATING REVENUE | | | | | | | | |
| Capital grants and subsidies | 25,962,986 | 3,020,894 | - | - | - | 22,942,092 | - | - |
| Contributions from developers | 125,000 | - | - | - | - | 125,000 | - | - |
| Associated entity profit share and tax equivalents | 2,521,460 | - | - | 2,521,460 | - | - | - | - |
| Fees and charges | 1,553,100 | 224,790 | - | 53,690 | - | 133,000 | 1,070,180 | 71,440 |
| Interest earned | 1,350,628 | - | - | 1,350,628 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,361,800 | 277,800 | - | 3,524,322 | 24,000 | 525,242 | 10,436 | - |
| Other revenue | 1,702,383 | 456,480 | 9,060 | 1,236,843 | - | - | - | - |
| Sales revenue | 5,275,004 | - | - | - | - | 5,275,004 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,694,999) | - | - | (3,194,148) | - | - | - | (500,851) |
| Rates and utility charges excluding discounts and rebates | 28,613,034 | - | - | 24,816,261 | - | - | 86,766 | 3,710,007 |
| Less capital items | (26,087,986) | (3,020,894) | - | - | - | (23,067,092) | - | - |
| TOTAL OPERATING REVENUE | 41,682,410 | 959,070 | 9,060 | 30,309,056 | 24,000 | 5,933,246 | 1,167,382 | 3,280,596 |
| OPERATING EXPENDITURE | | | | | | | | |
| Labour, plant and materials | 84,033,104 | 6,127,503 | 2,535,949 | 1,769,021 | 2,018,255 | 62,016,675 | 4,034,685 | 5,531,016 |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Plant purchases | 1,247,300 | - | - | - | - | 1,247,300 | - | - |
| Internal recovery | - | (141,123) | - | - | - | (202,095) | - | 343,218 |
| Depreciation | 8,970,533 | - | - | - | - | 8,758,291 | - | 212,242 |
| Less used for capital purposes | (52,549,872) | - | - | - | - | (49,727,457) | - | (2,822,415) |
| TOTAL OPERATING EXPENDITURE | 41,701,065 | 5,986,380 | 2,535,949 | 1,769,021 | 2,018,255 | 22,092,714 | 4,034,685 | 3,264,061 |
| NET RESULT OR NET OPERATING POSITION | (18,655) | (5,027,310) | (2,526,889) | 28,540,035 | (1,994,255) | (16,159,468) | (2,867,303) | 16,535 |
| Dissection of capital expenditure | | | | | | | | |
| New assets including upgrading, extending and improving assets and infrastructure | 40,391,642 | | | | | | | |
| Replacement or renewals of assets | 12,158,230 | | | | | | | |
| Total capital expenditure | 52,549,872 | | | | | | | |
| Plant purchases | 1,247,300 | | | | | | | |
| Capital works program (inc large repairs etc) | 51,302,572 | | | | | | | |

Somerset Regional Council
Amended Budget - adoption level
Year Ending 30 June 2022
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|--|---------------------|-----------|-----------|---------------------|--------------------|------------------|----------|----------------|
| Statement of changes in equity | | | | | | | | |
| Accumulated (Surplus)/ Deficit | (17,510,007) | - | - | (17,510,007) | - | - | - | - |
| Appn to-Constr'd Wks Res-Works & Roads | - | - | - | - | - | - | - | - |
| Trfr from-Constrained Works Reserve | - | - | - | - | - | - | - | - |
| Trfr from-Land Sale Reserve | - | - | - | - | - | - | - | - |
| Depreciation | 8,970,533 | - | - | - | - | 8,758,291 | - | 212,242 |
| Depreciation funding adjustment | (8,970,533) | - | - | (8,970,533) | - | - | - | - |
| TOTAL RESERVES AND EQUITY MOVEMENTS | (17,510,007) | - | - | (26,480,540) | - | 8,758,291 | - | 212,242 |

Somerset Regional Council
Amended Budget - adoption level
Year Ending 30 June 2022
Pursuant to section 94B of the Local Government Act 2009

| Balance sheet or statement of financial position | 30-Jun-22 | 30-Jun-21 |
|---|-------------|-------------|
| <u>Assets</u> | | |
| Operating and trust cash to account | 38,548,993 | 56,059,000 |
| Rate debtors | 2,334,000 | 2,334,000 |
| Other receivables | 8,027,000 | 8,027,000 |
| Store inventories/ gravel stockpiles | 478,000 | 478,000 |
| Urban Utilities balances | 43,804,000 | 43,804,000 |
| Equity in Urban Utilities | 29,644,000 | 29,644,000 |
| Property, plant, equipment, work in progress, land | 414,110,339 | 370,531,000 |
| <u>Total assets</u> | 536,946,331 | 510,877,000 |
| <u>Liabilities</u> | | |
| Trade creditors, accruals and other current liabilities | 16,176,000 | 16,176,000 |
| <u>Total liabilities</u> | 16,176,000 | 16,176,000 |
| <u>Net community assets</u> | 520,770,331 | 494,701,000 |
| Community equity | 520,770,331 | 494,701,000 |

Somerset Regional Council
Amended Budget - adoption level - second year forecast
Year Ending 30 June 2023
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|-------------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|------------------|
| Statement of cash flows | | | | | | | | |
| FUNDS IN | | | | | | | | |
| Capital grants and subsidies | 1,581,419 | - | - | - | - | 1,581,419 | - | - |
| Contributions from developers | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,546,675 | - | - | 2,546,675 | - | - | - | - |
| Fees and charges | 1,568,631 | 227,038 | - | 54,227 | - | 134,330 | 1,080,882 | 72,154 |
| Interest earned | 1,352,907 | - | - | 1,352,907 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,010,913 | 280,578 | - | 3,559,565 | 24,240 | 135,990 | 10,540 | - |
| Other revenue | 1,719,376 | 461,014 | 9,151 | 1,249,211 | - | - | - | - |
| Sales revenue | 5,327,754 | - | - | - | - | 5,327,754 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,745,246) | - | - | (3,231,874) | - | - | - | (513,372) |
| Rates and utility charges excluding discounts and rebates | 29,009,500 | - | - | 25,119,109 | - | - | 87,634 | 3,802,757 |
| TOTAL FUNDS IN | 43,371,929 | 968,630 | 9,151 | 30,649,820 | 24,240 | 7,179,493 | 1,179,056 | 3,361,539 |
| FUNDS OUT | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 41,915,029 | 6,202,290 | 2,515,861 | 1,786,710 | 2,038,074 | 22,852,573 | 3,759,036 | 2,760,485 |
| Internal recovery | - | (142,534) | - | - | - | (204,116) | - | 346,650 |
| Plant purchases | 1,456,900 | - | - | - | - | 1,456,900 | - | - |
| Loan redemption | - | - | - | - | - | - | - | - |
| TOTAL FUNDS OUT | 43,371,929 | 6,059,756 | 2,515,861 | 1,786,710 | 2,038,074 | 24,105,357 | 3,759,036 | 3,107,135 |
| NET FUNDS MOVEMENT | - | (5,091,126) | (2,506,710) | 28,863,110 | (2,013,834) | (16,925,864) | (2,579,980) | 254,404 |
| CHANGES IN RESERVES AND EQUITY MOVEMENTS | - | - | - | (9,086,283) | - | 8,871,919 | - | 214,364 |
| NET FUNDS MOVEMENT AND EQUITY MOVEMENTS | - | (5,091,126) | (2,506,710) | 37,949,393 | (2,013,834) | (25,797,783) | (2,579,980) | 40,040 |

Somerset Regional Council
Amended Budget - adoption level - second year forecast
Year Ending 30 June 2023
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|-------------------|--------------------|--------------------|-------------------|--------------------|---------------------|--------------------|------------------|
| Statement of income and expenditure | | | | | | | | |
| OPERATING REVENUE | | | | | | | | |
| Capital grants and subsidies | 1,581,419 | - | - | - | - | 1,581,419 | - | - |
| Contributions from developers | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,546,675 | - | - | 2,546,675 | - | - | - | - |
| Fees and charges | 1,568,631 | 227,038 | - | 54,227 | - | 134,330 | 1,080,882 | 72,154 |
| Interest earned | 1,352,907 | - | - | 1,352,907 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,010,913 | 280,578 | - | 3,559,565 | 24,240 | 135,990 | 10,540 | - |
| Other revenue | 1,719,376 | 461,014 | 9,151 | 1,249,211 | - | - | - | - |
| Sales revenue | 5,327,754 | - | - | - | - | 5,327,754 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,745,246) | - | - | (3,231,874) | - | - | - | (513,372) |
| Rates and utility charges excluding discounts and rebates | 29,009,500 | - | - | 25,119,109 | - | - | 87,634 | 3,802,757 |
| Less capital items | (1,581,419) | - | - | - | - | (1,581,419) | - | - |
| TOTAL OPERATING REVENUE | 41,790,510 | 968,630 | 9,151 | 30,649,820 | 24,240 | 5,598,074 | 1,179,056 | 3,361,539 |
| OPERATING EXPENDITURE | | | | | | | | |
| Labour, plant and materials | 41,915,029 | 6,202,290 | 2,515,861 | 1,786,710 | 2,038,074 | 22,852,573 | 3,759,036 | 2,760,485 |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Plant purchases | 1,456,900 | - | - | - | - | 1,456,900 | - | - |
| Internal recovery | - | (142,534) | - | - | - | (204,116) | - | 346,650 |
| Depreciation | 9,086,283 | - | - | - | - | 8,871,919 | - | 214,364 |
| Less used for capital purposes | (10,820,607) | - | - | - | - | (10,820,607) | - | - |
| TOTAL OPERATING EXPENDITURE | 41,637,605 | 6,059,756 | 2,515,861 | 1,786,710 | 2,038,074 | 22,156,669 | 3,759,036 | 3,321,499 |
| NET RESULT OR NET OPERATING POSITION | 152,905 | (5,091,126) | (2,506,710) | 28,863,110 | (2,013,834) | (16,558,595) | (2,579,980) | 40,040 |
| Dissection of capital expenditure | | | | | | | | |
| New assets including upgrading, extending and improving assets and infrastructure | 360,774 | | | | | | | |
| Replacement or renewals of assets | 10,459,833 | | | | | | | |
| Total capital expenditure | 10,820,607 | | | | | | | |

Somerset Regional Council
Amended Budget - adoption level - second year forecast
Year Ending 30 June 2023
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|--|-------------|-----------|-----------|--------------------|-----------------|------------------|----------|----------------|
| Statement of changes in equity | | | | | | | | |
| Accumulated (Surplus)/ Deficit | - | - | - | - | - | - | - | - |
| Appn to-Constr'd Wks Res-Works & Roads | - | - | - | - | - | - | - | - |
| Trfr from-Constrained Works Reserve | - | - | - | - | - | - | - | - |
| Trfr from-Land Sale Reserve | - | - | - | - | - | - | - | - |
| Depreciation | 9,086,283 | - | - | - | - | 8,871,919 | - | 214,364 |
| Depreciation funding adjustment | (9,086,283) | - | - | (9,086,283) | - | - | - | - |
| TOTAL RESERVES AND EQUITY MOVEMENTS | - | - | - | (9,086,283) | - | 8,871,919 | - | 214,364 |

