



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

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

*denotes attendance via Teams

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

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Isidro

“THAT the Minutes of the Ordinary Meeting held 9 August 2023 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 – Cr Brieschke**

August

26 Care4Esk Community Information Day, Anglican Hall, Esk, 12.30 - 5.00 pm.

September

02 West Moreton and Brisbane Valley Sub Chamber Show Girl and Rural Ambassador Regional Finals, 5.30 pm., Somerset Civic Centre (ticketed).

08 Toogoolawah Ambulance Station Centenary Celebration Open Day, Toogoolawah Showgrounds, 12.00 - 4.00 pm.

09 Brisbane Valley Rail Trail Festival of Cycling (ticketed) and Toogoolawah Ambulance Centenary Dance, Toogoolawah Showgrounds, 6.00 pm., Tickets - \$40.00.

16 Esk Bowls Club Annual/General meeting, 10.00 am.

Matters of public interest – Cr Gaedtke

The team's Women's World Cup semi-final against the Lionesses reached 11.15 million viewers nationally on Wednesday night 16th August 2023, drawing an average audience of 7.13 million on Seven and 7Plus. The numbers mean it's the most-watched TV program in Australian homes in more than 20 years and the country's biggest-ever streaming event, with 957,000 online viewers included in the tally. How proud we are, well done to our soccer team Matildas.

Congratulations to Toogoolawah Show Society's Showgirl 2022 who was named runner up of the Queensland Country Life Showgirl competition at the Brisbane Exhibition this year.

The Palace Players present an afternoon of entertainment including "Tiaras at the Palace" on Saturday 26 August 2023, 2:00pm at the Moore Soldiers Memorial Hall. Book through Bob and Linda Howe or trybooking.

Matters of public interest – Cr Isidro

August

25 COMSEQ Councillor Forum day, Brisbane

26 Care4Esk information day, Esk
 28 Lowood RSL 90th birthday
 29 Civic Centre Advisory committee, Esk
 29 Kilcoy Chamber Event
 29 Kilcoy Show committee AGM
 31 Interview with Esk State School students
 September
 2 Esk Men shed open day
 6 Kilcoy Chamber Event
 11 Kilcoy District Progress Association meeting, Kilcoy
 13 Council Meeting

Matters of public interest – Cr Wendt

The recently announced Grand Champion steer at the Brisbane Ekka was a producer from Fernvale. Congratulations to them.

Declarations of Interest

Cr Isidro declared an interest in agenda item number 9 DA 23693.

Subject:	Development Application No. 23874 - Development Application for a Reconfiguring a Lot (one lot into two lots)
File No:	DA23874
Assessment No:	02694-00000-000
Action Officer:	SP-MW

1.0 APPLICATION SUMMARY

Property details

Location: 21 Lowood Minden Road, Lowood
 Real property description: Lot 13 RP180766
 Site area: 1.216 hectares
 Current land use: House and outbuilding
 Easements/encumbrances: Nil identified

South East Queensland Regional Plan 2017

Land use category: Urban footprint

Planning scheme details

Planning scheme: Somerset Region Planning Scheme (Version 4.2)
 Zone: General residential zone
 Precinct: Park residential precinct
 Desired settlement pattern: Not applicable
 Overlays: OM3 Biodiversity overlay
 OM8 High impact activities management area overlay

Application details

Proposal: Reconfiguring a Lot – Development Permit – One lot into two lots
 Category of assessment: Code assessment
 Applicant details: John Armstrong
 C/- Grummitt Town Planning Pty Ltd

34 Evans Drive
BENOWA QLD 4217
Owner details: John and Christine Armstrong
Date application received: 3 June 2023
Date application properly made: 13 June 2023

Referrals Not required

Public notification Not required

RECOMMENDED DECISION

Approve the development application subject to the development conditions and requirements contained in the schedules and attachments of this report.

2.0 PROPOSAL

This development application seeks approval for a Development Permit for a Reconfiguring a Lot - one into two lots, on land at 21 Lowood Minden Road, Lowood, formally described as Lot 13 RP180766.

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 and Park residential precinct. The application is required because Reconfiguring a Lot is subject to code assessment.

The existing house is intended to be located on proposed Lot 1, which is a 7,551m² lot on the northern two thirds of the site. The site has a frontage of 54.628m to Lowood Minden Road.

Proposed Lot 2 contains an existing shed and has an area of 4,613m², however it only has a frontage of 33.372m to Lowood Minden Road.

The proposed plan of subdivision is provided at Attachment 1.

3.0 SITE DETAILS

3.1 Description of the land

The site is a rectangular allotment with frontage to Lowood Minden Road along the western boundary of the site. The site contains an existing house and outbuildings. The western half of the site slopes gently toward the west and the eastern part of the site slopes gently toward the northeast.

3.2 Access

Access to the site will be via individual driveways from Lowood Minden Road. An additional driveway will be required to serve proposed Lot 1.

3.4 Connection to electricity and telecommunications

The land is within the General residential zone – Park residential precinct, and as such the development conditions require the development to connect to the reticulated electricity and telecommunications networks.

4.0 PLANNING LEGISLATION

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*.

5.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

5.1 State Planning Policy 2017

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 application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was considered to comply.

5.3 Schedule 10 of the *Planning Regulation 2017*

The proposal did not require Council to assess the application against the assessment benchmarks within the Regulation. Where a referral agency undertakes an assessment against a matter in the Regulation, this is discussed in section 6.0 of this report.

The proposal:

- (a) does not impact on any regulated vegetation or koala habitat areas;
- (b) is not located within a koala priority area;
- (c) is not located in proximity to a Queensland heritage place or local heritage place;
- (d) is not known to be on a contaminated land or environmental management register;
- (e) does not involve any environmentally relevant activities.

5.4 Temporary local planning instruments

There are currently no temporary local planning instruments in effect within the Somerset Region.

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Strategic framework assessment

An assessment against the strategic framework was not required as this development application was subject to code assessment.

5.6.2 Code compliance summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal:

- (a) proposes an alternative outcome to the identified acceptable outcomes satisfying or not satisfying the corresponding performance outcomes; or
- (b) proposes an outcome where no acceptable outcome is stated in the code and the proposed outcome does not satisfy the performance outcome.

Applicable code	Compliance with overall outcomes	Performance outcomes
Reconfiguring a lot code	Yes	PO1, PO11
Services works and infrastructure code	Yes	No alternative outcomes proposed

Transport access and parking code	Yes	No alternative outcomes proposed
Applicable overlay code	Compliance with overall outcomes	Performance outcomes
Biodiversity overlay code	Yes	No alternative outcomes proposed

The assessment of the development proposal against the performance outcomes of the applicable code(s) is discussed below.

5.6.3 Performance outcome assessment

Reconfiguring a lot code

Performance outcome	Acceptable outcome
Lot size and subdivision design	
PO1 <i>Lot size and dimensions:</i> (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 <i>lot</i> size and dimensions complies with Table 8.3.4.3.B – Minimum Lot Size and Dimensions.
Proposal Whilst we acknowledge that the reconfiguring of a lot code nominates a minimum frontage dimension of 40m, it also nominates a minimum lot size of 4,000m ² . It is noted that the proposal meets the requirements of the minimum lot size but falls slightly short of the minimum frontage by just under 7m. This slight shortfall is considered immaterial and will not impact nor alter the character of this park residential precinct, which is characterized by a variety of different lot sizes and shapes. Of note is the adjoining lot immediately to the south of the proposal site, which has a frontage of 33m. Whilst this may have been approved under a superseded planning scheme, it nonetheless contributes to the make up of the character of this immediate area of Lowood Minden Road. Furthermore, the lots to the north of the subject land to the corner of Lowood Minden Road and Forest Hill Fernvale Road have frontages of approximately 22m to 36m. The proposed new lot will therefore be seen as consistent with the character of this immediate area. Having regard to PO1 of the Reconfiguring of a Lot Code, it is submitted that the proposed development meets the requirements of the performance outcome in that: <ul style="list-style-type: none"> a) The resultant lot size of both lots will be 4,613m² and 7,551m² respectively, which provides more than sufficient area for the siting and construction of buildings and structures; b) Will provide for safe vehicular and pedestrian, particularly given that the existing access will be retained to serve the new southern lot; c) The site is relatively flat and therefore, responds to the site characteristics and topography; 	

- d) The lots are consistent with the intended character of the zone in that they exceed the minimum lot size and have a frontage that is characteristic of other lots within the immediate vicinity.

In addition to the above, if a 40m frontage was applied to the southern lot, this would place the existing dwelling house on the northern lot (which is to be retained) less than 5m from the lot boundary. AO5.2 of the General Residential Zone Code requires that buildings and structures are set back a minimum of 10m from the side boundary of the site which would mean the proposal would not meet the requirements of the Zone Code. By replicating the frontage lot width of the lot immediately to the south (i.e. 33m), would increase the setback of the existing dwelling house on the northern lot and be compliant with AO5.2 of the General Residential Code and hence, compliant with Performance Outcome PO5.

For the reasons given above, it is considered that the amendment to the proposal plan of increasing the lot frontage of Lot 2 from 29m to 33m would provide an appropriate form of development, comparable to no. 15 Lowood Minden Road and be in accordance with the Reconfiguring of a Lot Code.

Performance Outcome Assessment

The applicant originally proposed a 29m wide lot and a 58.5m wide lot. While both lots had areas of 4,000m², officers were concerned about the width of the proposed vacant lot. A revised plan was submitted, widening proposed Lot 2 with a frontage length of 33.372m, increasing the size of Lot 2 to 4,613m². This width is consistent with the lot immediately south of the site.

As identified in the applicant's comments, both proposed lots exceed the 4,000m² minimum lot size. It is considered that the proposed layout is consistent with the character of the zone and the immediate locality.

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

Movement network and access

PO11

Access to existing or future public transport services is provided where practicable and reasonably necessary having regard to the location of the *site* and access to public transport.

AO11

All lots are located within 500 metres (radial distance) of an existing or potential public transport route.

Proposal

There are no bus routes on Lowood Minden Road. The planning scheme encourages subdivision of appropriate sized lots, whilst retaining its semi-rural character. This cannot often be balanced against the lack of public transport in such locations.

Performance Outcome Assessment

All lots are over 500m from a potential public transport route.

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

5.6.4 Overall outcome assessment

The proposal is considered to comply with all the relevant performance outcomes. As such, a detailed assessment of the overall outcomes was not required.

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

The development land is not located within the priority infrastructure area as shown in the Local government infrastructure plan mapping.

5.7.2 Infrastructure charges

The proposed development is for a subdivision, which adopts a charge consistent with a three or more-bedroom dwelling under the *Somerset Regional Council Charges Resolution (No. 1) 2022*. In determining the appropriate charging area, the land is located within the urban footprint of Lowood.

The draft infrastructure charges notice is attached and includes charges for the networks identified in the below sections of this report.

5.7.3 Trunk infrastructure requirements

5.7.3.1 Water and wastewater networks

The site is located within the connections area or future connections area for the water network as shown in Urban Utilities' Netserv Plan. The recommended conditions require the development to connect to this network to the satisfaction of Urban Utilities.

Infrastructure charges for the water network (where applicable) is managed by Urban Utilities separately from this development application.

5.7.3.2 Public parks and community land network

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

An adopted charge for the public parks and community land network applies.