Somerset Regional Council
Amended Budget - adoption level - second year forecast
Year Ending 30 June 2023
Pursuant to section 94B of the Local Government Act 2009

| Balance sheet or statement of financial position | 30-Jun-23 | 30-Jun-22 |
|---|--------------------|--------------------|
| <u>Assets</u> | | |
| Operating and trust cash to account | 38,548,993 | 38,548,993 |
| Rate debtors | 2,343,775 | 2,334,000 |
| Other receivables | 8,060,618 | 8,027,000 |
| Store inventories/ gravel stockpiles | 480,002 | 478,000 |
| Urban Utilities balances | 43,804,000 | 43,804,000 |
| Equity in Urban Utilities | 29,644,000 | 29,644,000 |
| Property, plant, equipment, work in progress, land | 415,844,663 | 414,110,339 |
| <u>Total assets</u> | 538,726,050 | 536,946,331 |
| <u>Liabilities</u> | | |
| Trade creditors, accruals and other current liabilities | 16,221,395 | 16,176,000 |
| <u>Total liabilities</u> | 16,221,395 | 16,176,000 |
| <u>Net community assets</u> | 522,504,655 | 520,770,331 |
| Community equity | 522,504,655 | 520,770,331 |

Somerset Regional Council
Amended Budget - adoption level - third year forecast
Year Ending 30 June 2024
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|-------------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|------------------|
| Statement of cash flows | | | | | | | | |
| FUNDS IN | | | | | | | | |
| Capital grants and subsidies | 1,587,355 | - | - | - | - | 1,587,355 | - | - |
| Contributions from developers | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,572,142 | - | - | 2,572,142 | - | - | - | - |
| Fees and charges | 1,584,316 | 229,308 | - | 54,769 | - | 135,673 | 1,091,690 | 72,876 |
| Interest earned | 1,355,192 | - | - | 1,355,192 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,050,806 | 283,384 | - | 3,595,161 | 24,482 | 137,134 | 10,645 | - |
| Other revenue | 1,727,158 | 456,212 | 9,243 | 1,261,703 | - | - | - | - |
| Sales revenue | 5,381,031 | - | - | - | - | 5,381,031 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,797,827) | - | - | (3,271,621) | - | - | - | (526,206) |
| Rates and utility charges excluding discounts and rebates | 29,411,995 | - | - | 25,425,658 | - | - | 88,511 | 3,897,826 |
| TOTAL FUNDS IN | 43,872,168 | 968,904 | 9,243 | 30,993,004 | 24,482 | 7,241,193 | 1,190,846 | 3,444,496 |
| FUNDS OUT | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 42,698,868 | 6,263,902 | 2,541,019 | 1,804,577 | 2,058,093 | 23,440,268 | 3,777,503 | 2,813,506 |
| Internal recovery | - | (143,959) | - | - | - | (206,157) | - | 350,116 |
| Plant purchases | 1,173,300 | - | - | - | - | 1,173,300 | - | - |
| Loan redemption | - | - | - | - | - | - | - | - |
| TOTAL FUNDS OUT | 43,872,168 | 6,119,943 | 2,541,019 | 1,804,577 | 2,058,093 | 24,407,411 | 3,777,503 | 3,163,622 |
| NET FUNDS MOVEMENT | - | (5,151,039) | (2,531,776) | 29,188,427 | (2,033,611) | (17,166,218) | (2,586,657) | 280,874 |
| CHANGES IN RESERVES AND EQUITY MOVEMENTS | - | - | - | (9,203,792) | - | 8,987,284 | - | 216,508 |
| NET FUNDS MOVEMENT AND EQUITY MOVEMENTS | - | (5,151,039) | (2,531,776) | 38,392,219 | (2,033,611) | (26,153,502) | (2,586,657) | 64,366 |

Somerset Regional Council
Amended Budget - adoption level - third year forecast
Year Ending 30 June 2024
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|---|-------------------|--------------------|--------------------|-------------------|--------------------|---------------------|--------------------|------------------|
| Statement of income and expenditure | | | | | | | | |
| OPERATING REVENUE | | | | | | | | |
| Capital grants and subsidies | 1,587,355 | - | - | - | - | 1,587,355 | - | - |
| Contributions from developers | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,572,142 | - | - | 2,572,142 | - | - | - | - |
| Fees and charges | 1,584,316 | 229,308 | - | 54,769 | - | 135,673 | 1,091,690 | 72,876 |
| Interest earned | 1,355,192 | - | - | 1,355,192 | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,050,806 | 283,384 | - | 3,595,161 | 24,482 | 137,134 | 10,645 | - |
| Other revenue | 1,727,158 | 456,212 | 9,243 | 1,261,703 | - | - | - | - |
| Sales revenue | 5,381,031 | - | - | - | - | 5,381,031 | - | - |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,797,827) | - | - | (3,271,621) | - | - | - | (526,206) |
| Rates and utility charges excluding discounts and rebates | 29,411,995 | - | - | 25,425,658 | - | - | 88,511 | 3,897,826 |
| Less capital items | (1,587,355) | - | - | - | - | (1,587,355) | - | - |
| TOTAL OPERATING REVENUE | 42,284,813 | 968,904 | 9,243 | 30,993,004 | 24,482 | 5,653,838 | 1,190,846 | 3,444,496 |
| OPERATING EXPENDITURE | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 42,698,868 | 6,263,902 | 2,541,019 | 1,804,577 | 2,058,093 | 23,440,268 | 3,777,503 | 2,813,506 |
| Plant purchases | 1,173,300 | - | - | - | - | 1,173,300 | - | - |
| Internal recovery | - | (143,959) | - | - | - | (206,157) | - | 350,116 |
| Depreciation | 9,203,792 | - | - | - | - | 8,987,284 | - | 216,508 |
| Less used for capital purposes | (10,954,637) | - | - | - | - | (10,954,637) | - | - |
| TOTAL OPERATING EXPENDITURE | 42,121,323 | 6,119,943 | 2,541,019 | 1,804,577 | 2,058,093 | 22,440,058 | 3,777,503 | 3,380,130 |
| NET RESULT OR NET OPERATING POSITION | 163,490 | (5,151,039) | (2,531,776) | 29,188,427 | (2,033,611) | (16,786,220) | (2,586,657) | 64,366 |
| Dissection of capital expenditure | | | | | | | | |
| New assets including upgrading, extending and improving assets and infrastructure | 1,777,199 | | | | | | | |
| Replacement or renewals of assets | 9,177,438 | | | | | | | |
| Total capital expenditure | 10,954,637 | | | | | | | |

Somerset Regional Council
Amended Budget - adoption level - third year forecast
Year Ending 30 June 2024
Pursuant to section 94B of the Local Government Act 2009

| | TOTAL | Corporate | Executive | Finance | Human Resources | Operations | Planning | Waste mgt |
|--|-------------|-----------|-----------|--------------------|--------------------|------------------|----------|----------------|
| Statement of changes in equity | | | | | | | | |
| Accumulated (Surplus)/ Deficit | - | - | - | - | - | - | - | - |
| Appn to-Constr'd Wks Res-Works & Roads | - | - | - | - | - | - | - | - |
| Trfr from-Constrained Works Reserve | - | - | - | - | - | - | - | - |
| Trfr from-Land Sale Reserve | - | - | - | - | - | - | - | - |
| Depreciation | 9,203,792 | - | - | - | - | 8,987,284 | - | 216,508 |
| Depreciation funding adjustment | (9,203,792) | - | - | (9,203,792) | - | - | - | - |
| TOTAL RESERVES AND EQUITY MOVEMENTS | - | - | - | (9,203,792) | - | 8,987,284 | - | 216,508 |

Somerset Regional Council
Amended Budget - adoption level - third year forecast
Year Ending 30 June 2024
Pursuant to section 94B of the Local Government Act 2009

| Balance sheet or statement of financial position | 30-Jun-24 | 30-Jun-23 |
|---|--------------------|--------------------|
| <u>Assets</u> | | |
| Operating and trust cash to account | 38,548,993 | 38,548,993 |
| Rate debtors | 2,353,643 | 2,343,775 |
| Other receivables | 8,094,556 | 8,060,618 |
| Store inventories/ gravel stockpiles | 482,023 | 480,002 |
| Urban Utilities balances | 43,804,000 | 43,804,000 |
| Equity in Urban Utilities | 29,644,000 | 29,644,000 |
| Property, plant, equipment, work in progress, land | 417,595,508 | 415,844,663 |
| <u>Total assets</u> | 540,522,722 | 538,726,050 |
| <u>Liabilities</u> | | |
| Trade creditors, accruals and other current liabilities | 16,267,222 | 16,221,395 |
| <u>Total liabilities</u> | 16,267,222 | 16,221,395 |
| <u>Net community assets</u> | 524,255,500 | 522,504,655 |
| Community equity | 524,255,500 | 522,504,655 |

Somerset Regional Council

Amended budget, long term financial forecast and financial plan, long term asset management plan and ratios - adoption level

Years ending 30 June 2022 to 2032

Pursuant to section 94B of the Local Government Act 2009

| Year | FY2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
|---|---------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| STATEMENT OF CASH FLOW | | | | | | | | | | | |
| FUNDS IN | | | | | | | | | | | |
| Capital grants and subsidies | 25,962,986 | 1,581,419 | 1,587,355 | 1,593,351 | 1,599,407 | 1,605,523 | 1,611,700 | 1,617,939 | 1,624,240 | 1,630,604 | 1,637,032 |
| Contributions from developers | 125,000 | - | - | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,521,460 | 2,546,675 | 2,572,142 | 2,597,864 | 2,623,843 | 2,650,082 | 2,676,583 | 2,703,349 | 2,730,382 | 2,757,686 | 2,785,263 |
| Fees and charges | 1,553,100 | 1,568,631 | 1,584,316 | 1,600,160 | 1,616,161 | 1,632,322 | 1,648,644 | 1,665,130 | 1,681,781 | 1,698,598 | 1,715,583 |
| Interest earned | 1,350,628 | 1,352,907 | 1,355,192 | 1,357,483 | 1,359,779 | 1,362,082 | 1,364,392 | 1,366,708 | 1,369,030 | 1,371,358 | 1,373,692 |
| Internal recovery | - | - | - | - | - | - | - | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,361,800 | 4,010,913 | 4,050,806 | 4,091,099 | 4,131,794 | 4,172,897 | 4,214,411 | 4,256,341 | 4,298,690 | 4,341,461 | 4,384,659 |
| Other revenue | 1,702,383 | 1,719,376 | 1,727,158 | 1,744,396 | 1,761,808 | 1,779,394 | 1,797,159 | 1,815,099 | 1,833,221 | 1,851,521 | 1,870,004 |
| Sales revenue | 5,275,004 | 5,327,754 | 5,381,031 | 5,434,841 | 5,489,190 | 5,544,082 | 5,599,523 | 5,655,518 | 5,712,073 | 5,769,193 | 5,826,886 |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,694,999) | (3,745,246) | (3,797,827) | (3,851,217) | (3,905,431) | (3,960,483) | (4,016,388) | (4,073,160) | (4,130,816) | (4,189,369) | (4,248,836) |
| Rates and utility charges excluding discounts and rebates | 28,613,034 | 29,009,500 | 29,411,995 | 29,820,623 | 30,235,487 | 30,656,695 | 31,084,357 | 31,518,587 | 31,959,495 | 32,407,198 | 32,861,814 |
| TOTAL FUNDS IN | 67,770,396 | 43,371,929 | 43,872,168 | 44,388,600 | 44,912,038 | 45,442,594 | 45,980,381 | 46,525,511 | 47,078,096 | 47,638,250 | 48,206,097 |
| FUNDS OUT | | | | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 84,033,104 | 41,915,029 | 42,698,868 | 43,175,900 | 43,694,238 | 44,079,294 | 45,167,381 | 45,735,811 | 45,630,596 | 46,609,750 | 46,611,997 |
| Plant purchases | 1,247,300 | 1,456,900 | 1,173,300 | 1,212,700 | 1,217,800 | 1,363,300 | 813,000 | 789,700 | 1,447,500 | 1,028,500 | 1,594,100 |
| Loan redemption | - | - | - | - | - | - | - | - | - | - | - |
| TOTAL FUNDS OUT | 85,280,404 | 43,371,929 | 43,872,168 | 44,388,600 | 44,912,038 | 45,442,594 | 45,980,381 | 46,525,511 | 47,078,096 | 47,638,250 | 48,206,097 |
| NET FUNDS MOVEMENT | (17,510,007) | - | - | - | - | - | - | - | - | - | - |
| CHANGES IN RESERVES AND EQUITY MOVEMENTS | (17,510,007) | - | - | - | - | - | - | - | - | - | - |
| NET FUNDS MOVEMENT AND EQUITY MOVEMENTS | (0) | - | - | - | - | - | - | - | - | - | - |
| Non-cash cost | | | | | | | | | | | |
| Depreciation | 8,970,533 | 9,086,283 | 9,203,792 | 9,323,088 | 9,444,205 | 9,567,174 | 9,692,028 | 9,818,801 | 9,947,530 | 10,078,248 | 10,210,992 |

Somerset Regional Council

Amended budget, long term financial forecast and financial plan, long term asset management plan and ratios - adoption level

Years ending 30 June 2022 to 2032

Pursuant to section 94B of the Local Government Act 2009

| Year | FY2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| STATEMENT OF INCOME AND EXPENDITURE | | | | | | | | | | | |
| INCOME | | | | | | | | | | | |
| Capital grants and subsidies | 25,962,986 | 1,581,419 | 1,587,355 | 1,593,351 | 1,599,407 | 1,605,523 | 1,611,700 | 1,617,939 | 1,624,240 | 1,630,604 | 1,637,032 |
| Contributions from developers | 125,000 | - | - | - | - | - | - | - | - | - | - |
| Associated entity profit share and tax equivalents | 2,521,460 | 2,546,675 | 2,572,142 | 2,597,864 | 2,623,843 | 2,650,082 | 2,676,583 | 2,703,349 | 2,730,382 | 2,757,686 | 2,785,263 |
| Fees and charges | 1,553,100 | 1,568,631 | 1,584,316 | 1,600,160 | 1,616,161 | 1,632,322 | 1,648,644 | 1,665,130 | 1,681,781 | 1,698,598 | 1,715,583 |
| Interest earned | 1,350,628 | 1,352,907 | 1,355,192 | 1,357,483 | 1,359,779 | 1,362,082 | 1,364,392 | 1,366,708 | 1,369,030 | 1,371,358 | 1,373,692 |
| Internal recovery | - | - | - | - | - | - | - | - | - | - | - |
| Loan advance | - | - | - | - | - | - | - | - | - | - | - |
| Operating grants and subsidies | 4,361,800 | 4,010,913 | 4,050,806 | 4,091,099 | 4,131,794 | 4,172,897 | 4,214,411 | 4,256,341 | 4,298,690 | 4,341,461 | 4,384,659 |
| Other revenue | 1,702,383 | 1,719,376 | 1,727,158 | 1,744,396 | 1,761,808 | 1,779,394 | 1,797,159 | 1,815,099 | 1,833,221 | 1,851,521 | 1,870,004 |
| Sales revenue | 5,275,004 | 5,327,754 | 5,381,031 | 5,434,841 | 5,489,190 | 5,544,082 | 5,599,523 | 5,655,518 | 5,712,073 | 5,769,193 | 5,826,886 |
| Profit on sale/ Proceeds from sale | - | - | - | - | - | - | - | - | - | - | - |
| Rates and utility charges discounts and rebates | (3,694,999) | (3,745,246) | (3,797,827) | (3,851,217) | (3,905,431) | (3,960,483) | (4,016,388) | (4,073,160) | (4,130,816) | (4,189,369) | (4,248,836) |
| Rates and utility charges excluding discounts and rebates | 28,613,034 | 29,009,500 | 29,411,995 | 29,820,623 | 30,235,487 | 30,656,695 | 31,084,357 | 31,518,587 | 31,959,495 | 32,407,198 | 32,861,814 |
| Less capital items | (26,087,986) | (1,581,419) | (1,587,355) | (1,593,351) | (1,599,407) | (1,605,523) | (1,611,700) | (1,617,939) | (1,624,240) | (1,630,604) | (1,637,032) |
| TOTAL INCOME | 41,682,410 | 41,790,510 | 42,284,813 | 42,795,249 | 43,312,631 | 43,837,071 | 44,368,681 | 44,907,572 | 45,453,856 | 46,007,646 | 46,569,065 |
| EXPENDITURE | | | | | | | | | | | |
| Interest paid and finance costs | - | - | - | - | - | - | - | - | - | - | - |
| Labour, plant and materials | 84,033,104 | 41,915,029 | 42,698,868 | 43,175,900 | 43,694,238 | 44,079,294 | 45,167,381 | 45,735,811 | 45,630,596 | 46,609,750 | 46,611,997 |
| Plant purchases | 1,247,300 | 1,456,900 | 1,173,300 | 1,212,700 | 1,217,800 | 1,363,300 | 813,000 | 789,700 | 1,447,500 | 1,028,500 | 1,594,100 |
| Loan redemption | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |
| TOTAL EXPENDITURE BEFORE DEPRECIATION BUT AFTER CAPITAL EXPENDITURE | 85,280,404 | 43,371,929 | 43,872,168 | 44,388,600 | 44,912,038 | 45,442,594 | 45,980,381 | 46,525,511 | 47,078,096 | 47,638,250 | 48,206,097 |
| Add depreciation | 8,970,533 | 9,086,283 | 9,203,792 | 9,323,088 | 9,444,205 | 9,567,174 | 9,692,028 | 9,818,801 | 9,947,530 | 10,078,248 | 10,210,992 |
| Less used for capital purposes | (52,549,872) | (10,820,607) | (10,954,637) | (11,089,975) | (11,221,994) | (11,353,083) | (11,569,221) | (11,702,138) | (11,836,123) | (11,971,389) | (12,107,931) |
| TOTAL OPERATING EXPENDITURE | 41,701,065 | 41,637,605 | 42,121,323 | 42,621,713 | 43,134,249 | 43,656,685 | 44,103,188 | 44,642,174 | 45,189,503 | 45,745,109 | 46,309,158 |
| NET RESULT / OPERATING SURPLUS OR (DEFICIT) | (18,655) | 152,905 | 163,490 | 173,536 | 178,382 | 180,386 | 265,493 | 265,398 | 264,353 | 262,537 | 259,907 |

Somerset Regional Council
Amended budget, long term financial forecast and financial plan, long term asset management plan and ratios - adoption level
Years ending 30 June 2022 to 2032
Pursuant to section 94B of the Local Government Act 2009

| Year | FY2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| LONG TERM ASSET MANAGEMENT PLAN | | | | | | | | | | | |
| Program of capital expenditure that will provide for the sustainable management of assets and infrastructure while also improving assets and infrastructure | | | | | | | | | | | |
| Replacement or renewals of assets | 12,158,230 | 10,459,833 | 9,177,438 | 8,876,571 | 7,963,513 | 9,824,317 | 9,779,171 | 7,703,113 | 10,507,073 | 7,624,752 | 7,501,215 |
| New assets including upgrading, extending and improving assets and infrastructure | 40,391,642 | 360,774 | 1,777,199 | 2,213,404 | 3,258,481 | 1,528,766 | 1,790,050 | 3,999,025 | 1,329,050 | 4,346,637 | 4,606,716 |
| Total capital expenditure | 52,549,872 | 10,820,607 | 10,954,637 | 11,089,975 | 11,221,994 | 11,353,083 | 11,569,221 | 11,702,138 | 11,836,123 | 11,971,389 | 12,107,931 |
| STATEMENT OF CHANGES IN EQUITY | | | | | | | | | | | |
| Accumulated (Surplus)/ Deficit | (17,510,007) | - | - | - | - | - | - | - | - | - | - |
| Appn to-Constr'd Wks Res-Works & Roads | - | - | - | - | - | - | - | - | - | - | - |
| Trfr from-Constrained Works Reserve | - | - | - | - | - | - | - | - | - | - | - |
| Trfr from-Land Sale Reserve | - | - | - | - | - | - | - | - | - | - | - |
| Depreciation | 8,970,533 | 9,086,283 | 9,203,792 | 9,323,088 | 9,444,205 | 9,567,174 | 9,692,028 | 9,818,801 | 9,947,530 | 10,078,248 | 10,210,992 |
| Depreciation funding adjustment | (8,970,533) | (9,086,283) | (9,203,792) | (9,323,088) | (9,444,205) | (9,567,174) | (9,692,028) | (9,818,801) | (9,947,530) | (10,078,248) | (10,210,992) |
| TOTAL RESERVES AND EQUITY MOVEMENTS | (17,510,007) | - | - | - | - | - | - | - | - | - | - |
| BALANCE SHEET OR STATEMENT OF FINANCIAL POSITION | | | | | | | | | | | |
| Assets | | | | | | | | | | | |
| Operating and trust cash to account | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 | 38,548,993 |
| Rate debtors | 2,334,000 | 2,343,775 | 2,353,643 | 2,363,601 | 2,373,621 | 2,383,687 | 2,394,267 | 2,404,882 | 2,415,526 | 2,426,196 | 2,436,887 |
| Other receivables | 8,027,000 | 8,060,618 | 8,094,556 | 8,128,805 | 8,163,265 | 8,197,883 | 8,234,270 | 8,270,776 | 8,307,384 | 8,344,080 | 8,380,850 |
| Store inventories/ gravel stockpiles | 478,000 | 480,002 | 482,023 | 484,062 | 486,114 | 488,175 | 490,342 | 492,516 | 494,696 | 496,881 | 499,071 |
| Urban Utilities balances | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 | 43,804,000 |
| Equity in Urban Utilities | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 | 29,644,000 |
| Property, plant, equipment, work in progress, land | 414,110,339 | 415,844,663 | 417,595,508 | 419,362,395 | 421,140,184 | 422,926,093 | 424,803,286 | 426,686,623 | 428,575,216 | 430,468,357 | 432,365,296 |
| Total assets | 536,946,331 | 538,726,050 | 540,522,722 | 542,335,855 | 544,160,176 | 545,992,830 | 547,919,157 | 549,851,789 | 551,789,814 | 553,732,506 | 555,679,096 |
| Liabilities | | | | | | | | | | | |
| Trade creditors, accruals and other current liabilities | 16,176,000 | 16,221,395 | 16,267,222 | 16,313,468 | 16,360,000 | 16,406,745 | 16,455,879 | 16,505,174 | 16,554,606 | 16,604,157 | 16,653,808 |
| Total liabilities | 16,176,000 | 16,221,395 | 16,267,222 | 16,313,468 | 16,360,000 | 16,406,745 | 16,455,879 | 16,505,174 | 16,554,606 | 16,604,157 | 16,653,808 |
| Net community assets | 520,770,331 | 522,504,655 | 524,255,500 | 526,022,387 | 527,800,176 | 529,586,085 | 531,463,278 | 533,346,615 | 535,235,208 | 537,128,349 | 539,025,288 |
| Community equity | 520,770,331 | 522,504,655 | 524,255,500 | 526,022,387 | 527,800,176 | 529,586,085 | 531,463,278 | 533,346,615 | 535,235,208 | 537,128,349 | 539,025,288 |
| ANALYSIS OF PROPERTY, PLANT, EQUIPMENT, WORK IN PROGRESS, LAND | | | | | | | | | | | |
| Gross current replacement cost | 561,533,992 | 561,894,766 | 563,671,965 | 565,885,369 | 569,143,850 | 570,672,616 | 572,462,666 | 576,461,691 | 577,790,741 | 582,137,378 | 586,744,094 |
| Accumulated depreciation | (147,423,653) | (146,050,103) | (146,076,457) | (146,522,974) | (148,003,666) | (147,746,523) | (147,659,380) | (149,775,068) | (149,215,525) | (151,669,021) | (154,378,798) |
| Property, plant, equipment, work in progress, land - WDV | 414,110,339 | 415,844,663 | 417,595,508 | 419,362,395 | 421,140,184 | 422,926,093 | 424,803,286 | 426,686,623 | 428,575,216 | 430,468,357 | 432,365,296 |
| Opening accumulated depreciation | (138,453,120) | | | | | | | | | | |