5.7.3.3 Stormwater network

There are no known issues with the existing drainage of the site. Standard development conditions are recommended to ensure non-worsening for other properties and discharge to a lawful point of discharge.

An adopted charge for the stormwater network applies.

5.7.3.4 Transport network

The development is served by an existing street. The development does not trigger additional works. Standard conditions are recommended to ensure acceptable access arrangements and servicing of the site.

Infrastructure charges for the transport network are applicable as the land is within the urban footprint and are as shown on the attached draft notice.

6.0 REFERRAL

6.1 Referral agencies

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

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

As the application is subject to code assessment, public notification was not required.

8.0 OTHER RELEVANT MATTERS

There are no other relevant matters applicable for code assessment.

9.0 CONCLUSION

The proposed development is for Reconfiguring a Lot (one lot into two lots). The site is within the Park residential precinct of the General residential zone. The development will create a vacant lot that generally complies with the area requirements.

It is recommended that the application be approved, subject to the imposition of reasonable and relevant conditions, as outlined in the schedules and attachments.

10.0 ATTACHMENTS

1. Proposed Reconfiguration Lot 13 on RP180766, prepared by ONF Surveyors, Drawing No 11525_P1, Revision A, dated 25 July 2023
2. Draft infrastructure charges notice.

RECOMMENDATION

1. THAT Council approve Development Application No. 23874 for a Reconfiguring a Lot (one lot into two lots) on land situated at 21 Lowood Minden Road, Lowood, formally described as Lot 13 RP180766, subject to the recommended conditions and requirements contained in the schedules and 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 the *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. Proposed Reconfiguration Lot 13 on RP180766, prepared by ONF Surveyors, Drawing No 11525_P1, Revision A, dated 25 July 2023.	At all times.
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version Four), 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 endorsement of the work must be certified in writing.	Prior to request for endorsement of the Plan of Subdivision for each stage.
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 request for endorsement of the Plan of Subdivision for each stage.
1.5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources.	Prior to request for endorsement of the Plan of Subdivision for each stage.

	Currently, the amount is set at \$41 per allotment.	
1.6	Provide certification from a Licenced Surveyor that all services (e.g. water, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	Prior to request for endorsement of the Plan of Subdivision for each stage.
1.7	Remove any services made redundant as a result of the development and reinstate the land.	Prior to request for endorsement of the Plan of Subdivision for each stage.
SCHEDULE 2 – ENGINEERING <i>Assessment Manager</i>		
No	Condition	Timing
	GENERAL	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Regional Council Planning Scheme</i> .	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
	GENERAL SERVICES	
2.3	Connect the development to a reticulated water supply, electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment. <i>Note: Services are not to cross the boundary between Lot 1 and Lot 2.</i>	Prior to Council's endorsement of the Plan of Subdivision.
2.4	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Council's endorsement of the Plan of Subdivision.
	VEHICLE ACCESS	
2.5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Planning Scheme</i> .	At all times.
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Regional Council Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.

2.7	Make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of Access works.
	STORMWATER	
2.8	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.9	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
SCHEDULE 3 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> . [A copy of section 71 will be enclosed with the Decision Notice]		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the plan of subdivision is not provided to the local government within the 'currency period' – being four (4) 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.		
This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits.		
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		
All works shall be carried out in accordance with the <i>Workplace, Health & Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .		

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

Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.

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

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

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 Reconfiguration Lot 13 on RP180766, prepared by ONF Surveyors, Drawing No 11525_P1, Revision A, dated 25 July 2023

Resolution

Moved – Cr Wendt

Seconded – Cr Brieschke

"THAT

1. Council approve Development Application No. 23874 for a Reconfiguring a Lot (one lot into two lots) on land situated at 21 Lowood Minden Road, Lowood, formally described as Lot 13 RP180766, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. The officer report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

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1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version Four), 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 endorsement of the work must be certified in writing.	Prior to request for endorsement of the Plan of Subdivision for each stage.
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1.5	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$41 per allotment.	Prior to request for endorsement of the Plan of Subdivision for each stage.
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2.4	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to the applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Council's endorsement of the Plan of Subdivision.
	VEHICLE ACCESS	
2.5	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Regional Council Planning Scheme</i> .	At all times.
2.6	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Regional Council Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.7	Make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of Access works.
	STORMWATER	
2.8	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.9	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
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This development approval is for the proposed development only. Any additional uses/structures, if triggers assessable development, may require their own planning approval and will be assessed on its own merits.		

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

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

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

Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.

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

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

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

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

Vote – Unanimous

Carried

Declaration of Interest –Cr Isidro – Agenda Item 9 – Development Application No. 23693

I inform this meeting that I have a declarable conflict of interest in the following matter as defined by section 150EN of the *Local Government Act 2009*.

This declarable conflict of interest arises because people who are a related party of mine have an interest in this matter.

Particulars -

- (i) Name of related parties: William Lukritz
- (ii) The nature of my relationship with this related party is that he is my nephew.
- (iii) The nature of the related party's interest in this matter is that my nephew is employed by the applicant.

I wish to participate in the decision in relation to this matter for the following reason:

The interest is considered to be sufficiently remote so as not to unduly influence my impartiality.

I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009 whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter

Resolution	Moved – Cr Choat	Seconded – Cr Wendt
	<p>“THAT Cr Isidro is not required to leave the meeting and may remain and participate and vote on this matter by reason of the interest is considered to be sufficiently remote as to unduly influence her impartiality allowing her to exercise her vote in the public interest.”</p>	
	<p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>	

Subject:	Development Application No. 23693 - Development Application for a Development Permit for Material Change of Use for Showroom and Low Impact Industry
File No:	DA23693
Assessment No:	00487-00000-000
Action Officer:	SP—MO

1.0 APPLICATION SUMMARY

Property details

Location:	9 Peters Street, Esk
Real property description:	Lot 4 SP302981
Site area:	0.214 ha (2,140m ²)
Current land use:	Vacant land
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan 2017

Land use category:	Urban footprint
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Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	General residential zone
Precinct:	Not within a precinct
Overlays:	OM8 High impact activities management area overlay OM9 Infrastructure overlay OM13 Stock route management overlay

Application details

Proposal:	Showroom and low impact industry
Category of assessment:	Impact assessment
Applicant details:	Kenneth Frederrick Houghton C/- Steffan Town Planning PO Box 6258

Owner details: FAIRFIELD QLD 4103
Kenneth Houghton
Date application received: 18 April 2023
Date application properly made: 18 April 2023

Referrals State Assessment and Referral Agency

Public notification Required
Notification period 6 July to 27 July
Submissions received Nil received.

RECOMMENDED DECISION

Approve the development application subject to the development conditions and requirements contained in the schedules and attachments of this report.

2.0 PROPOSAL

This development application seeks approval for a development permit for material change of use for showroom and low impact industry, on land at 9 Peters Street, Esk, formally described as Lot 4 SP302981. The land adjoins the Brisbane Valley Rail Trail on its eastern boundary.

The applicant seeks to establish a new Stihl shop on the site, relocating from the current site directly opposite the subject land, on the corner of Ipswich Street (Brisbane Valley Highway) and Peters Street. The business involves both the sales of mowers and tools (a showroom) and the servicing of similar products (a low impact industry).

The land is within the General residential zone due the previous use of the property. Showroom and low impact industry are not anticipated in this zone, and accordingly the application required impact assessment.

However, land opposite on Peters Street, as well opposite the Rail Trail, is within the Industry zone, and immediately adjoining to the west is the Esk Fire Station. The streetscape is categorised by non-residential uses, with no dwelling houses or residential activities occurring. It is considered that an industry use would be consistent with the mixed business and industry nature of the streetscape.

The proposal involves the development of two warehouse style buildings, with a large awning attached to the showroom building at the rear of the site. The buildings measure 15m x 22m for the showroom, and 11m x 23m for the workshop. The showroom building has a maximum height of 5.323 metres, with the workshop building having an apex height of 4.97 metres. The buildings are intended to be constructed with a Colourbond sheeting finish.

The site provides nine onsite parking spaces, including a disability space. The planning scheme does not require the provision of bicycle parking, however space for bicycle parking has been provided on the proposal plans.

The site provides landscaping to the Peters Street frontage and initially proposed landscaping on the eastern (rail trail) boundary. As part of the information request response, the applicant decided to remove the boundary landscaping. The recommended conditions package includes a requirement to provide landscaping on the rail trail interface, as required by the planning scheme.

The application material advises that the use of the proposed Stihl shop will be limited to standard business hours between 7am to 6pm Monday to Friday, and on limited occasions between 8am to Noon on Saturdays. The recommended development conditions include standard hours from the Industrial activities code, being 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays.

Whilst the proposal does not align with the anticipated uses of the General residential zone, it is considered to appropriately respond to the circumstances of the land and represents a logical extension of the Peters Street industrial precinct.

3.0 SITE DETAILS

3.1 Site history

The lot was created from a subdivision of the adjoining Esk Fire Station during its development. As the land was controlled by the State Government, the subdivision did not require local government approval, and the lot was created without requiring connection to drinking water wastewater (sewerage), electricity, and telecommunications networks.

Given this, it is unclear whether connections to these networks can occur at a standard connection, or if a non-standard connection process with the relevant service providers will be required.

Prior to the development of, and subdivision from, the fire station, the land was used for a dwelling house and was improved with an outbuilding (since removed). The land's zoning as General residential reflects this former use of premises.

3.2 Description of the land

The site is a near-regular shaped allotment, with a curved frontage to Peters Street and angled eastern side boundary adjoining the Brisbane Valley Rail Trail. The land is generally flat and is not improved with any buildings or structures.

Land to the south and east is within the Industry zone (other than the Rail Trail which is within Community facilities zone). Land to the north and west is within the General residential zone.

3.3 Access

Access to the site will be via a new 7-metre-wide crossover to Peters Street. Peters Street has recently been improved with kerb and channel, and as such no frontage works are required.

3.4 Connection to electricity and telecommunications

The land is within the General residential zone, and as such the development conditions require the development to connect to the reticulated electricity and telecommunications networks.

4.0 PLANNING LEGISLATION

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*.

5.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

5.1 State Planning Policy 2017

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. As an impact assessment, the application has been assessed against the regional plan and the proposal is considered to be consistent with the goals and strategies of the plan.

The regional plan regulatory provisions do not apply to the development as it is within the urban footprint.

5.3 Schedule 10 of the *Planning Regulation 2017*

The proposal did not require Council to assess the application against the assessment benchmarks within the Regulation. Where a referral agency undertakes an assessment against a matter in the Regulation, this is discussed in section 6.0 of this report.

The proposal:

- (f) does not impact on any regulated vegetation or koala habitat areas;
- (g) is not located within a koala priority area;
- (h) is not located in proximity to a Queensland heritage place or local heritage place;
- (i) does not involve any environmentally relevant activities.

5.4 Temporary local planning instruments

There are currently no temporary local planning instruments in effect within the Somerset Region.

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Strategic framework assessment

The development application has been assessed against the strategic framework of the planning scheme and is considered to overall support Council's strategic intent for the region. The following represents an overview of how the proposal aligns with each of the seven themes that collectively represent the policy intent of the planning scheme.