Somerset Regional Council

Amended budget, long term financial forecast and financial plan, long term asset management plan and ratios - adoption level

Years ending 30 June 2022 to 2032

Pursuant to section 94B of the Local Government Act 2009

| Year | FY2022 | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
|---|--------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Current year and long term financial sustainability statement LOCAL GOVERNMENT REGULATION 2012 RATIOS/ financial sustainability measures | | | | | | | | | | | |
| Asset sustainability ratio - capital expenditure on the replacement of assets (renewals) divided by depreciation expense | 136% | 115% | 100% | 95% | 84% | 103% | 101% | 78% | 106% | 76% | 73% |
| Net financial liabilities ratio - total liabilities less current assets divided by total operating revenue | (80%) | (79%) | (79%) | (78%) | (77%) | (76%) | (75%) | (74%) | (73%) | (72%) | (71%) |
| Operating surplus ratio - net operating surplus divided by total operating revenue | 0% | 0% | 0% | 0% | 0% | 0% | 1% | 1% | 1% | 1% | 1% |
| Percentage change in total gross rates and charges revenue from the previous year incorporating growth in the number of properties as well as expected change in rates per property | 7.71% | 1.39% | 1.39% | 1.39% | 1.39% | 1.39% | 1.40% | 1.40% | 1.40% | 1.40% | 1.40% |
| Percentage change in total nett rates and charges revenue from the previous year incorporating growth in the number of properties as well as expected change in rates per property | 7.64% | 1.39% | 1.39% | 1.39% | 1.39% | 1.39% | 1.39% | 1.39% | 1.40% | 1.40% | 1.40% |

APPENDIX B - Working With Children Risk Management Strategy



| | |
|---|---|
| Title: | WORKING WITH CHILDREN RISK MANAGEMENT STRATEGY |
| Responsible Officer: | Chief Executive Officer |
| Legislative or Regulatory Reference: | <i>Working with Children (Risk Management and Screening) Act 2000 ('Act')</i> <i>Working With Children (Risk Management and Screening) Regulation 2011</i> |
| Authorised by: | Somerset Regional Council |
| Authorised on: | 23 September 2020 |
| Review / Amendment Dates: | 30 November 2021 |

1. SCOPE

This strategy applies to all Councillors and staff of Somerset Regional Council and all volunteers and contingent workers regulated under the *Working with Children (Risk Management and Screening) Act 2000 ('Act')*.

In principle, this policy also applies to parents/guardians/custodians, children and patrons/spectators/visitors/others who are present at Council venues where the service or activity delivery is being provided to children. Council will use its best endeavours to guide compliance by these parties where reasonably practicable.

This policy excludes:

- Council property and venues leased and/or hired by another party to deliver services and activities that are not managed, delivered or supervised by or on behalf of Council.
- Council parks and recreation areas where it is not reasonably practicable to manage or supervise general visitation or tours from members of the public.

2. OBJECTIVE

Under the *Working With Children (Risk Management and Screening) Act 2000* Somerset Regional Council are required to develop and implement risk management strategies for particular employees and screen persons employed in particular employment to promote and protect the rights, interests and wellbeing of children.

The following strategy has been prepared to ensure this legislation is effectively carried out.

3. DEFINITIONS

1. "Child" or "children" is an individual or individuals under 18 years.
2. "Harm", as stated in the *Child Protection Act 1999* (section 9), is defined by:
 - i) 'Harm' to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
 - ii) It is immaterial how the harm is caused.
 - iii) Harm can be caused by –
 - (a) physical, psychological or emotional abuse or neglect, or
 - (b) sexual abuse or exploitation.
 - iv) Harm can be caused by –
 - (a) a single act, omission or circumstance; or
 - (b) a series or combination of acts, omissions or circumstances.

4. REQUIREMENTS AND REFERENCE

Under the *Act*, the risk management strategy must:

- implement employment practices and procedures to promote the wellbeing of a child affected by the regulated business or regulated employment and to protect the child from harm
- include the matters prescribed under a regulation (*Working With Children [Risk Management and Screening] Regulation 2011*) ('Regulation')

Under the *Regulation*, the requirements listed in column one of the below table must be included in a risk management strategy. Column two indicates where this information can be found for reference in Somerset Regional Council documents.

| Requirement | Reference |
|---|--|
| 1. A statement of commitment to the safety and wellbeing of children and the protection of children from harm | C036 Working With Children Policy; Somerset Regional Council website |
| 2. A code of conduct for interacting with children | C036 Working With Children Policy; HR001 Code of Conduct; EX005 Councillor Code of Conduct; WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm; WWC002 Procedures for Working With Children – |

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| | Services, Activities and Events |
| 3. Procedures for recruiting, selecting, training and managing persons engaged or proposed to be engaged by the person, as the procedures relate to the safety and wellbeing of children and the protection of children from harm | HR013 Recruitment and Selection Policy; C036 Working With Children Policy |
| 4. Policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines | C036 Working With Children Policy; WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm |
| 5. A plan for managing breaches of the risk management strategy | C036 Working With Children Policy |
| <p>6. Policies and procedures for managing compliance with the blue card system.</p> <p>This relates to compliance with the Act, chapter 8, and should include policies and procedures about –</p> <ul style="list-style-type: none"> (i) implementing and reviewing the risk management strategy; and (ii) keeping a written record of matters under the Act, chapter 8 about each person (engaged person) engaged by the person, for example— <ul style="list-style-type: none"> (a) whether or not the person considers the person must apply for a prescribed notice or exemption notice about the engaged person; and (b) whether or not a prescribed notice application or an exemption notice application has been made by the person about the engaged person; and (c) if a positive notice has been issued for the engaged person—the date of expiry of the notice; | C036 Working With Children Policy; HR013 Recruitment and Selection Policy |
| 7. Risk management plans for high risk activities and special events | WWC002 Procedures for Working With Children – Services, Activities and Events |

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| <p>8. Strategies for communication and support including -</p> <ul style="list-style-type: none"> (i) written information for parents and persons engaged by the person that includes details of the person's risk management strategy or where the strategy can be accessed; and (ii) training materials for persons engaged by the person to— <ul style="list-style-type: none"> (a) help identify risks of harm and how to handle disclosures or suspicions of harm; and (b) outline the person's risk management strategy. | <p>C036 Working With Children Policy; WWC002 Procedures for Working With Children – Services, Activities and Events; Somerset Regional Council website</p> |
|---|--|

5. REVIEW

This Strategy is reviewed on an annual basis. The Strategy is also reviewed for applicability continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:

- The related documents are amended
- The related documents are replaced by new documents
- Amendments which affect the allowable scope and effect of a Strategy of this nature are made to the head of power.

The YEO, in collaboration with Director Corporate and Community Services, is responsible for review of this document. Any amendment made through this process is to be approved by the Chief Executive Officer.

Signed:

Date:

APPENDIX C - C036 Working with Children Policy

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| Policy subject/title: | Working With Children Policy |
| Policy number: | C036 |
| Responsible officer: | Director Corporate and Community Services |
| Legislative or regulatory reference: | <p><i>Child Protection Act 1999</i> <i>Working With Children (Risk Management and Screening) Act 2000</i> <i>Working With Children (Risk Management and Screening) Regulation 2011</i> <i>Working With Children (Risk Management and Screening) Amendment Bill 2018</i> <i>Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020</i></p> <p>Nothing in this Policy overrides or affects the Acts or any other law.</p> |
| Related policies / procedures: | <p>Working With Children Risk Management Strategy C018 Administration Action Complaints Policy HR001 Code of Conduct EX005 Councillor Code of Conduct EX007 Investigation Policy HR013 Recruitment and Selection Policy WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm WWC002 – Procedures for Working With Children – Services, Activities and Events</p> |
| Application: | This Policy applies to children, Councillors and employees, contingent workers and volunteers of Somerset Regional Council |
| Authorised by: | Somerset Regional Council |
| Authorised on: | 23 September 2020 [Doc Id 1230116] |
| Review / amendment dates: | 30 November 2021 (Doc Id) |

1. OBJECTIVE

To define the conditions of working with children for Councillors and employees, contingent workers and volunteers of Somerset Regional Council.

2. PURPOSE

The purpose of the Working With Children Policy is:

- to protect and promote the rights, interests and wellbeing of all children
- to provide a safe environment for all children participating in activities and services run by Council.

3. SCOPE

This Policy applies to the development and delivery of services, activities and events for children and Council activities or business that involve contact with children. The Policy applies to children, Councillors and employees, contingent workers and volunteers of Somerset Regional Council.

4. POLICY

Definitions

- “Child” or “children” is an individual or individuals under 18 years.
- “Harm”, as stated in the *Child Protection Act 1999* (section 9), is defined by:
 - 1) ‘Harm’ to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
 - 2) It is immaterial how the harm is caused.
 - 3) Harm can be caused by –
 - a. physical, psychological or emotional abuse or neglect, or
 - b. sexual abuse or exploitation.
 - 4) Harm can be caused by –
 - a. a single act, omission or circumstance; or
 - b. a series or combination of acts, omissions or circumstances.
- “Direct contact” refers to involvement with supervising children or having direct contact with children during any service, activity or event that is targeted at children and that are not open to the entire community; such work would require a Blue Card.
- “Indirect contact” refers to not directly supervising or engaging with children. This might include involvement in decision making; planning services, events or activities; or services, activities or events that are open to the entire community.
- “Contingent worker” refers to any contractor, vendor or other person employed by, or working at the request of, Somerset Regional Council at a service, activity or event.

A. Introduction

Children are an integral part of our community and Somerset Regional Council provide various services, activities and events for children.

Somerset Regional Council are committed to protecting and promoting the rights, interests and wellbeing of all children and aims to provide a safe environment for children. This is supported through Council's approach to the development and delivery of services, activities and events, through embedding child safety and wellbeing in organisational culture and governance and by adhering to the requirements of relevant regulatory authorities.

B. Guiding principles

Somerset Regional Council observes the National Principles for Child Safe Organisations to foster child safety and wellbeing. The National Principles are:

- I. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
- II. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- III. Families and communities are informed and involved in promoting child safety and wellbeing.
- IV. Equity is upheld and diverse needs respected in policy and practice.
- V. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- VI. Processes to respond to complaints and concerns are child focused.
- VII. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- VIII. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- IX. Implementation of the national child safe principles is regularly reviewed and improved.
- X. Policies and procedures document how the organisation is safe for children and young people.

C. Statement of commitment

Somerset Regional Council is committed to the safety and wellbeing of children.

Councillors and employees, volunteers and contingent workers of Somerset Regional Council will treat children with respect and understanding and ensure they are kept safe from harm in their association with Council.

D. Code of Conduct

Somerset Regional Council's Code of Conduct (HR001) and Councillor Code of Conduct (EX005) are the guiding documents for the standard of conduct towards children. In addition, those working directly and indirectly with children must be aware of Somerset Regional Council's standards of appropriate conduct, as outlined in the Working With Children procedures, as well as relevant sections of the procedures as appropriate to individual roles.

- I. WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm. This document outlines the appropriate course of action following a reasonable suspicion or disclosure of harm. Note that the *Child Protection Act 1999* forms the standard for child protection practice direction, along with advice from the Queensland Government Department of Children, Youth Justice and Multicultural Affairs and laws from relevant sections of the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020*.

- II. WWC002 Procedures for Working With Children – Services, Activities and Events. This procedure must be considered and implemented when planning and undertaking services, activities and events that are attended by children (including those that are open to the entire community). This procedure includes details about appropriate conduct and handling of complaints.

Contingent workers who attend services, activities or events that may include children must be aware of the Working With Children Risk Management Strategy, C036 Working With Children Policy and Somerset Regional Council's commitment to child safety and wellbeing. Such contingent workers will be expected to act as appropriate role models to all children in character, conduct, language and respectful relationships.

E. Implementation and training

Somerset Regional Council will provide adequate support to Councillors, employees, contingent workers and volunteers to demonstrate a commitment to creating a safe environment for all children. This will include:

- I. Recruitment and selection processes shall be in line with existing Somerset Regional Council policies and follow legislative requirements (refer HR013 Recruitment and Selection Policy).
- II. All Council employees, volunteers and Councillors will be informed of C036 Working With Children Policy in recognition of the role everyone plays in protecting children.
- III. All Council employees, volunteers and Councillors who have direct or indirect contact with children in their role will adhere to induction processes that include C036 Working With Children Policy, WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm and relevant sections of WWC002 Procedures for Working With Children – Services, Activities and Events.
- IV. Contingent workers of Somerset Regional Council who have direct or indirect contact with children in their role will be informed of their obligations to child safety through Contractor/Vendor documents and be made aware of the Working With Children Risk Management Strategy and C036 Working With Children Policy.
- V. Councillors and employees, contingent workers and volunteers of Somerset Regional Council who have any form of direct contact with children in their role will adhere to regulatory authority requirements as necessary. As such:
 - i. relevant persons are required to hold, and produce an original for copying by, a Queensland Working With Children Check Positive Notice blue card prior to commencing any work with children. Blue cards held by Council employees, volunteers and Councillors must be linked to Somerset Regional Council as per Blue Card Services requirements.
 - ii. Somerset Regional Council will keep a register of blue card details of Councillors and Somerset Regional Council employees and volunteers and will ensure blue cards remain current.
 - iii. where contingent workers work directly with children, Somerset Regional Council employees will be responsible for ensuring Blue Card details are provided and will register these details, as well as the details of when the contingent worker worked with children, with Council's Records Department.
- VI. For Councillors and employees and volunteers of Somerset Regional Council that work directly with children, and those who are involved with

decision making that affects children, additional appropriate training will be required on an ongoing basis. Additional training should aim to: support appropriate responses to complaints and concerns of child abuse and neglect; support Council to embed child safety and wellbeing in organisational leadership, governance and culture; support Council to reflect child safety and wellbeing values in practice; and support the overall safety of children who attend the services and activities run by Council in the future.

F. Breaches of policy

Councillors and employees, contingent workers and volunteers who work with children will be responsible under this Policy, as well as under relevant Codes of Conduct, procedures and the overarching Working With Children Risk Management Strategy, and breaches will be acted upon as appropriate to their role. For Councillors, breaches will be considered under the EX005 Councillor Code of Conduct and the EX007 Investigation Policy. For Somerset Regional Council employees, contingent workers and volunteers, breaches will be considered under the HR001 Code of Conduct and the C018 Administration Action Complaints Policy and acted upon as follows:

- I. Where it is considered that a minor infringement has been made, the person will be informed by their immediate supervisor of the infringement, and reminded of the correct procedure.
- II. Continual minor infringements are to be brought to the notice of Director Corporate and Community Services (DCORP) and may result in suspension of duties and involvement.
- III. Any major infringement must be brought to the notice of the CEO immediately. The person may be suspended from their position, duties and involvement.
- IV. Where the infringement involves acts of an illegal nature the matter will be referred to the responsible authority for investigation, and the person suspended from their position immediately. Verified illegal acts will result in termination of employment/work. If the allegation is not proven grievance procedures will be activated.
- V. All workers will have the right of natural justice; the right to defend any allegations made against them and to have their employment and/or involvement protected from unproven allegation. Notwithstanding the principles of natural justice, Somerset Regional Council will adopt a “child safety first” approach and will suspend any worker’s involvement if there is an unacceptable risk.
- VI. Workers under disciplinary action will be accorded the right under the Australian Privacy Principles.

5. RELATED LEGISLATION AND DOCUMENTS

Child Protection Act 1999

Workplace Health and Safety Act 1995 (Qld)

Working With Children (Risk Management and Screening) Act 2000

Working With Children (Risk Management and Screening) Regulation 2011

Working With Children (Risk Management and Screening) Amendment Bill 2018

Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020

6. DATE OF RESOLUTION

This policy was approved by the Chief Executive Office and adopted by the Somerset Regional Council at the Ordinary Meeting of 23 September 2020.

7. REVIEW

This Policy is reviewed internally for applicability continuing effect and consistency with related documents and other legislative provisions when any of the following occurs:

- The related documents are amended
- The related documents are replaced by new documents
- Amendments which affect the allowable scope and effect of a Policy of this nature are made to the head of power.

Any amendment made through this process is to be approved by the Chief Executive Officer.

Signed:

Date:

APPENDIX D - Procedures for Working with Children – Suspicions or Disclosures of Harm



WWC001 - Procedures for Working With Children – Suspicions or Disclosures of Harm

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| Version Control |
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|-------------------------|----------------------------------|
| Version Number: | 2.0 |
| Created by: | Youth Engagement Officer |
| Date of Version: | 30/11/2021 |
| Department: | Corporate and Community Services |
| Review Date: | |
| Modified Date | |



Purpose

The purpose of this procedure is to outline the correct handling of suspicions or disclosures of harm to children.

Scope

This procedure applies to all Councillors and employees and volunteers of Somerset Regional Council who have direct or indirect contact with children in their role.

Definitions

“Child” or “children” is an individual or individuals under 18 years.

“Harm”, as stated in the *Child Protection Act 1999* (section 9), is defined by:

- 1) ‘Harm’ to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
- 2) It is immaterial how the harm is caused.
- 3) Harm can be caused by –
 - a. physical, psychological or emotional abuse or neglect, or
 - b. sexual abuse or exploitation.
- 4) Harm can be caused by –
 - a. a single act, omission or circumstance; or
 - b. a series or combination of acts, omissions or circumstances.

“Direct contact” refers to involvement with supervising children or having direct contact with children during any service, activity or event that is targeted at children and that are not open to the entire community; such work would require a Blue Card.

“Indirect contact” refers to not directly supervising or engaging with children. This might include involvement in decision making; planning services, events or activities; or services, activities or events that are open to the entire community.

Legislative or regulatory reference

Child Protection Act 1999

Working With Children (Risk Management and Screening) Act 2000

Working With Children (Risk Management and Screening) Regulation 2011

Working With Children (Risk Management and Screening) Amendment Bill 2018

Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020

Related policies / procedures

| | |
|--------|--|
| C036 | Working With Children Policy |
| WWC002 | Procedures for Working With Children – Services, Activities and Events |
| F545 | Incident Report Form |



Statement of commitment

Somerset Regional Council is committed to the safety and wellbeing of children.

Councillors and employees, volunteers and contingent workers of Somerset Regional Council will treat children with respect and understanding and ensure they are kept safe from harm in their association with Council.

Responsibilities

- Overall responsibility and accountability for child safety lies with the Chief Executive Officer (CEO); this includes reporting requirements as per the *Working With Children (Risk Management and Screening) Act (2000)*.
- Director Corporate and Community Services (DCORP) is responsible for ensuring responses to suspicions or disclosures of harm and for enforcing action following any breaches to this procedure.
- Director Human Resources and Customer Service (DHRCS) is responsible for appropriate induction in this procedure for relevant staff, volunteers and Councillors and for providing support to all parties involved in suspicions or disclosures of harm.
- Youth Engagement Officer is responsible for review of this procedure.
- All staff, volunteers and Councillors are responsible for child safety.
- All Councillors, employees and volunteers who have direct and indirect contact with children in their role are responsible for ensuring that they understand this procedure and know how to access it for reference.

Procedures for suspicions or disclosures of harm – Councillors, staff and volunteers

Procedures for Councillors and Somerset Regional Council staff and volunteers who have direct or indirect contact with children in their role:

Under no circumstances should Councillors or Somerset Regional Council staff or volunteers:

- Conduct their own investigation to substantiate claims
- Hold their own internal hearing, or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Such actions could lead to:

- The destruction of evidence by an accused person
- Intimidation of the person disclosing the information, or
- Intimidation of the child or young person being harmed (if the disclosure was made by somebody else).