Settlement pattern

The proposal advances the settlement pattern of the region as it provides for a well-placed mixed business and industry use adjoining the Esk industrial area, that does not compromise future residential activities from occurring on adjoining land.

The development proposal is not impacted by mapped natural hazard areas.

Natural environment

The land does not contain any matters of national, state, or local environmental significance.

Natural resources

The proposal doesn't not impact on any agricultural land, extractive resources, mining tenements or forestry resources. The land is within the water resource catchment of Lake Wivenhoe and is within the water supply buffer on Strategic framework map 6 and the higher risk catchment area on the Catchment management overlay maps.

The development will be required to manage stormwater outflows in accordance with the Somerset Region Planning Scheme, State Planning Policy, and Queensland Urban Drainage Manual.

Community identity and regional landscape character

The Esk identity map includes an Esk Identity Focus and Esk Image Management Area following the Ipswich Street main street strip, to reinforce a traditional building character for the streetscape. As the land is within proximity to Ipswich Street, it is partially within these areas as expressed on the mapping.

The site is considered suitably separated from Ipswich Street, it is considered that the design does not impact on upon the Ipswich Street streetscape identity.

Economic development

The proposed development will expand upon the Esk Industrial Area and support the growth of mixed business and industry offering within the town. This supports the planning intent for industry within the Somerset Region.

Infrastructure and services

The provision of infrastructure and services at the development site meets the desired standard of service and the standard requirements set out in the development codes and Local Government Infrastructure Plan, subject to the imposition of the recommended development conditions package.

Transport

The development aligns with the planning intent for road, public, and active transport networks, and does not interact with the aviation facilities element.

5.6.2 Code compliance summary

The assessment below identifies how the development proposal achieves the assessment benchmarks and where the development proposal:

- (a) proposes an alternative outcome to the identified acceptable outcomes satisfying or not satisfying the corresponding performance outcomes; or
- (b) proposes an outcome where no acceptable outcome is stated in the code and the proposed outcome does not satisfy the performance outcome.

Applicable code	Compliance with overall outcomes	Performance outcomes
General residential zone code	Yes	PO4
Business activities code	Yes	PO4, PO7
Industrial activities code	Yes	PO1
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO3
Applicable overlay code	Compliance with overall outcomes	Performance outcomes
Infrastructure overlay code	Yes	No alternative outcomes proposed

The assessment of the development proposal against the performance outcomes of the applicable code(s) is discussed below.

5.6.3 Performance outcome assessment

General residential zone code

Performance outcome	Acceptable outcome
Building setbacks	
PO4 Building setbacks: (a) maintain a coherent streetscape character in the zone; and (b) do not detract from the amenity enjoyed by <i>adjoining premises</i> .	AO4.3 Buildings and structures are setback a minimum 3 metres from the rear boundary of the site.
Alternative outcome assessment The proposed awning has a rear setback of two metres to façade, in lieu of the three metres provided by the acceptable outcome. The proposed rear setback adjoins currently undeveloped residential land (forming part of the former service station) that is listed on the contaminated land register. Given the shape of the allotment, it considered that any future development of that land will be developed with that boundary acting as a rear boundary. The proposed design will not result in a loss of amenity enjoyed by adjoining premises and will not result in overshadowing or diminished ventilation should that land be developed in the future. To support the reduced setback (as well as a reduction in landscaping), the recommended conditions package requires a screen fence to be provided in place of the existing chain link fence. It is recommended that the alternative outcome be accepted in this instance.	

Business activities code

Performance outcome	Acceptable outcome
Built form and materials	
PO4 The building form and finishes contribute to the established or emerging character of the zone and locality.	No acceptable outcome provided.
Alternative outcome assessment The land is within the General residential zone, and as such does not provide a built form consistent with the character of the zone. The proposal provides a built form outcome consistent with the established streetscape, particularly with respect of the development directly adjoining the site as well as the small industry complex at 15 Peters Street. However, as the land is general residential zone, it is not possible to comply with the performance outcome. An assessment of the overall outcomes is required.	
Interface with sensitive land uses or public open space	
PO7	AO7

<p>The <i>business activity</i> provides an attractive interface that enhances the visual appearance of commercial buildings that adjoin public open space and land or used or intended for <i>sensitive land uses</i>.</p>	<p>Where the <i>business activity</i> adjoins a public open space and land or used or intended for use by <i>sensitive land uses</i>, the following is provided along the common boundary:</p> <ul style="list-style-type: none"> (a) a minimum 3 metre wide landscape strip; and (b) screen fencing to a minimum height of 1.8 metres.
<p>Alternative outcome assessment</p> <p>The proposal does not incorporate a landscaping strip to the rail trail nor to the General residential zoned land to the rear of the site. It is noted that the proposal incorporates a two-metre-wide landscaping strip to the street frontage (as required by the Industrial activities code).</p> <p>The original plans provided with the application included the landscaping strip. However, the applicant removed the landscaping as part of the information request response citing that “the development site adjoins a section of the rail trail that has exceptionally low scenic value due to the industrial nature of surrounding development.” The response concluded that planting could be undertaken in the rail trail land if desired.</p> <p>Council officers maintain that the planning scheme requires the provision of landscaping along this frontage, and that the appearance of commercial buildings is to be attractive along public spaces, and that the provision of a timber paling fence does not achieve the performance outcome.</p> <p>The recommended conditions require the provision of a two-metre-wide landscaping strip and provides for the type of planting relative to the type of fencing proposed for the frontage.</p> <p>The recommended conditions also require the installation of a screen fence to the rear of the site to ensure appropriate amenity for future residential uses as intended by the planning scheme.</p> <p>It is recommended that the alternative solution not be accepted, and that the recommended development condition be applied to ensure compliance with the performance outcome.</p>	

Industrial activities code

Performance outcome	Acceptable outcome
Site layout, scale, and intensity	
<p>PO1</p> <p>The <i>development</i> incorporates a <i>site</i> layout, scale, and intensity that:</p> <ul style="list-style-type: none"> (a) provides an efficient use of the <i>site</i>; (b) enhances the streetscape and softens the visual appearance; (c) ensures that <i>sensitive land uses</i> and public open spaces are not adversely affected; and (d) does not result in overdevelopment. 	<p>AO1.6</p> <p>A minimum of 10 percent of the <i>site</i> is provided as landscaped open space.</p>
<p>Alternative outcome assessment</p> <p>The proposal plan provides approximately 5% (108m²) of the site as landscaping for the street frontage.</p>	

The recommended conditions of approval require the provision of a two-metre-wide landscaping strip adjoining the rail trail. The provision of this landscaping will increase the landscaping area to approximately 8% of the site, which appropriately advances the performance outcome.

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

Industrial activities code

Performance outcome	Acceptable outcome
Vehicle parking and servicing	
<p>PO3</p> <p>The amount of on-site car parking and service vehicle loading/ unloading is consistent with:</p> <ul style="list-style-type: none"> (a) the nature of the use; (b) the traffic generation of the use; (c) the loading/ unloading needs of the use; (d) the availability of street parking in the Centre zone; and (e) the impact of the <i>road</i> network. <p>Car parks, service vehicle access, loading and manoeuvring areas are of suitable standard for the intended use.</p>	<p>AO3.1</p> <p>The minimum number of car parking spaces complies with Table 8.3.6.3.B–Minimum car parking requirements.</p>
<p>Alternative outcome assessment</p> <p>The proposal provides for nine carparking spaces, including a disabled loading space, as well as providing an area for the loading and unloading of service vehicles. Table 8.3.6.3.B requires the provision of eight parking spaces for the low impact industry component and nine parking spaces for the showroom component, for a total of 17 spaces.</p> <p>The applicant has identified that their existing servicing and repairs operation does not require significant vehicle parking, as the servicing occurs as a drop off and collect process. In this context, the proposal is intended to provide nine spaces for the showroom component and utilise the loading bay at the rear of the site for the dropping off of products for repair and servicing.</p> <p>The performance outcome requires that the provision of parking be consistent with the nature of the use and the traffic generation anticipated. It is considered that the provision of parking appropriately reflects the uses occurring on the site and would avoid the provision of an excessive amount of car parking being provided on site.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

5.6.4 Overall outcome assessment

General residential zone code

The proposal is considered to comply with the relevant acceptable or performance outcomes, and as such, in accordance with the assessment rules under the planning scheme, an assessment of the overall outcomes is not required.

It is noted that the proposal does not align with the purpose statement of the General residential zone. However, it is considered that the alternative use of the premises can be supported through the strategic framework, as discussed earlier in this report.

Business activities code

(a) the type, scale and location of the activity reinforces the town centre network
The proposed use is a mixed business and industry activity that is located adjoining the Industry zone, and supports established business and industry activities in the streetscape. This reinforces the role of the street as an industrial enterprise area, and reinforces the role of Esk as a major rural activity centre, supporting the town centres network.
(b) the built form and layout reinforces the existing or emerging character of the locality
The building form is, however, considered consistent with the established character of the streetscape providing for business and industry activities.
(c) mixed-use residential <i>development</i> is afforded a reasonable level of amenity located above or behind non-residential uses
The proposal does not involve a mixed-use residential development.
(d) the design and layout promotes a vibrant streetscape and a safe public environment
The proposal provides landscaping and transparent fencing supporting a visible streetscape whilst ensuring site security.
(e) sites can be appropriately serviced and do not create unacceptable impacts on the <i>road</i> network
The site is appropriately serviced and no impacts on the road network are anticipated.
(f) operational impacts are appropriately managed
No operational or amenity impacts are anticipated.

Use and development codes

The proposal is considered to comply with the relevant acceptable or performance outcomes, and an assessment of the overall outcomes is not required.

5.7 Local government infrastructure plan**5.7.1 Priority infrastructure area**

The development land is located within the priority infrastructure area as shown in the Local government infrastructure plan mapping.

5.7.2 Infrastructure charges

Under *Somerset Regional Council Charges Resolution (No. 1) 2022*, showroom falls within the commercial (bulk-goods) charging category, and low impact industry falls within the other industry charging category.

The draft infrastructure charges notice is attached and identifies how the levied charge for each network has been worked out as required by the *Planning Act 2016*. The below trunk infrastructure sections identify whether an adopted charge does or does not apply.

5.7.3 Trunk infrastructure requirements**5.7.3.1 Drinking water and wastewater networks**

The site is located within the connections area or future connections area for both the drinking water and wastewater networks as shown in Urban Utilities' Netserv Plan. The recommended conditions require the development to connect to both networks to the satisfaction of Urban Utilities.

Infrastructure charges for the drinking water and wastewater networks (where applicable) are managed by Urban Utilities separately from this development application.

5.7.3.2 Stormwater network

Stormwater as a result of the development is not anticipated to result in an adverse impact on Council's trunk stormwater network infrastructure, and no additional trunk infrastructure has been identified as being necessary to deliver the development.

Standard development conditions are recommended to ensure no actionable nuisances occur and discharge to a lawful point of discharge is achieved, as required by the Queensland Urban Drainage Manual (QUDM).

An adopted charge for the stormwater network applies.

5.7.3.3 Public parks and community land network

The proposal is not considered to result in an unreasonable impact on Council's trunk public park and community land network infrastructure, and no trunk infrastructure has been identified as being required to support the development.

There is no adopted charge for the public parks and community land network applicable to the proposal.