Suspicious of harm

If you suspect a child may be in need of protection, or an unborn child may be in need of protection after they are born, the following actions should be followed:

1. Any suspicion of harm should be acted on. The suspicion is to be treated seriously, and acted upon quickly and with the utmost confidentiality.
2. Report to Queensland Police Service (QPS) and to the Department of Children, Youth Justice and Multicultural Affairs.*
3. Report your suspicions to your supervisor or directly to DCORP.
4. Record your suspicions as soon as possible:
 - Complete Incident Report Form – F545
 - Include relevant information as an attachment



- Submit entire report to DCORP

Disclosures of harm

If an allegation of improper conduct or abuse is made by a child, parent or concerned adult the following actions should be followed:

1. When speaking with the person who makes the allegation:
 - Listen carefully to the allegation
 - Let the person know that you believe them
 - Let them know that it's not their fault
 - DO NOT promise that you will not tell anyone
 - Let them know that you will have to tell someone to stop the abuse
 - Tell them you're pleased that they told you.
2. All disclosures of harm should be acted on. The disclosure is to be treated seriously, and must be acted upon quickly and with the utmost confidentiality.
3. Report to Queensland Police Service (QPS) and directly to the Department of Children, Youth Justice and Multicultural Affairs.*
4. Report the disclosure to your supervisor or directly to DCORP.
5. Record the disclosure as soon as possible:
 - Complete Incident Report Form – F545
 - Record the disclosure, with a view to record it verbatim, as an attachment
 - Include other relevant information as an attachment
 - Submit entire report to DCORP.

Procedures for suspicions and disclosures of harm - DCORP

Procedures for Director Corporate and Community Services:

Following the receipt of a report involving suspicions or disclosures of harm, Director of Corporate and Community Services (DCORP) should follow the following procedures:

- In all cases where there are children involved the parents or guardian will be notified (where appropriate – i.e. the parent or guardian will not be informed if they are the alleged perpetrator)
- Report the suspicion or disclosure to the CEO and, where the suspicion or allegation involves a Council employee, volunteer or contingent worker, follow 'Breaches of Policy' actions as outlined in C036 Working With Children Policy.
- At no time is information to be communicated to anyone not involved in the allegation
- Concerns about reprisals from an alleged perpetrator must be reported to police
- The Incident Report Form is to be filed appropriately with the Records Department
- Inform DHRCS that support is required by parties involved in the allegation
- The matter will not be discussed with the media unless authorised by the Chief Executive Officer of Somerset Regional Council.

Procedures for suspicions and disclosures of harm - DHRCS

Procedures for Director Human Resources and Customer Service:

Following the receipt of information of a report of a suspicion or disclosure of harm from DCORP, Director Human Resources and Customer Service (DHRCS) should follow the following procedures:

- Provide support, where practicable, to all parties including; the person making the disclosure, the person receiving the disclosure, the child; the alleged perpetrator where they are an employee, volunteer or Councillor; and any other Somerset Regional Council employee who is aware of the suspicion or



disclosure of harm (including but not limited to the CEO, DCORP and members of the Records department).

DHRCS is also responsible for relevant staff, volunteers and Councillors being inducted in this procedure.

Mandatory requirements according to the *Child Protection Act 1999 (Qld)* and the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020

Child Protection Act 1999 (Qld)

Note that any person who follows the voluntary reporting processes as per compliance with the *Child Protection Act 1999 (Qld)*, will be entitled to seek protection from liability in civil, criminal and administrative processes available under the *Child Protection Act 1999 (Qld)*. Further, they will be entitled to the confidentiality protections afforded to notifiers under the *Child Protection Act 1999 (Qld)*.

Councillors and Somerset Regional Council employees and volunteers are not required to undertake mandatory reporting according to the *Child Protection Act 1999* and reporting is considered the act of a person in general. This is outlined by the *Child Protection Act 1999* as follows:

Action by persons generally:

- (1) Any person may inform the chief executive if the person reasonably suspects—
 - (a) a child may be in need of protection; or
 - (b) an unborn child may be in need of protection after he or she is born.
- (2) The information given may include anything the person considers relevant to the person's suspicion.

Considerations when forming a reasonable suspicion about harm to a child:

- (1) This section applies to a person in forming a reasonable suspicion, for section 13A(1) [as outlined above] or division 2 [mandatory reporting], about whether a child has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm.
- (2) The matters that the person may consider include—
 - (a) whether there are detrimental effects on the child's body or the child's psychological or emotional state—
 - (i) that are evident to the person; or
 - (ii) that the person considers are likely to become evident in the future; and
 - (b) in relation to any detrimental effects mentioned in paragraph (a)—
 - (i) their nature and severity; and
 - (ii) the likelihood that they will continue; and
 - (c) the child's age.
- (3) The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.

Protection from liability:

The *Child Protection Act 1999* provides for protection from liability for information given under this part of the *Child Protection Act 1999*.

Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020

The relevant sections of the *Criminal Code (Child Sexual Offences Reform) and Other Legislation Amendment Act 2020* are outlined as follows:

- 229BB Failure to protect child from child sexual offence
- 229BC Failure to report belief of child sexual offence committed in relation to child



From July 5 2021, it is an offence to fail to protect a child from a sexual offence in an institutional setting and it is an offence to fail to report a belief of child sexual offence committed in relation to a child.

229BB Failure to protect child from child sexual offence

(1) An accountable person commits a crime if—

- (a) the person knows there is a significant risk that another adult (the ***alleged offender***) will commit a child sexual offence in relation to a child; and
- (b) the alleged offender—
 - (i) is associated with an institution; or
 - (ii) is a regulated volunteer; and
- (c) the child is under the care, supervision or control of an institution; and
- (d) the child is either—
 - (i) under 16 years; or
 - (ii) a person with an impairment of the mind; and
- (e) the person has the power or responsibility to reduce or remove the risk; and
- (f) the person wilfully or negligently fails to reduce or remove the risk.

Maximum penalty—5 years imprisonment.

According to 229BB, ‘*institution* means an entity, other than an individual, that—

- (a) provides services to children; or
- (b) operates a facility, or engages in activities with, children under the entity’s care, supervision or control...

For this section, an adult is ***associated*** with an institution if the adult—

- (a) owns, or is involved in the management or control of, the institution; or
- (b) is employed or engaged by the institution; or
- (c) works as a volunteer for the institution; or
- (d) engages in an activity in relation to the institution for which a working with children authority under the [Working with Children \(Risk Management and Screening\) Act 2000](#) is required; or
- (e) engages in the delivery of a service to a child who is under the care, supervision or control of the institution.’

Under this legislation, Council is defined as an institution and Council employees, Councillors, volunteers and contingent workers would be defined as an accountable person.

229BC Failure to report belief of child sexual offence committed in relation to child

(1) This section applies to an adult if—

- (a) the adult gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed against a child by another adult; and
- (b) at the relevant time, the child is or was—
 - (i) under 16 years; or
 - (ii) a person with an impairment of the mind.

(2) If, without reasonable excuse, the adult fails to disclose the information to a police officer as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed, the adult commits a misdemeanour.

Maximum penalty—3 years imprisonment.

APPENDIX E - WWC002 – Procedures for Working with Children – Services, Activities and Events



WWC002 - Procedures for Working With Children – Services, Activities and Events

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| Version Number: | 2.0 |
| Created by: | Youth Engagement Officer |
| Date of Version: | 30/11/2021 |
| Department: | Corporate and Community Services |
| Review Date: | |
| Modified Date | |



Purpose

The purpose of this procedure is to outline reasonable conduct and best practices when planning and undertaking services, activities and events that involve children with an aim to promote and protect their rights, interests and wellbeing.

Scope

This procedure applies to all Councillors and employees and volunteers of Somerset Regional Council who have direct contact with children in their role or are involved in decision making that affects relevant persons' work with children. This procedure will also apply to various persons who have indirect contact with children in their role in certain instances.

Definitions

"Child" or "children" is an individual or individuals under 18 years.

"Direct contact" refers to involvement with supervising children or having direct contact with children during any service, activity or event that is targeted at children and that are not open to the entire community; such work would require a Blue Card.

"Indirect contact" refers to not directly supervising or engaging with children. This might include involvement in decision making; planning services, events or activities; or services, activities or events that are open to the entire community.

"Contingent worker" refers to any contractor, vendor or other person employed by, or working at the request of, Somerset Regional Council at a service, activity or event.

Legislative or regulatory reference

Working With Children (Risk Management and Screening) Act 2000

Working With Children (Risk Management and Screening) Regulation 2011

Working With Children (Risk Management and Screening) Amendment Bill 2018

Work Health and Safety Act 2011

Related policies / procedures

| | |
|-------|--|
| | Working With Children Risk Management Strategy |
| CO36 | Working With Children Policy |
| CO12 | Confidentiality Policy |
| CO13 | Information Privacy Policy |
| CO18 | Administration Action Complaints Policy |
| CO20 | Social Media Policy – Guidelines for Use |
| CO24 | Young People in the Library Policy |
| CO28 | Complaints about the public official Policy |
| CS001 | Level 1 Departmental Reviews |



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| EX005 | Councillor Code of Conduct |
| EX007 | Investigation Policy |
| F005 | Risk Management Policy |
| F545 | Incident Report Form |
| F550 | Multi-Media Consent |
| | Contractor/Vendor Compliance for Events Form |
| | Risk Assessment and Event Safety Plan Form |
| HR001 | Code of Conduct |
| HR002 | Workplace Health and Safety Policy |
| P143 | Incident Reporting and Recording |
| | Post Event Reporting |
| WWC001 | Procedures for Working With Children - Suspicions or Disclosures of Harm |
| | Customer Service Charter |
| | Council's Safety Intranet and Safe Plan |

Statement of commitment

Somerset Regional Council is committed to the safety and wellbeing of children.

Councillors and employees, volunteers and contingent workers of Somerset Regional Council will treat children with respect and understanding and ensure they are kept safe from harm in their association with Council.

Responsibilities

- Overall responsibility and accountability for child safety lies with the Chief Executive Officer (CEO).
- Director Human Resources and Customer Service (DHRCS) is responsible for appropriate induction in this procedure for relevant staff, volunteers and Councillors.
- Director Corporate and Community Services (DCORP) is responsible for enforcing action following any breaches to this procedure.
- Youth Engagement Officer is responsible for review of this procedure.
- All staff, volunteers and Councillors are responsible for child safety.
- All Councillors, employees and volunteers who have direct contact with children in their role, or are involved in decision making that affects relevant persons' work with children, are responsible for ensuring that they understand this procedure and know how to access it for reference.

Procedures for working with children at all services, activities and events – direct or indirect contact

Procedures for Councillors and Somerset Regional Council staff and volunteers who have direct or indirect contact with children in their role:

The following procedures must be followed when planning and undertaking services, activities and events that involve children (this includes events that are open to the entire community).

Behaviour, language and physical conduct

As outlined in the C036 Working With Children Policy, the standard of conduct towards children should follow the HR001 Code of Conduct and EX005 Councillor Code of Conduct. In addition, when undertaking services, activities and events that involve children you must:



1. Act as an appropriate role model to all children in character, conduct, language and respectful relationships.
2. Be prepared and well organised when presenting the service, activity or event.
3. Follow WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm as necessary. This may need to be considered if a parent/guardian arrives to collect a child and they are obviously intoxicated or violent, or if a child is stranded with no parent/guardian.
4. Refer to C024 Young People in the Library Policy where applicable.
5. Note that if a parent/guardian is present, this parent/guardian is responsible for their child/ren.
6. In some situations, especially where there is no parent/guardian present for a child at an activity or event, additional considerations will need to be taken into account. Considerations for appropriate physical contact include:
 - Age/skills of the child and safety implications. Does this child need help applying sunscreen, clipping a helmet, tying shoelaces?
 - Age/skills of the child and learning new skills. Does this child need assistance with balancing, holding equipment correctly?
 - Nature of the activity. Is the activity a ‘tag’ game, does it involve contact for support/stability or competition, is contact required for the activity to occur?
 - Injury or illness. Has the child been injured and require first aid assistance? Has the child fallen and requires help getting back up? Does the child feel ill and need assistance?
7. Value and respect the diversity of children from Culturally and Linguistically Diverse (CALD) backgrounds.
8. Provide access and equity in delivery of services, activities and events to all children who wish to participate.