5.7.3.4 Transport network

The proposal is not anticipated to result in an adverse impact on Council's trunk transport network infrastructure, and no additional trunk infrastructure has been identified as being required to deliver the development.

An adopted charge for the transport network applies.

6.0 REFERRAL

6.1 Referral agencies

In accordance with the *Planning Regulation 2017*, the application required referral to the State Assessment and Referral Agency (SARA) for matters relating to state-controlled roads. SARA advised that they had no requirements for the approval of the development application. SARA's referral agency response will be attached to Council's decision notice and a copy has been attached to this report for Council's reference.

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

The application was subject to impact assessment, and public notification was required. The application was publicly notified in accordance with the requirements of the *Development Assessment Rules* as follows:

- (a) public notification was served to all adjoining landowners by registered post on 5 July;
- (b) a notice was published in Lockyer and Somerset Independent newspaper on 5 July;
- (c) a notice in the prescribed form was placed on the premises on 6 July and maintained for the minimum period of 15 business days until 27 July.

Council received the notice of compliance on 1 August 2023, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

No comments or submissions were received.

8.0 OTHER RELEVANT MATTERS

8.1 Section 89 Notation

Section 89 of the *Planning Act 2016* requires that if a local government considers a development approval substantially inconsistent with its planning scheme it must notate the approval to the planning scheme. It is not considered that the proposed development is substantially inconsistent with the planning scheme, as the proposal appropriately advances the outcomes sought by the planning scheme.

9.0 CONCLUSION

The proposed development is for a new showroom and low impact industry.

The proposal has demonstrated compliance with acceptable outcomes of each of the applicable assessment benchmarks, or otherwise complied with the relevant performance outcomes.

It is recommended that the application be approved, subject to the imposition of reasonable and relevant conditions, as outlined in the schedules and attachments to this report.

10.0 ATTACHMENT

1. Proposal plans
2. State Assessment and Referral Agency response
3. Draft infrastructure charges notice

RECOMMENDATION

1. THAT Council approve Development Application No. 23693 for a Development Permit for Material Change of Use for Showroom and Low Impact Industry on land situated at 9 Peters Street, Esk, formally described as Lot 4 SP302981, subject to the recommended conditions and requirements contained in the schedules and 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 the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation, and the approved plans and documents listed below, except where amended by these development conditions.	At all times.
	Site Plan (amended in RED by Council), prepared by GVD Building Design, reference 23017KH Issue C Sheet 2, dated 06/06/2023.	
	Floor Plan, prepared by GVD Building Design, reference 23017KH Issue C Sheet 3, dated 06/06/2023.	
	Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 4, dated 06/06/2023.	
	Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 5, dated 06/06/2023.	

1.2	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.3	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	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, including any charges that are levied but not fully paid over the subject land.	Prior to the commencement of use.
1.5	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.6	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
	Hours of operation	
1.5	The showroom and low impact industry are to be operated between 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays. No operations are to occur on Sundays or public holidays.	At all times.
	Hours for loading and unloading.	
1.6	Loading and unloading is to occur between 7am to 6pm Monday to Friday and 8am to 5pm Saturdays.	At all times.
	Street numbers and building names	
1.7	Install street numbering and any building name at the road frontage of the site, to enable identification by emergency services.	Prior to the commencement of use and to be maintained.
	Unenclosed buildings	
1.8	The unenclosed area of the building must remain an open structure and is not to be enclosed by walls, windows, doors, screens or the like unless otherwise shown on the approved plans.	At all times.
	Fencing	
1.9	Provide security fencing on the front boundary. The fencing must be: (a) a maximum height of 2 metres; and (b) no less than 75 percent (75%) visually transparent.	Prior to the commencement of the use and to be maintained at all times.

1.10	Fencing provided on the Brisbane Valley Rail Trail boundary is to be either: (a) screen fencing with: (i) a minimum height of 1.8 metres; and (ii) setback 2 metres from the boundary; or (b) transparent security fencing with: (i) a maximum height of 2 metres; (ii) no less than 75 percent (75%) visually transparent; (iii) located such that landscaping has a minimum depth of 1.5 metres on one side of the fence.	Prior to the commencement of use and to be maintained.
1.11	Provide screen fencing along the northern site boundary. The fencing must be: (a) a minimum height of 1.8 metres; and (b) no less than zero percent (0%) visually transparent.	Prior to the commencement of use and to be maintained.
	Landscaping	
1.12	Provide a 2-metre-wide landscaping strip along the eastern boundary of the site (as annotated to the approved site plan). Where a screen fence is proposed, the landscaping is to be provided as a combination of shrubs and trees that: (a) acts as a screen to the fence; (b) has a maximum distance of 1 metres between plantings; and (c) is grown to and maintained at a minimum 1.5 metres in height. Where a transparent security fence is proposed, the landscaping is to be provided as a combination of trees, shrubs and ground covers that has a maximum distance of 1 metre between plantings.	Prior to the commencement of use and to be maintained.
1.13	Provide a 2-metre-wide landscaping strip along the site frontage incorporating a combination of shrubs and ground covers that: (a) enables casual surveillance; (b) has a maximum distance of 1 metres between plantings; and (c) is grown to and maintained at a height not exceeding 1.5 metres.	Prior to the commencement of use and to be maintained.
	Visual and General Amenity	
1.14	Any graffiti within the proposed development must be removed immediately.	At all times.
1.15	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to the commencement of use and to be maintained.
	Indoor and Outdoor Lighting	

1.16	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances/exits of the building/s. • Throughout car parking areas. 	Prior to commencement of the use and to be maintained at all times.
1.17	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. • Directing lighting onto the subject land and away from neighbouring properties. • Using shrouding devices to preclude light overspill onto surrounding properties where necessary. • Not operating lighting that uses sodium lights or flare plumes. 	Prior to commencement of the use and to be maintained at all times.
SCHEDULE 2 – ENGINEERING Material Change of Use <i>Assessment Manager</i>		
No.	Condition	Timing
	Works	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:</p> <ul style="list-style-type: none"> • Plans and specifications must be prepared and certified with the Operational Work application. • Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to Operational Works Compliance Assessment.

	General Services	
2.5	Connect the development to a reticulated drinking water supply, wastewater (sewer) infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.	Prior to commencement of use.
2.6	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that the development has been connected to the applicable service.	Prior to commencement of use.
	Earthworks	
2.7	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.8	The foundation design of the proposed building must be certified by a Registered Professional Engineer of Queensland (RPEQ) for the proposed location. A copy of the Certified foundation design is to be submitted to Council as part of the archiving of the Building Development Approval.	As part of the Building Application.
	Vehicle access	
2.9	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.10	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.11	Unless included within an Operational Works approval, make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of access works.
2.12	All vehicles shall enter and leave the site in a forward gear	At all times
2.13	All manoeuvring areas shall enable access for a 12.5m minimum Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works.
	Car Parking	
2.14	Provide on-site car parking for 9 vehicles, including 1 spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> .	Prior to the commencement of use and to be maintained at all times.

	All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	
2.15	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or pavers in accordance with Australian Standards.	At all times.
	Refuse storage area	
2.16	Refuse bin storage areas must be provided as provided on the approved plan and screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use.
2.17	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to commencement of use.
	Stormwater	
2.18	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.19	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.20	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.21	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.22	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
	Erosion and Sediment Control	
2.23	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. 	At all times.

	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.	
2.24	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.25	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.27	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times.
2.28	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.

3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.3	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor • Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor • Stockpile any waste on the development site. 	At all times.
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> • Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or • Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase.
3.5	The approved development shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times.
3.6	Notwithstanding any other development condition of this Development Approval, this Development Approval does not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	At all times.
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 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>).
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
Advertising devices are to accord with the requirements of Council's local laws, including by obtaining a local law approval where such approval is required.
All building work is to comply with the provisions contained in the Building Act, the Building Regulation, the Building Code of Australia, the Queensland Development Code and relevant Australian Standards.
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.
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.
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 current <i>Aboriginal Cultural Heritage Act 2003</i> should be adhered to.
The Aboriginal Cultural Heritage Act establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.
Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Attachments for the Decision Notice include:

- Site Plan (amended in RED by Council), prepared by GVD Building Design, reference 23017KH Issue C Sheet 2, dated 06/06/2023.
- Floor Plan, prepared by GVD Building Design, reference 23017KH Issue C Sheet 3, dated 06/06/2023.

- Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 4, dated 06/06/2023.
- Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 5, dated 06/06/2023.
- SARA Concurrence Agency Response

Resolution

Moved – Cr Isidro

Seconded – Cr Gaedtke

“THAT:

1. Council approve Development Application No. 23693 for a Development Permit for Material Change of Use for Showroom and Low Impact Industry on land situated at 9 Peters Street, Esk, formally described as Lot 4 SP302981, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. The officer report for this application be published to the website as Council’s Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS*Assessment Manager*

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation, and the approved plans and documents listed below, except where amended by these development conditions. Site Plan (amended in RED by Council), prepared by GVD Building Design, reference 23017KH Issue C Sheet 2, dated 06/06/2023. Floor Plan, prepared by GVD Building Design, reference 23017KH Issue C Sheet 3, dated 06/06/2023. Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 4, dated 06/06/2023. Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 5, dated 06/06/2023.	At all times.
1.2	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.3	A legible copy of this Development Approval, including the approved plans and documents bearing Council’s stamp, must be available on the subject land for inspection.	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, including any charges that are levied but not fully paid over the subject land.	Prior to the commencement of use.

1.5	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.6	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
Hours of operation		
1.5	The showroom and low impact industry are to be operated between 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays. No operations are to occur on Sundays or public holidays.	At all times.
Hours for loading and unloading.		
1.6	Loading and unloading is to occur between 7am to 6pm Monday to Friday and 8am to 5pm Saturdays.	At all times.
Street numbers and building names		
1.7	Install street numbering and any building name at the road frontage of the site, to enable identification by emergency services.	Prior to the commencement of use and to be maintained.
Unenclosed buildings		
1.8	The unenclosed area of the building must remain an open structure and is not to be enclosed by walls, windows, doors, screens or the like unless otherwise shown on the approved plans.	At all times.
Fencing		
1.9	Provide security fencing on the front boundary. The fencing must be: (a) a maximum height of 2 metres; and (b) no less than 75 percent (75%) visually transparent.	Prior to the commencement of the use and to be maintained at all times.
1.10	Fencing provided on the Brisbane Valley Rail Trail boundary is to be either: (a) screen fencing with: (i) a minimum height of 1.8 metres; and (ii) setback 2 metres from the boundary; or (b) transparent security fencing with: (i) a maximum height of 2 metres; (ii) no less than 75 percent (75%) visually transparent; (iii) located such that landscaping has a minimum depth of 1.5 metres on one side of the fence.	Prior to the commencement of use and to be maintained.
1.11	Provide screen fencing along the northern site boundary. The fencing must be: (a) a minimum height of 1.8 metres; and	Prior to the commencement of use and to be maintained.

	(b) no less than zero percent (0%) visually transparent.	
	Landscaping	
1.12	<p>Provide a 2-metre-wide landscaping strip along the eastern boundary of the site (as annotated to the approved site plan).</p> <p>Where a screen fence is proposed, the landscaping is to be provided as a combination of shrubs and trees that:</p> <ul style="list-style-type: none"> (a) acts as a screen to the fence; (b) has a maximum distance of 1 metres between plantings; and (c) is grown to and maintained at a minimum 1.5 metres in height. <p>Where a transparent security fence is proposed, the landscaping is to be provided as a combination of trees, shrubs and ground covers that has a maximum distance of 1 metre between plantings.</p>	Prior to the commencement of use and to be maintained.
1.13	<p>Provide a 2-metre-wide landscaping strip along the site frontage incorporating a combination of shrubs and ground covers that:</p> <ul style="list-style-type: none"> (a) enables casual surveillance; (b) has a maximum distance of 1 metres between plantings; and (c) is grown to and maintained at a height not exceeding 1.5 metres. 	Prior to the commencement of use and to be maintained.
	Visual and General Amenity	
1.14	Any graffiti within the proposed development must be removed immediately.	At all times.
1.15	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to the commencement of use and to be maintained.
	Indoor and Outdoor Lighting	
1.16	<p>Lighting must be provided to the following areas of the site:</p> <ul style="list-style-type: none"> • The entries and exits of the approved building. • The pathways between the parking areas and the entrances/exits of the building/s. • Throughout car parking areas. 	Prior to commencement of the use and to be maintained at all times.
1.17	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways. 	Prior to commencement of the use and to be maintained at all times.

	<ul style="list-style-type: none"> Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land. Directing lighting onto the subject land and away from neighbouring properties. Using shrouding devices to preclude light overspill onto surrounding properties where necessary. Not operating lighting that uses sodium lights or flare plumes. 	
SCHEDULE 2 – ENGINEERING Material Change of Use <i>Assessment Manager</i>		
No.	Condition	Timing
	Works	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:</p> <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to Operational Works Compliance Assessment.
	General Services	
2.5	Connect the development to a reticulated drinking water supply, wastewater (sewer) infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.	Prior to commencement of use.
2.6	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that the development has been connected to the applicable service.	Prior to commencement of use.

	Earthworks	
2.7	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.8	The foundation design of the proposed building must be certified by a Registered Professional Engineer of Queensland (RPEQ) for the proposed location. A copy of the Certified foundation design is to be submitted to Council as part of the archiving of the Building Development Approval.	As part of the Building Application.
	Vehicle access	
2.9	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.10	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.11	Unless included within an Operational Works approval, make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of access works.
2.12	All vehicles shall enter and leave the site in a forward gear	At all times
2.13	All manoeuvring areas shall enable access for a 12.5m minimum Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works.
	Car Parking	
2.14	Provide on-site car parking for 9 vehicles, including 1 spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> . All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	Prior to the commencement of use and to be maintained at all times.
2.15	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or pavers in accordance with Australian Standards.	At all times.
	Refuse storage area	

2.16	Refuse bin storage areas must be provided as provided on the approved plan and screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use.
2.17	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to commencement of use.
	Stormwater	
2.18	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.19	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.20	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.21	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.22	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
	Erosion and Sediment Control	
2.23	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • 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.
2.24	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.

2.25	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.27	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
2.28	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor 	At all times.

	<ul style="list-style-type: none"> 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. 	
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase.
3.5	The approved development shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times.
3.6	Notwithstanding any other development condition of this Development Approval, this Development Approval does not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	At all times.
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 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>).		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		

Advertising devices are to accord with the requirements of Council's local laws, including by obtaining a local law approval where such approval is required.

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

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.

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.

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 current *Aboriginal Cultural Heritage Act 2003* should be adhered to.

The Aboriginal Cultural Heritage Act establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Resolution

Moved – Cr Choat

Seconded – Cr Brieschke

“THAT the requirements of conditions are unreasonable given the applicant accepts the landscaping strip is desirable and can accommodate a landscaping concept which supports both visual amenity and the promotion of products at the premises without the overly prescriptive nature of those clauses for this situation.

THAT conditions 1.10(a)ii and (b)iii and 1.12 and 1.13 (b) and (c) be removed from the conditions.”

Carried

Vote – 4 For – 3 Against

Consistent with Section 254H of the Local Government Regulation 2012, the reasons for Council not adopting the Officer's recommendation follows:

The details of the amendment relate to provisions PO1 and AO1.6 in addition to PO7 and AO7 sub-clause (a) of the scheme.

The amendment is that within Schedule 1- General Conditions of the Development Application No. 23693, Condition 1.10 clauses (a)(ii) and (b)(iii), Condition 1.12 and Condition 1.13 clauses (b) (c) be removed. This decision is based on the following:

The requirements of Condition 1.10 clauses (a)(ii) and (b)(iii) are unreasonable in the situation of the fencing to be provided on the Brisbane Valley Rail Trail boundary in that there is a considerable distance between the designated profile of the rail trail and the stated property boundary of 8 metres. This provides a significant buffer wherein an attractive interface which enhances the appearance of the property as per provision PO7 can be accommodated including the requirements of Provision AO7 (a) of the Planning Scheme without these conditions.

The requirements of Condition 1.12 are unnecessary given they unreasonably impact on the usable land area of the site wherein a transparent security fence is not practical as it would provide visual exposure of the rear of the site from the Brisbane Valley Rail Trail boundary and in consideration of the significant existing land area which provides an effective 8 metre buffer for desired screening of this aspect of the property.

That the requirements of Condition 1.13 clauses (b) and (c) are unreasonable given the applicant accepts the landscaping strip is desirable and can accommodate a landscaping concept which supports both visual amenity and the promotion of products at the premises without the overly prescriptive nature of those clauses for this situation.

Accordingly, Council could not support the Officer's recommendation.

"THAT:

1. Council approve Development Application No. 23693 for a Development Permit for Material Change of Use for Showroom and Low Impact Industry on land situated at 9 Peters Street, Esk, formally described as Lot 4 SP302981, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. The report for this application be published to the website as Council's Statement of Reasons in accordance with s63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation, and the approved plans and documents listed below, except where amended by these development conditions. Site Plan (amended in RED by Council), prepared by GVD Building Design, reference 23017KH Issue C Sheet 2, dated 06/06/2023.	At all times.

	Floor Plan, prepared by GVD Building Design, reference 23017KH Issue C Sheet 3, dated 06/06/2023.	
	Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 4, dated 06/06/2023.	
	Elevations, prepared by GVD Building Design, reference 23017KH Issue C Sheet 5, dated 06/06/2023.	
1.2	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.3	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	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, including any charges that are levied but not fully paid over the subject land.	Prior to the commencement of use.
1.5	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.6	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
	Hours of operation	
1.5	The showroom and low impact industry are to be operated between 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays. No operations are to occur on Sundays or public holidays.	At all times.
	Hours for loading and unloading.	
1.6	Loading and unloading is to occur between 7am to 6pm Monday to Friday and 8am to 5pm Saturdays.	At all times.
	Street numbers and building names	
1.7	Install street numbering and any building name at the road frontage of the site, to enable identification by emergency services.	Prior to the commencement of use and to be maintained.
	Unenclosed buildings	
1.8	The unenclosed area of the building must remain an open structure and is not to be enclosed by walls, windows, doors, screens or the like unless otherwise shown on the approved plans.	At all times.
	Fencing	

1.9	Provide security fencing on the front boundary. The fencing must be: (a) a maximum height of 2 metres; and (b) no less than 75 percent (75%) visually transparent.	Prior to the commencement of the use and to be maintained at all times.
1.10	Fencing provided on the Brisbane Valley Rail Trail boundary is to be either: (a) screen fencing with: (i) a minimum height of 1.8 metres; and or (b) transparent security fencing with: (i) a maximum height of 2 metres; (ii) no less than 75 percent (75%) visually transparent;	Prior to the commencement of use and to be maintained.
1.11	Provide screen fencing along the northern site boundary. The fencing must be: (a) a minimum height of 1.8 metres; and (b) no less than zero percent (0%) visually transparent.	Prior to the commencement of use and to be maintained.
	Landscaping	
1.13	Provide a 2-metre-wide landscaping strip along the site frontage incorporating a combination of shrubs and ground covers that: (a) enables casual surveillance;	Prior to the commencement of use and to be maintained.
	Visual and General Amenity	
1.14	Any graffiti within the proposed development must be removed immediately.	At all times.
1.15	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to the commencement of use and to be maintained.
	Indoor and Outdoor Lighting	
1.16	Lighting must be provided to the following areas of the site: <ul style="list-style-type: none">• The entries and exits of the approved building.• The pathways between the parking areas and the entrances/exits of the building/s.• Throughout car parking areas.	Prior to commencement of the use and to be maintained at all times.
1.17	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none">• Not causing nuisance by way of light spill or glare at adjacent properties and roadways.• Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land.• Directing lighting onto the subject land and away from neighbouring properties.	Prior to commencement of the use and to be maintained at all times.

	<ul style="list-style-type: none"> Using shrouding devices to preclude light overspill onto surrounding properties where necessary. Not operating lighting that uses sodium lights or flare plumes. 	
SCHEDULE 2 – ENGINEERING Material Change of Use <i>Assessment Manager</i>		
No.	Condition	Timing
	Works	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	Prior to Operational Works Compliance Assessment.
	General Services	
2.5	Connect the development to a reticulated drinking water supply, wastewater (sewer) infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.	Prior to commencement of use.
2.6	The applicant must provide written evidence (e.g. connection certificate) from each particular service provider stating either that the development has been connected to the applicable service.	Prior to commencement of use.
	Earthworks	
2.7	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.

2.8	The foundation design of the proposed building must be certified by a Registered Professional Engineer of Queensland (RPEQ) for the proposed location. A copy of the Certified foundation design is to be submitted to Council as part of the archiving of the Building Development Approval.	As part of the Building Application.
	Vehicle access	
2.9	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.10	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.11	Unless included within an Operational Works approval, make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of access works.
2.12	All vehicles shall enter and leave the site in a forward gear	At all times
2.13	All manoeuvring areas shall enable access for a 12.5m minimum Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works.
	Car Parking	
2.14	Provide on-site car parking for 9 vehicles, including 1 spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> . All car parking and circulation areas to be provided with sealed surface, line marking, or be otherwise designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	Prior to the commencement of use and to be maintained at all times.
2.15	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or pavers in accordance with Australian Standards.	At all times.
	Refuse storage area	
2.16	Refuse bin storage areas must be provided as provided on the approved plan and screened from public view with a minimum 1.5 metre high solid fence or wall.	Prior to commencement of use.
2.17	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to commencement of use.

	Stormwater	
2.18	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.19	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.20	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.21	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.22	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
	Erosion and Sediment Control	
2.23	<p>Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • 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.
2.24	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.

2.25	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.27	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
2.28	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	All solid, semi-solid and liquid waste generated from the construction and occupation of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.2	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.3	The holder of this development approval must not: <ul style="list-style-type: none"> • Burn or bury waste generated in association with this development approval at or on the development site; nor 	At all times.

	<ul style="list-style-type: none"> 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. 	
3.4	<p>The holder of this development approval must not:</p> <ul style="list-style-type: none"> Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase.
3.5	The approved development shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times.
3.6	Notwithstanding any other development condition of this Development Approval, this Development Approval does not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	At all times.
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 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>).		
Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.		

Advertising devices are to accord with the requirements of Council's local laws, including by obtaining a local law approval where such approval is required.

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

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.

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.

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 current *Aboriginal Cultural Heritage Act 2003* should be adhered to.