Risk management

As outlined in the Working With Children Risk Management Strategy, it is a requirement for high risk activities and special events to have a risk management plan. Other services, activities and events that include children should also include risk management plans to ensure the safety of participants.

Writing a risk management plan:

1. Use the Risk Assessment and Event Safety Plan form to clearly develop a risk management plan (aka risk assessment).
2. Consider all risks associated with the service, activity or event with your team.
3. Use the ‘Risk Matrix’ (i.e. likelihood versus consequences) to evaluate the risks (is the risk low, medium, high or extreme).
4. Consider realistic problems and aim to reduce all risks to ‘low’ by decreasing the likelihood or the consequence of the risk (i.e. transfer, eliminate or accept the risk [if reasonable]).
5. High or extreme risks are not acceptable and the event cannot proceed if these risks cannot be reduced.
6. Have the risk management plan approved by the Workplace Health and Safety Officer (WHSO) and provide a copy to the CEO or your department director.
7. Items considered in your risk management plan, or risk assessment, should include:
 - a. a description of each element of the activity (what does the event involve)
 - b. a breakdown of the identified risk elements (what could result in harm to a child)
 - c. an action plan (how will the risks be managed/mitigated/reduced)
 - d. a risk analysis (using the risk matrix to determine the likelihood and consequences of the risks) and a clear evaluation of the risk (is the risk low, medium, high or extreme)
 - e. an emergency strategy (what to do/who to call if something does go wrong)



- f. a clear indication of who will manage the plan (who is responsible to act during the service, activity or event)
 - g. a review of the plan (identifying who will review following the service, activity or event).
- Note that some commonly identified risks include:
 - Slips, trips and falls
 - Allergies to meals/food
 - Bites and stings
 - Injury from participation in activity
 - Sunburn or dehydration
 - Extreme weather
 - Pre-existing medical conditions
 - Interpersonal conflict
 - Child removing themselves from the activity
 - Travel related incidents (including whilst waiting for or travelling on a bus)

Risk management considerations:

1. Ensure there is a phone available at all times. You must be able to be contacted and be able to make calls in case of emergency.
2. Ensure there is a person qualified in first aid on site and available and equipped to perform first aid should the need arise.
3. Ensure that a seatbelt equipped bus is used for any service, activity or event developed specifically for children.
4. Promote good hygiene including adequately washing hands before and after eating and after going to the toilet, and covering coughs and sneezes.
5. Encourage healthy eating and drinking water and be aware and courteous of food allergies, intolerances and preferences.
6. Encourage sun safety through appropriate clothing, hats and the application of sunscreen (which can be provided at services, activities and events). Ensure appropriate shade is available.
7. Ensure adequate shelter is available should an extreme weather event occur.
8. Assess the venue prior to the service, activity or event to ensure it is appropriate.
9. Ensure you have collected adequate information from participants (see “Information to be collected from parents/guardians for child participation in child-specific services, activities and events” for more information).
10. Ensure you have a list of necessary phone numbers available. This may include the phone numbers for relevant emergency departments and/or hotlines, fellow supervisors, bus companies, facilitators and venues, and various Council personnel.
11. Ensure relevant persons conducting or attending the service, activity or event have positive notice Blue Cards. More information can be found in “Procedures for engaging contingent workers” and C036 Working With Children Policy. Check Council’s Blue Card register (which includes Councillors, employees and volunteers), or refer to DHRCS, to ensure appropriate persons are asked to assist with the service, activity or event.
12. Ensure partnering organisations, establishments or contingent workers engaged are committed to child safety and, where applicable, have appropriate documentation (as outlined in “Procedures for engaging contingent workers”).
13. Ensure parents/guardians are provided with written information about Council’s Working With Children Risk Management Strategy or know how to access it. This is available on Council’s website.



- Note that F005 Risk Management Policy identifies that “Council will hold insurances such as public liability insurance, professional indemnity insurance and workers compensation insurance to the minimum coverage levels required by law.”
- Note that HR002 Workplace Health and Safety Policy states that “Our [Council’s] primary objective is to eliminate or reduce risk by adopting a risk management approach in order to provide an injury/illness free workplace. We [Council] expect all workers and others persons within the workplace to follow safe work practices ... and that they make every effort to reduce the risk of injury to themselves and others.”
- Note First Aid Management as a part of Safety Management System: Workplace Management states that “Prompt First Aid will minimise the effects of an injury or illness and promote quicker recovery. Trained First Aiders, First Aid equipment and facilities appropriate to the nature of the likely risks should be available.”

Incident reporting

As identified in the Workplace Health and Safety Policy and relevant legislation, as well as within other elements of Council’s Safety Intranet and Safe Plan (including P143 Incident Reporting and Recording), injuries, illnesses, near misses and dangerous events must be reported and recorded as necessary.

1. If an incident occurs during a service, activity or event, provide immediate medical treatment or first aid and follow the emergency strategy directions of the risk management plan.
 2. Complete a F545 Incident Report Form as soon as possible.
 3. Regardless of the severity of the incident, inform the child’s parent/guardians about the incident and the resulting report. This could be done when the incident occurs via phone call or when the parent/guardian arrives to collect the child; this will depend upon the nature of the incident (i.e. a broken arm or head injury would warrant a phone call; an ant bite with no allergic reaction would not).
 4. For incidents of low risk the Incident Report Form should be submitted to your department director when possible – this director should forward the signed report to Records and other relevant authorities if required.
 5. For incidents of high risk, or those described as notifiable incidents as per the *Work Health and Safety Act 2011*, complete and submit the report, including notification through supervisory chain to your director, as soon as possible and contact DHRCS and the WHSO. Take steps to preserve the incident scene. Await advice on further action required.
 6. If the incident is a suspicion or disclosure of harm to a child, then actions should follow procedures outlined in WWC001 – Procedures for Working With Children – Suspicions or Disclosures of Harm.
- Note: incidents may also include situations where Council was not directly involved. For example, a missing child notification where the child was previously in attendance at a Council service, activity or event may result in an incident report to declare details of that child’s location, behaviour or statements at a certain point in time.

Procedures for engaging contingent workers

As identified by the Contractor/Vendor Compliance for Events Form, it is required that contingent workers who will work with children must comply with certain conditions. Ensure that:

1. The following documents are received before a contingent worker is on site:
 - a completed Contractor/Vendor Compliance for Events Form
 - a copy of the positive notice Blue Card for each facilitator where required. Note: if the service, activity or event is targeted at children and parents/guardians are not required to attend (and the event is not available to the general public) then the contingent worker must provide a current positive notice Blue Card
 - public liability insurance certificate



- a comprehensive risk management plan.
- 2. All completed documents are submitted to Records.
- 3. The Contingent Worker Blue Card document (annual) is updated with details for the contingent workers/s engaged. This includes: name; Blue Card number and expiry date; details of the work with children conducted including name, date, time and location of service, activity or event undertaken. Ask Records for further information about this process as required.
- 4. Post event, consider asking contingent workers for feedback (Post Event Reporting).
 - Note: as per *Working With Children (Risk Management and Screening) Regulation 2011* requirements, contingent workers should receive information about Council's Working With Children Risk Management Strategy or know how to access it. This is available on Council's website.

Privacy and social media

The collection and use of information, images and statements from participants or from the parents/guardians of participants will be managed in accordance with C013 Information Privacy Policy, C012 Confidentiality Policy and C020 Social Media Policy – Guidelines for Use.

1. Information collected will not be shared or distributed unless required by legislation.
2. Information about children will be stored securely by Records for the required time period and then destroyed.
3. Use of a child's image and/or statements, in any media form, for promotion, media releases and other like purposes by Somerset Regional Council is permitted in certain instances. These include:
 - a) if parent/guardian permission is received via a consent form (see Parent/Guardian consent for child-specific services, activities and events)
 - b) if parent/guardian permission is obtained through a Multi-Media Consent form (F550)
 - c) consent will be assumed at service, activities and events where the 'Smile' corflute is displayed, unless a parent or caregiver advises otherwise.

Handling complaints

Handling and resolving complaints will be undertaken in a confidential, fair and timely manner. Somerset Regional Council's Customer Service Charter outlines the standard of service that will be demonstrated in interactions with customers. Various policies and procedures (such as C036 Working With Children Policy, C018 Administration Action Complaints Policy and CS001 Level 1 Departmental Reviews) outline the processes for handling complaints following an initial complaint/request recorded in Council's customer service system and for handling those complaints that are of a more serious nature.

1. If receiving a complaint, listen carefully and respond in a polite and respectful manner.
2. Clarify your understanding of the complaint and, where appropriate, ask the customer how they would like the complaint resolved. Wherever possible, attempt to resolve a complaint at the time
3. If necessary, ensure that customers are aware of how they can formally make a complaint – in person or by email, phone or mail.
4. If necessary, the complaint will be recorded by appropriate officers as a Customer Service Request (CSR) and will be actioned accordingly; if further action is required, relevant persons will be notified.
5. If the complaint is not appropriate for the customer service system, the complaint should be put in writing and directed to the CEO.
 - a) Where the complaint is against a Councillor or Somerset Regional Council employee or volunteer, this may be considered a breach of Policy (C036 Working With Children Policy) and actions will follow as per relevant policies (including but not limited to C028 Complaints about the public official Policy, EX007 Investigation Policy and C018 Administration Action Complaints Policy).



- b) Where the complaint is a breach of human rights, the matter will be referred to the Queensland Human Rights Commission.
6. If the complaint is in fact an allegation or disclosure of harm to a child, then actions should follow procedures outlined in WWC001 – Procedures for Working With Children – Suspicions or Disclosures of Harm.

Procedures for working with children at child-specific services, activities and events – direct contact
Procedures for Councillors and Somerset Regional Council staff and volunteers who have direct contact with children in their role:

The following procedures must be followed when planning and undertaking services, activities and events that are developed for children (when a parent or guardian is not required to attend) and the general public is excluded.