The Aboriginal Cultural Heritage Act establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

Carried

Vote – 4 For – 3 Against

Subject:	Queensland Government Discussion Paper – Stronger Dogs Laws: Safer Communities
File:	Environmental Management/Reports/Environmental Health Reports
Action Officer:	ESM

Background/Summary

The Queensland Government is currently seeking feedback on a discussion paper (Attachment 1) titled: *Stronger Dogs Laws: Safer Communities* that proposes changes to the *Animal Management (Cats and Dogs) Act 2008* (the Act) to better protect the community from dangerous dogs.

The Act is the primary law used by local governments in regulating and managing dangerous dogs.

The discussion paper outlines and seeks comment on the below proposals:

- Developing and implementing a comprehensive community education campaign.
- Imposing new state-wide bans on restricted dog breeds.
- Reviewing penalties for owners of dogs that cause harm.
- Introducing a new offence that includes imprisonments as a maximum penalty for the most serious dog attacks.
- Clarifying when a destruction order must be made for a regulated dog.
- Streamlining external review processes for regulated dogs to minimise unnecessary delays experienced by Councils and relevant parties.

Consultation on the proposed discussion paper until midnight 24 August 2023 and is via survey portal or written submission.

Council officer proposed survey submission responses are provided as follows:

Survey question 1. The development and implementation of an evidence-based community education campaign for responsible ownership is a high priority as a key primary prevention strategy.

Officer comment: Agree.

Survey question 2. Do you support dog breeds that are restricted under Commonwealth legislation being banned in Queensland?

Officer comment: Yes, in principle. However, a process for the identification of these breeds would need to be developed. Ideally Councils would have access to analytical support in determining breed identification.

Survey question 3. Do you support the introduction of a new state-wide requirement for dogs to be effectively controlled in public places?

Officer comment: Yes, in principle.

Survey question 4. Do you support the review of penalties in the Act relating to attacks involving regulated dogs to better reflect community expectations?

Officer comment: Yes, in principle.

Survey question 5. Do you support the inclusion of a new offence in Queensland law including imprisonment as a maximum penalty for the most serious dog attacks?

Officer comment: Yes, in principle. It is noted that the discussion paper states, "*The proposed new offence would be a summary offence investigated and prosecuted by suitably trained persons specifically authorised by the Chief Executive of the Department of Agriculture and Fisheries and heard before a court to ensure relevant sentencing principles and options are taken into consideration.*"

Council seeks further clarification on who would be undertaking the prosecution action, the Department or Council? In addition, who would the suitably trained person be employed by, the Queensland Government or Council?

Council has concerns that the cost of running a prosecution in a criminal case under this proposal would place a significant burden on Councils. To remove any doubt, Council's position is that these types of prosecutions are best placed with the State.

Further, the triggers for the new offence would need to be clearly established in the legislation.

Survey question 6 Do you support amendments being made to the Act to make it clear when a destruction order can and must be made for a regulated dog?

Officer comment: Yes, in principle.

Survey question 7 Do you support limiting when appeals from external review decisions (QCAT) about a destruction order can be sought by owners, including placing greater responsibility on owners to offer proof otherwise?

Officer comment: Yes.

Attachments

Attachment 1 – Queensland Government Discussion Paper – Stronger Dogs Laws: Safer Communities

Recommendation

THAT Council endorse the proposed survey submission responses contained in the officer's report in response to the State Government's discussion paper titled: *Stronger Dogs Laws: Safer Communities*.

Resolution

Moved – Cr Choat

Seconded – Cr Wendt

"THAT Council endorse the proposed survey submission responses contained in the officer's report in response to the State Government's discussion paper titled: *Stronger Dogs Laws: Safer Communities*."

Carried

Vote - Unanimous

Subject:	Planning and Development Department Monthly Report – July 2023
File Ref:	Governance/Reporting/Officer Reports
Action Officer:	DPAD, ESM, SP, NRMO

Report

A summary of the Department's activities during the month of July 2023 is provided for Council's information.

Planning Development Applications

A total of nine (9) development applications were received in July 2023.

Assessment Type	June 2022	July 2022	June 2023	July 2023
Building Works assessable against the Planning Scheme	10	12	8	3
Material Change of Use	15	9	2	3
Reconfiguring a Lot	1	2	6	-
Operational Works	-	3	2	2
Combined Applications	1	-	2	1
Total	27	26	20	9

The list of applications received is provided in Appendix 1.

A total of eleven (11) development applications were decided in July 2023.

Approved/Refused	June 2022	July 2022	June 2023	July 2023
Refused - Council	-	-	1	-
Refused - Delegated Authority	-	-	-	-
Approved - Council	12	1	4	1
Approved - Delegated Authority	24	9	12	11
Total	36	10	17	12

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

Planning Compliance Matters

Non-compliant planning / land use activities under investigation in this period include but are not limited to:

- o Function Facilities
- o Animal Keeping
- o Workshops / Vehicle Sales
- o Transport Depot
- o Vegetation Clearing.

Activities located in Esk, Mount Tarampa, Toogoolawah, Wanora, Coal Creek, Winya, Glamorgan Vale, Clarendon, Fernvale, Royston, Sandy Creek, Villeneuve.

Building Development Approvals

A total of forty- five (45) building approvals were issued in the region for July 2023.

Assessment Type:

Building Works

Status	June 2022	July 2022	June 2023	July 2023
Accepted Applications	78	84	73	52
Approved - Council	10	23	6	11
Approved - Private Certifier	63	56	51	34

The list of applications approved is provided in Appendix 2.

Building Compliance Matters

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

June 2023:

Unapproved building works in Coominya, Fernvale and Harlin.

Unlawful use of buildings or structures at Coominya, Esk and Harlin.



Plumbing Compliance Permits and Inspections

A total of twenty-three (23) plumbing and drainage approvals were issued in the region for July 2023.

Assessment Type:

Plumbing Approval

Status	June 2022	July 2022	June 2023	July 2023
Approved	14	28	19	23
Info Request	14	14	1	1
Total	28	52	20	24
Plumbing Inspections	106	84	112	107

The list of applications approved is provided in Appendix 3.

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

Council's plumbing inspectors have continued working through the next phase of the Wastewater Risk Mitigation Program within Mid-Brisbane (Black Snake Creek Catchment). Twenty-one eligible properties in the Glamorgan Vale area were sent invitations to apply for an upgrade subsidy; eight of which have volunteered for an inspection, with six inspections resulting in the allocation of funding.

Two properties have had a plumbing application approved and finalised with the installation of HSTP.

Economic Development – Kilcoy Streetscape Revitalisation Project

In July 2023, Council commenced engagement on the Draft Master Plan for the *Kilcoy Streetscape Revitalisation* project.

Specific community engagement undertaken in July included:

- Promotion of Draft Master Plan draft via media / social media platforms.
- Availability of an online survey accessible via Council's 'Have Your Say' portal.
- Community engagement via a Pop-up stall consultation at Yowie Markets on 29 July 2023.

Kilcoy Streetscape Revitalisation - Draft Master Plan Snapshot July 2023



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 10 users completed the training during the month of June.

Swimming Pool Water Quality Monitoring

Swimming pool water sampling was not conducted during the month as pools in the region are not currently open. Sampling will recommence in conjunction with the swimming season which is expected to commence in the middle of September.



Mosquito Monitoring



Officers have commenced planing for the 2023-2024 mosquito surveillance program in conjunction with Queensland Health. The main aim of the annual surveillance program is to establish the level of confidence in:

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

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

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

Pest Management

The following is a report on activities in the Pest Management section.

Invasive Animal Control

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

Wild dogs

1080 baits injected:

	June 2023	July 2023
Mt Kilcoy	-	40
Kingaham	-	117
Sunday Creek	-	22
Old Yabba	-	22
Colinton	-	28
Middle Creek	-	32
Glamorgan Vale	-	15
Bryden	-	17
Jimna	11	-
Total	11	293



Dingo scalps presented:

	June 2023	July 2023
Mt Byron	-	1
Sheep station Creek	-	2
Kilcoy	7	1
Total	18	4

Feral pigs 1080 grain:

	June 2023	July 2023
	-	-
Total	-	-



Feral pig scalps presented:

	June 2023	July 2023
Sheep station Creek	-	10
Jimna	23	-
Total	23	10

Rabbits:



Officers have been working with landholders to control rabbit infestations in the following areas:
Harlin, Neurum and Hazeldean.

Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset, on ground baiting has commenced at Kirkleah camp grounds.



Fox:

Pest Management Officers are continuing to monitor den sites that have been found and fumigated. Fox breeding season there has been an increase in reports of poultry being attacked and taken.

Invasive Plant Control

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

June 2023:

- **Mother of Millions-** Coominya, Fernvale, Lowood, Neurum, Moore, Linville, Toogoolawah, Eskdale, Esk, Harlin, Buaraba, Atkinson Dam, Bryden, Dundas, Colinton, Hazeldean,
- **Giant rats tail grass** – Jimna, Gregors Creek, Colinton, Harlin, Mt Kilcoy, Esk, Coominya, Mt Tarampa
- **Fireweed-** Lowood, Wivenhoe Pocket, Fernvale, Kilcoy, Sandy Creek, Mt Kilcoy, Harlin, Glamorganvale, Esk, Coominya, Eskdale, Mt Tarampa, Clarendon, Hazeldean,
- **Lantana-** D'Aguilar Hwy West, Coominya, Tarampa, Minden, Biarra
- **Lantana Mechanical control-** D'Aguilar Hwy West, Biarra, Lowood, Minden, Esk Crowsnest Rd
- **Council managed infrastructure-** Esk landfill
- **Element 5-** D'Aguilar Hwy West, Gatton Esk Rd, Esk Hampton Rd, Brisbane Valley Hwy, Esk Kilcoy, Wivenhoe Somerset Rd
- **Element 15-** Brisbane Valley Highway
- **Lantana chemically treated** – 11,450m² / 11.45Ha
- **Herbicide applied** – 18,270.

July 2023:

- **Mother of Millions-** Neurum, Linville, Minden, Esk, Eskdale, Moore, Glamorganvale, Lowood, Fernvale, Buaraba, Toogoolawah, Tallegalla, Coominya
- **Annual Ragweed-** Toogoolawah, Sandy Creek, Neurum, Fernvale, Moore, Linville, Gregors Creek, Coominya,
- **Giant rats tail grass** – Prenzlau, Sandy Creek, Mt Kilcoy, Esk, Fernvale, Neurum, Gregors Ck, Linville, Coominya,
- **Fireweed-** Fernvale, Neurum, Kilcoy, Coal Creek, Lowood, Coominya, Minden, Prenzlau, Buaraba, Tallegalla, Tarampa, Fernvale, Glamorgan Vale
- **Groundsel-** Moore, Glamorganvale, Lowood,
- **Prickly Pear-** Moore, Linville, Neurum, Villeneuve, Winya, Esk, Monsaldale, Crossdale, Avoca Vale, Ivory Creek, Somerset
- **Leucaena-** Somerset Village, Hazeldean
- **Lantana** – Jimna, Kingaham Rd, Kimbala Rd, Cooeimbardi Rd, Neurum
- **Council managed infrastructure-** Esk landfill
- **Element 5-** Kilcoy Murgon Rd, Esk Kilcoy Rd- lantana control
- **Lantana chemically treated** – 49,000 / 4.9Ha.
- **Herbicide applied** – 30,170L.

Lantana Chemical Subsidy Program

The second round of the 2022/23 program has been expended.

Compliance under the *Biosecurity Act 2014*:

	June 2023	July 2023
Information notices	1	1
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**

- Facilitated Land for Wildlife Workshop – Fauna Forensics – 8 July 2023, Esk.

Somerset Flora and Fauna

- Ongoing engagement with Griffith University Social Marketing team to promote Koala awareness in the Somerset region, with a focus on the 2023 Somerset Free Tree Day events.
- Ongoing participation in the Esk Koala survey and rehabilitation project with partners Care4Esk, AELA and University of the Sunshine Coast, and associated coordination with the State Koala Survey Team deployment. The pest management (plants) component of this project commenced in this period, entailing Lantana and Cats Claw Creeper treatment.

Catchment Management

- Officer participation in the Council of Mayors Water and Catchment Investment Strategy consultation – 7 July 2023.
- Resilient Rivers Project Updates:
 - All Black Snake Creek Projects are now in a maintenance phase to secure establishment.
 - Submissions have been prepared for projects across the Council managed reserves of the Mid Brisbane River Catchment and submitted to the Resilient Rivers Taskforce for consideration.

**Offsets – Planting**

Delivery of Councils Capital Works Offsets:

The 23/24 Offset program elements are being negotiated, with initial delivery expected in the vicinity of Moore station on the Brisbane Valley Rail Trail in August, pending suitable climatic conditions.

Collaborations

- Council provided tree to the Somerset Region's schools in support of the National tree Day events – 28 July 2023.
- Negotiating delivery arrangements with other Council staff and contractors in respect of the Queensland Reconstruction Authority granted funding for Recreational assets, including site meeting held 25 July 2023.
- Officer participation in Environment Protection and Biodiversity Conservation Act (Federal) training – 31 July 2023.

Business Recovery Officer



Below is a summary of the Business Recovery Officer's (BRO) activities during the month of July 2023.

General

- Involvement in the Kilcoy Streetscape Revitalisation Project – Draft Master Plan consultation. Visited businesses within Kilcoy to promote round two online engagement.
- Facilitated the *Small Business and Primary Producer Hubs* held in Kilcoy and Esk (Lowood to be held in August), which was an opportunity for small business owners and farmers to meet face-to-face with Dept. Employment Small Business and Training, Queensland Rural and Industry Development Authority and the Small Business Financial Counselling Service.
- Attendance at the Agritourism Workshop presented by Southern Queensland Country Tourism.

Events

- Final preparations for the Regenerative Agriculture Forum (to be held in August)
- Planning continues for educational workshops and forums for the remainder of 2023.

Business Communications

- Continued efforts to meet and build relationships with local businesses and primary producers.

Somerset Regional Council Grant Finder – July 2023

Total registrations

5 New registrations
194 Total

Registrations are people that have registered to your portal via the signup form and are still active. Total cumulative registrations are shown above.

Total alerts

1,876 Emails sent
136 People with active alerts

Email alerts sent to people requesting specific profile of grants

Number of grants on your portal

1,294 grants worth \$68.6B Somerset Regional Council Staff

1,271 grants worth \$62.6B External/Public Users (Essentials)

Total number of grants available within your portal. The total that one person can see will vary depending on their organisation type and location.

Recommendation

THAT the Department of Planning and Development Monthly Report for July 2023 be received and the contents noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Isidro

“THAT the Department of Planning and Development Monthly Report for July 2023 be received and the contents noted.”

Carried

Vote - Unanimous

Subject: Action under section 130 of the Local Government Regulation 2012
File Ref: Rates and government valuations – rate payments – FY2024
Action Officer: DFIN

Background/Summary

It is recommended that Council use section 130 of the Local Government Regulation 2012 to potentially save administrative costs in respect of rate payments received on 4 and 5 October 2023. The due date showing on rate notices that issue on 22 August 2023 will be 3 October 2023.

The regulation says:

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

130(8) However, if the discount period is changed under subsection (7), the local government must also, by resolution, change the due date for payment to a later day that is no earlier than the new discount day.

Attachments

Nil

Recommendation

THAT Council, under subsections 130 (7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 5 October 2023.

Resolution

Moved – Cr Wendt

Seconded – Cr Brieschke

“THAT Council, under subsections 130 (7) and (8) of the Local Government Regulation 2012, change the discount date and the due date for payment for the current rating period to 5 October 2023.”

Carried

Vote - Unanimous

Subject:	Thriving Suburbs Program/ Growing Regions Program
File Ref:	Thriving Suburbs Program
Action Officer:	DFIN

Background/Summary

Council wrote to the Minister for Infrastructure, Transport, Regional Development and Local Government and the Minister for Regional Development, Local Government and Territories objecting to the exclusion of Somerset Regional Council from the Australian Government's \$600 million Growing Regions Program on 12 June 2023. A response was received on 1 August 2023 and is attached.

While the response confirms that the relevant Department has changed the guidelines to the Growing Regions Program in response to Council's submission, the revised guidelines still do not allow Somerset Regional Council (and other regional Australian councils near capital cities) to apply for funding under the Growing Regions Program.

Council officers have been liaising with representatives of the Department of Infrastructure, Transport, Regional Development and Local Government about the draft guidelines for an alternative funding option called the Thriving Suburbs Program (\$200 million total funding) and it is proposed that the projects identified in relation to Growing Regions Program of Toogoolawah Gateway Centre, Toogoolawah Pool Upgrade and Kilcoy Indoor Sports Centre upgrade stage 1 be included in Thriving Suburbs Program applications. Endorsement is sought for Council's submissions about the Thriving Suburbs Program draft guidelines.

Attachments

Letter from the Chief of Staff of the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Catherine King MP of 1 August 2023

Recommendation

THAT Council endorse Council's submissions about the Thriving Suburbs Program draft guidelines with the following objectives:

- Requesting that the maximum funding available for a single project under Thriving Suburbs be limited to \$5 million compared to \$15 million available under Growing Regions Program to ensure better opportunity for rural councils near capital cities versus urban councils given the relatively lower total funding available under Thriving Suburbs.
- Requesting that selection criteria for Thriving Suburbs Program be similar to those of Growing Regions Program to ensure better opportunity for rural councils near capital cities versus urban councils under what is nominally an urban funding program
- Requesting that no more than 50% project Federal funding be available for any applicant (other than First Nations applicants) under the Thriving Suburbs Program given the limited amount of total funding available

- Requesting a review of the geographic limits of the Growing Regions Program for future rounds of that program to address issues such as why Gold Coast City (population 732,000) has been identified as an eligible regional area while Somerset Region (population 26,000) is apparently part of the Brisbane metropolitan region.

Resolution

Moved – Cr Isidro

Seconded – Cr Brieschke

“THAT Council endorse Council’s submissions about the Thriving Suburbs Program draft guidelines with the following objectives:

- Requesting that the maximum funding available for a single project under Thriving Suburbs be limited to \$5 million compared to \$15 million available under Growing Regions Program to ensure better opportunity for rural councils near capital cities versus urban councils given the relatively lower total funding available under Thriving Suburbs.
- Requesting that selection criteria for Thriving Suburbs Program be similar to those of Growing Regions Program to ensure better opportunity for rural councils near capital cities versus urban councils under what is nominally an urban funding program.
- Requesting that no more than 50% project Federal funding be available for any applicant (other than First Nations applicants) under the Thriving Suburbs Program given the limited amount of total funding available.
- Requesting a review of the geographic limits of the Growing Regions Program for future rounds of that program to address issues such as why Gold Coast City (population 732,000) has been identified as an eligible regional area while Somerset Region (population 26,000) is apparently part of the Brisbane metropolitan region.”

Carried*Vote - Unanimous*

Subject:	Lease on lot 154 CSH2118
File Ref:	Council properties
Action Officer:	DFIN

Background/Summary

Coominya refuse and recycling centre is located on lot 154 CSH2118. This is a Council reserve.

Council has contracted with Kaine Diverse Group Pty Ltd from 1 July 2022 until 30 June 2025 to operate Coominya refuse and recycling centre under the terms of tendered contract 1244.

Kaine Diverse Group Pty Ltd separately leased part of lot 154 CSH2118 under a trustee lease effective from 8 December 2016 which terminated on 8 December 2021.

Logically, it is not possible for an entity other than Kaine Diverse Group Pty Ltd to occupy the site until 30 June 2025 given contract 1244 however Kaine Diverse Group Pty Ltd cannot occupy the land without a trustee lease.

Local Government Regulation s236 (1) (c) (iii) allows for the “disposal of an interest in land ... for the purpose of renewing the lease of land to the existing tenant of the land”.

Attachments

Nil

Recommendation

THAT the Chief Executive Officer be authorised to offer a renewed lease over the part of lot 154 CSH3118 described in the lease commencing 8 December 2016 on the same terms and conditions as that lease but with a termination date of 30 June 2025 and further that Council resolve that this represents the renewal of the lease consistent with Local Government Regulation s236 (1) (c) (iii).

Resolution	Moved – Cr Brieschke	Seconded – Cr Wendt
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“THAT the Chief Executive Officer be authorised to offer a renewed lease over the part of lot 154 CSH3118 described in the lease commencing 8 December 2016 on the same terms and conditions as that lease but with a termination date of 30 June 2025 and further that Council resolve that this represents the renewal of the lease consistent with Local Government Regulation s236 (1) (c) (iii).”

Carried

Vote - Unanimous

Subject:	Fencing of southern Boundary of Lot 2 SP17270
File Ref:	SRC - Council Properties - Operation and Maintenance
Action Officer:	DCORP

Background/Summary

At the Ordinary Council Meeting on 11 August 2021 the following decision was made:

1. *THAT Council proceed with the best value for money quotation for the replacement of boundary fencing at properties Lot 2 SP17270 (Mount Beppo) and Lot 94 CC3388 (Reinbotts Road).*
2. *THAT Council fund the replacement of the boundary fences at Lot 2 SP17270 and Lot 94 CC3388 and that applicable sections of the fence be replaced on a cost sharing basis with adjoining owners.”*

While the fencing matters associated with Lot 94 CC3388 (Reinbotts) have been resolved, the fencing of the southern boundary Lot 2 SP17270 (Mount Beppo) was not completed due to an agreement with the adjoining owner not being achieved. At that time, Council was not able to reach agreement as to the supplier, who provided the best value for money quotation for the fencing. Concern was also raised regarding surveying the boundary fence.

With the passage of time, Council Officers have now recalled quotations from suppliers, and increased the scope to include a boundary identification survey.

Three quotations have been received, with the best value-for-money offer at \$23,490 including GST.

With updated quotations and to move forward with the original intent from the decision on 11 August, Council may wish to consider authorising the Chief Executive Officer to seek an agreement with the neighbour regarding the survey and fencing costs and seek a co-contribution towards the cost of the fencing and survey, based on Council funding 50% contribution towards the best value for money offer.

Attachments

Confidential Attachment – Summary of Quotations received.

Recommendation

THAT Council authorise the Chief Executive Officer to seek an agreement with the neighbour of Lot 2 SP17270 regarding the survey and fencing costs and seek a co-contribution towards the cost of the fencing and survey, based on Council funding 50% contribution towards the best value for money offer.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council authorise the Chief Executive Officer to seek an agreement with the neighbour of Lot 2 SP17270 regarding the survey and fencing costs and seek a co-contribution towards the cost of the fencing and survey, based on Council funding 50% contribution towards the best value for money offer.”