Supervision, behaviour management and ratios

Supervision:

1. Children must be signed in and out of the care of supervising staff by a parent/guardian. (Note that many library activities, and certain other Council events, do not require this procedure as libraries and other spaces are open to the public. In most instances the procedure should be considered good practice and should be used to demonstrate a duty of care. If not possible, consideration should be given to collecting relevant information from participants in case of emergency. Blue card requirements and ratio considerations still need to be taken into account.*
2. Follow WWC001 Procedures for Working With Children – Suspicions or Disclosures of Harm as necessary. This may need to be considered if a parent/guardian arrives to collect a child and they are obviously intoxicated or violent or if a child is stranded with no parent/guardian.
3. Parents/guardians are required to inform supervising staff if they arrange for a different authorised person to drop off or collect a child.
4. Do not leave children unsupervised.
5. Avoid sole supervision of an individual child.[†] If the situation occurs due to unforeseen circumstances, rectify the situation as soon as possible. For example, contact another staff member to assist, ensure video surveillance occurs in the area of supervision or remain within sight of other persons until the situation is remedied.
6. Do not remove a child from a scheduled activity without parent/guardian supervision or consent; only do so in case of emergency.
7. When a bathroom is out of sight of the activity area, ensure a buddy system for children visiting bathrooms and, if necessary for safety, supervise the walk to and from the bathroom. (Examples of when this may be necessary are when on an excursion, when the bathroom is a considerable distance from the activity venue or if the children are reasonably young.)

*Information current as of 7/07/2020 following advice from Blue Card Service and Queensland Department of Education. Note “Ratios” for further information.

[†]Some Council services require staff to work alone in a facility that is open to the general public; in such facilities, and where direct supervision of children occurs for a service, activity or event (for example LEGO club), ensure that the activity takes place in the venue during usual opening hours and in the public space. Such services, activities and events should not interfere with the staff members ability to assist the general public if required.

Behaviour management:



Behaviour management should be considered when planning services, activities and events and should be used fairly. Consider:

1. Setting rules and demonstrating respectful behaviour with children to establish the standard you expect.
2. Your tone of voice, physical proximity and gestures. Shouting, screaming, physical closeness ('towering' over a small child) and physically violent gestures are examples of inappropriate behaviour management techniques. When attempting to manage behaviour, a calm and respectful demeanour is appropriate.
3. The age and personality of the child/ren. Different children will respond to behaviour management techniques in varying ways. Respond to the situation as necessary and ask for assistance from another staff member if required.
4. Also refer to "Parent consent for child-specific services, activities and events" for more information about expected standards of behaviour and consequences for dangerous or harmful behaviour.

Ratios*:

Ratios should vary depending upon the ages and abilities of the children present, the activities being undertaken and the qualifications and experience of the supervisors. As such, a general guideline for ratios is recommended as follows:

1. Low risk activities with children aged between 5-17 years may be managed at a ratio of 1:15 if the supervisors are adequately qualified and experienced, however a ratio of 1:10 is recommended in most instances. These activities should be undertaken 'on-site' – either at a Council facility, or at a location where children are dropped off by their parents and where they are to remain for the day.
2. Activities with children aged between 5-17 years that are medium risk, or where supervisors are less qualified or experienced, may be managed at a ratio of 1:8. This ratio should be considered for excursion activities – taking into consideration the activity and the group attending.
3. Low or medium risk activities may be undertaken by professional facilitators and/or at a facility not run by Council. Council staff may still operate at a ratio of 1:10 or 1:15, depending on circumstances and the requirements of the facility, as facility operators are required to follow their own ratios/requirements. Be sure to discuss supervision requirements with the facility you intend to visit.
4. Where there is a child who requires additional supervision, consider asking a parent to attend the service, activity or event with the child or otherwise ensure additional appropriately qualified staff are present.
5. If a parent attends in order to manage their child's attendance, they would not be included in the operational ratio and are not required to hold a Blue Card; if a parent is attending as a volunteer and is included in the operational ratio they are required to hold a Blue Card.

*The activities run by Council are a somewhat rare entity in that they don't specifically fall under any legislation or professional standard with regards to supervisor:child ratios. School Holiday Program activities are classified as unregulated care as they are targeted at school-aged children and are activity specific. As a result, the ratio guidelines outlined in this procedure are based upon best practice when reviewing the following information:

- The National Quality Framework (NQF). The NQF sets out the minimum qualification and educator to child ratio requirements for children's education and care services. For Queensland, NQF guidelines for centre-based ratio requirements indicate a ratio of 1:15 for ages 5 and over. The framework also state: "while an increased educator to child ratio for excursions is not specified in the *National Regulations*, there is a requirement to adequately supervise children at all times. A thorough risk assessment should determine whether minimum ratios are sufficient to provide adequate supervision while attending an excursion."



- The Queensland Education Department recommends following a ratio of 1:15 and to consider duty of care when undertaking excursions and activities of higher risk and to adjust the ratio accordingly.

Blue Card requirements

For Councillors and relevant Somerset Regional Council employees and volunteers who have direct contact with children, a Blue Card is required. Such persons must:

1. Have a current Blue Card prior to working with children; for those who do not have a current Blue Card, an application should be submitted and the Blue Card must arrive before any work with children is undertaken.
2. Ensure HR have the details of current Blue Cards.
3. Renew Blue Cards as necessary and provide details to HR.
4. Ensure Blue Card information details are kept up to date both with HR and with Blue Card Services.

Parent/Guardian consent for child-specific services, activities and events

There are various aspects of Council services, activities and events that should be understood and agreed upon by parents/guardians before children participate. The following information should be included on consent forms, which require a parent/guardian signature, where applicable:

General requirements:

1. I wish my child to attend this program and accept all risks resulting from their participation.
2. I have provided current and detailed information about my child to enable Somerset Regional Council staff to deliver a safe and inclusive program.
3. I am aware that I must sign my child in and out of the care of supervising staff for this activity. I will inform the activity supervisors if I need to arrange for a different authorised person to drop off or collect my child. (*Requirement for activities where a child is left in the care of supervising staff for an activity with no parent present.*)
4. I give consent for staff involved in the activities to provide basic first aid for my child and if necessary I authorise the program coordinator to arrange any necessary medical attention at my expense.
5. I understand my child is subject to the rules of this service, activity or event and is expected to demonstrate safe, harmless behaviour. My child understands that they will be required to follow any reasonable instructions given by the staff coordinating the activities. If my child demonstrates dangerous or harmful behaviour they may be excluded from the program. I understand that exclusion may require a parent/guardian to arrange collection of the child.
6. I understand that my child may, on occasion, be supervised by a volunteer or facilitator not employed by Somerset Regional Council. Note that as with Council supervisors, all such persons are required to hold a working with children positive notice Blue Card.
7. I give consent for my child's image and statements in any media form to be used by Somerset Regional Council for promotion, media releases and otherwise.
8. I have read, understood and agree to the terms and conditions above (name, signature and date required).

Higher risk activity requirements:

1. In consideration of my child/ren's participation in this program, I give consent for my child/ren to participate in swimming/aquatic activities and I understand that the swimming or aquatic instructor will be in charge of the water activities.



2. I am aware of the nature of the low to medium risk activities (including but not limited to high ropes, surfing, giant swing, caving) that may be included in my child's program and accept all risks resulting from their participation. I am aware that qualified facilitators engaged by Council will be instructing my child in these activities.
3. I understand that the activities conducted involve a high level of physical activity and are conducted in various outdoor and indoor locations. I am aware that activities conducted in the outdoors are subject to a variety of changing weather conditions and that many activities require suitable clothing and equipment.
4. I acknowledge that Somerset Regional Council does not have Personal Accident Insurance cover for participants. I agree to arrange for payment of all expenses incurred.

Medication administration consent:

Where a parent has indicated 'Yes' to a medication being required or possibly required during the activity:

1. I give consent for activity supervisors to hold and administer relevant medication for my child.

Bus consent:

1. I give consent for my child to travel to and from the activity venue on the bus provided by Somerset Regional Council (seatbelt equipped). I am aware that I must sign my child on and off the bus and that I am responsible for my child while they are at the bus stop. I will inform the camp supervisors if I need to arrange for a different authorised person to drop off or collect my child.

Information to be collected from parents/guardians for child participation in child-specific services, activities and events

The following information is required:

1. Child name, date of birth, residential address
2. Allergies, medical and other information (i.e. Are there any allergies, conditions, illnesses or other information that supervisors should be aware of? If yes, please provide further information.)
3. Is your child presently taking tablets and/or other forms of prescribed medication that supervisors should be aware of (i.e. such as one that your child must/may need to take during the course of the activity)? Provide further information if yes:
 - Medication name
 - Dose
 - Time/s of day to be administered
 - Which day/s is the medication required (for camp activities)
4. Parent/guardian name, phone number (home, work, mobile), email address, residential address
5. Secondary contact name, phone number (home, work, mobile), email address, residential address

The following information may also be required:

1. Swimming ability (non-swimmer, weak, strong)
2. Rooming preference (for camp activities)
3. Bus pick up/drop off location (checkbox for each location. Parents/guardians also to be made aware of need to sign child on/off the bus and that they are responsible for the child at the bus stop)
4. Child's year level, school or email address (such as for youth engaged in the Somerset Youth Leadership Camp)

The following information is required for camp activities:

1. Does your child have any food allergies or requirements? Provide further information:
 - Allergies



- Requirements (eg. Vegetarian, vegan, lactose free, gluten free etc.)

Welfare requirements

The information and consent obtained from parents/guardians about their child/ren should be used to ensure their wellbeing and safety. This information should be used in combination with the risk management plan.

Food safety:

1. If participants bring their own food, encourage healthy food options and a water bottle.
2. Food cannot be shared between children (exceptions for siblings may be allowed in certain circumstances).
3. If a food allergy is listed, ask all participants to be considerate in what they bring/eat.
4. If meals are provided, ensure adequate food options are available for all participants.
5. Ensure there is adequate access to water and encourage participants to bring a water bottle.

Medication:

1. Ensure you are prepared to administer all necessary medications at the appropriate time by collecting information prior to the service, activity or event (i.e. consent form information and possible follow-up phone call).
2. Provide information to parents/guardians and children about the process of holding and administering medications. Parents/guardians must provide medications (and any aids) in a bag labelled with the child's name. Medication boxes are to be labelled by a chemist/pharmacist – including any over the counter medications such as Panadol. Note that certain medications will remain with or near students – such as Ventolin inhalers and EpiPens.
3. Document the receipt of medications from parents/guardians upon the child's arrival and the return of medications at the end of the service, activity or event.
4. Store medication securely. This may require a locked box so that the medication can be transported as necessary. A spare key should be given to another supervisor on site.
5. Document all medications administered. This should include all relevant information including the child's details, your details, the date and time of administration, the name of the medication and the dosage given.
6. Ensure you have relevant phone numbers available if necessary. This may include various emergency or hotline phone numbers and parent/guardian contact details.
7. Submit all documents with the Records department.

Other considerations:

1. Consider the child's abilities when implementing the program; ensure access and equity for all children who wish to participate
2. Where there is a child who requires additional supervision, consider asking a parent to attend the service, activity or event with the child or otherwise ensure additional appropriately qualified staff are present.

Procedures for all department directors

- Receipt of low to medium risk incident reports and following correct actions, including forwarding the report to Records as per legislative requirements.
- Ensure that each service, activity or event has an appropriate risk management plan developed. Approve acceptable plans and inform the actioning officer. (This may also be undertaken by the CEO if necessary.)



Procedures for Director Human Resources and Customer Service

- Receipt and follow up of high risk incident reports, and notifiable incident reports, in liaison with WHSO as required.
- Maintain a register of all Blue Cards for Councillors, staff and volunteers and provide access or information about the register as required.