Carried





Vote - Unanimous

Subject: Tourism and Promotions Report – July 2023
File Ref: Tourism – Promotions
Action Officer: CTM

Background/Summary

The following is the July 2023 summary of activities for Somerset Visitor Information Centres and the Tourism team members.













Visitor Statistics

	Somerset	Brisbane	Other SEQ	Rest of state	Interstate	International	Total
 Esk VIC	86	73	74	012	93	3	341
 Fernvale VIC	116	191	89	31	65	4	498
 Kilcoy VIC	235	121	208	73	309	35	981
 The Condensery	197	57	104	10	34	1	403


First

Second

Third

Esk	 Glen Rock Gallery	 Maps and Directions	 Brisbane Valley Rail Trail
Fernvale	 Maps and Directions	 Brisbane Valley Rail Trail	 Caravanning and Camping
Kilcoy	 Maps and Directions	 Outdoor Activities	 Caravanning and Camping
The Condensery	 The Condensery exhibitions	 The Condensery Building	 Culture and Heritage

Motivators

Active Volunteers 	
Esk	10
Fernvale	21
Kilcoy	8
TOTAL	37

Digital Media**Facebook**

3,946
(+47)
Reach 112,428
(+22%)

Instagram

1650 (+34)
Reach: 1,575

Website

Page Views: 7690
Visitors: 4004 new, 614 returning
Peak Time: Sunday, 9 July
Most Popular Pages: Take the Road Less Travelled – campaign, Landing, Events
Device Type: 68% Mobile, 22% Desktop, 10% Tablet

(-43%)

Glen Rock Art Gallery (Esk Visitor Information Centre)

The July exhibition at Glen Rock Gallery represents six different artists utilising numerous mediums including bitumen, oil, acrylic, pottery and metal work. All artists are a part of the Coal Creek Pottery community and are inspired by the colours and countryside of the Coal Creek area.

Visitor Information Centre Volunteer Famil

A volunteer famil took place on Thursday, 22 June and focused on the Esk and Toogoolawah areas. 25 volunteers attended a range of tourism operators including The Condensery, Hav'a'chat Café, Skydive Ramblers, the Esk Caravan Park, the Esk Grand Hotel, Brisbane Valley Roasters and the Glen Rock Gallery.

Trade Shows

A stand has been secured for the Moreton Bay Expo in February 2024. Operators will be invited to attend once more details have been finalised.

Regional Tourism Organisation

The Agritourism workshop was held in Esk on Thursday, 20 July with Southern Queensland Country Tourism. Fifteen agricultural businesses the full day event to learn how more about the tourism industry in Somerset and Southern Queensland Country and diversify their agricultural businesses.

Planning is underway for a Tourism Industry Resilience & Business Continuity Planning workshop to be held in Esk at the end of August with Southern Queensland Country Tourism.

Tourism Operator Development

The Best of Brisbane Region Experiences Support Program and Transformational Experiences Mentoring Program started on Tuesday, 11 July with all participants attending sessions at the Kilcoy Visitor Information Centre. Both groups of mentees attended a networking lunch as a way of meeting new Somerset businesses and developing relationships to collaborate within the region.

Regional Event Support and Development 2023-2024

Officers are actively working with event organisers to encourage and support the development of new and existing regional events in 2023-2024, including:

- Agritourism events
- Sporting events
- Adventure race events

Council and Experience Somerset have agreed to sponsor and provide event support to the following regional events:

- Queensland Cross Country Championships 2023, hosted by Queensland Athletics
- Legends of Beef 2024, hosted by Brisbane Valley Farm Direct
- BVRT Festival of Cycling 2023, hosted by Brisbane Valley Rail Trail Users Association

Marketing Implementation Plan

Officers are actioning the Experience Somerset Marketing Plan and associated documents, and aim to complete 50 per cent of these items by 30 June 2024.

Marketing Campaigns

Officers have run the following marketing campaigns this month:

<i>Campaign</i>	<i>Results</i>
Winter – Take the Road Less Travelled V1 Dates active: 4-31 July 2023 Targeted to: SEQ audiences aged 30-65+ Objective: Visits to campaign landing page Additional Marketing: -EDM sent to visitor database (currently 2296 contacts)	Landing page views: 2,414 Reach: 92,401 Impressions: 229,982
Winter – Take the Road Less Travelled V2 Dates active: 4-31 July 2023 (stopped on Targeted to: SEQ audiences aged 30-65+ (no interests specified) Objective: Visits to campaign landing page	Landing page views: 295 Reach: 23,608 Impressions: 33,638
The above campaigns were run simultaneously with Southern Queensland Country Tourism's winter campaign, "Country is Calling". Somerset content was featured across a four week period. Results will be available in the coming months	

Tourism and Marketing Activities

- Promotions Officer working on submission for LGAQ Time to Shine Competition.
- Promotions Officer working with SQCT on a potential promotional initiative.
- Promotions Officer working on LGAQ Conference Presentation.

Twenty-seven boxes of the Experience Somerset Visitor Guide were distributed to 11 Visitor Information Centres and one tourism operator throughout July, along with 15 boxes sent to the Let's Go Caravanning and Camping Show for distribution on the Caravanning QLD and Southern Queensland Country stands in early June.

Attachments

Nil.

Recommendations

THAT Council receive the Tourism and Promotions Report for the month of July 2023 and that the contents be noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Isidro

"THAT Council receive the Tourism and Promotions Report for the month of July 2023 and that the contents be noted."

Carried

Vote - Unanimous

Subject: Corporate and Community Services Monthly Report - July 2023
File Ref: SRC/Governance/Reporting
Action Officer: DCORP

Background/Summary

Details of the Corporate and Community Services report for the month of July 2023 are as follows:

Records

Recruitment is continuing for a Records Team Leader. The Records Team have performed admirably whilst short staffed.

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.

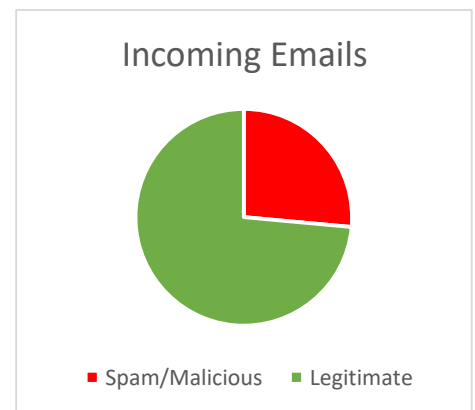
Enhancements to our cybersecurity defences and antivirus systems have been investigated and implemented, along with new vulnerability monitoring.

Upgrades to equipment and processes continue to be implemented across all sites to increase the capabilities of a distributed workforce, while returning improved functionality to a centralised building setup in Esk.

Cyber Security

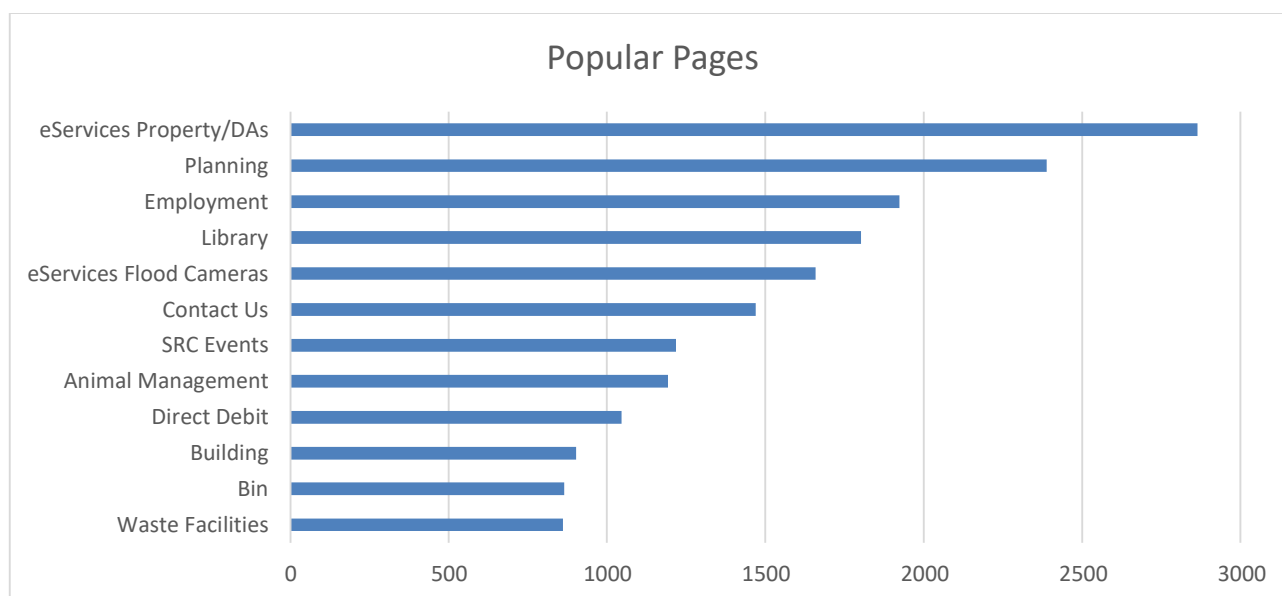
The number of incoming malicious emails remained steady with a slight decrease in total emails overall. Phishing emails continue to target Office365, file sharing services and videoconferencing utilities, with several incoming malicious emails received from compromised email accounts at vendors and other government entities including Councils.

Internet facing resources continue to be bombarded with targeted attacks, with the Australian Cyber Security Centre (ACSC) and Queensland Government Chief Information Officer (QGCI) warnings of ongoing campaigns by foreign nations and organised hacker groups targeting Australian government and business networks enduring.



Websites

The primary corporate website (someset.qld.gov.au) received 41,887 page views for the month, and eServices (eservices.someset.qld.gov.au) received 18,088.



Governance and Business Improvement

Delegations from Chief Executive Officer to Employees

The power of delegation is an element of decision making by local governments. As both Council and the Chief Executive Officer have a vast breadth of responsibilities to be undertaken, the *Local Government Act 2009* facilitates the delegation of responsibilities from both Council to the Chief Executive Officer, and from the Chief Executive Officer to other employees. This enables a local government to exercise its responsibilities in the most efficient and effective manner. A decision made pursuant to a delegation has the same force and effect as one made by the person or body that granted the delegation.

The focus of the elected Council is on setting strategy and policy, which is then implemented by the Chief Executive Officer and Council employees. Once adopted, routine decision making can be exercised by an appropriately skilled person.

We are excited to share that significant progress has been made in developing a system for the efficient review and distribution of delegations from our CEO to relevant staff. This aligns with our team values of 'Empowered workforce,' 'Positive Interaction,' and 'Excellence.' The Information Services Team will soon be preparing options for delegating CEO powers further down the organisational structure. This presents a fantastic opportunity for us to review and improve our work systems and processes, empowering our workforce to make timely decisions and take appropriate actions.

This is a complex undertaking, and progress won't happen overnight. Completing this project successfully will require collaboration across the organisation. All staff have been encouraged to email any suggestions, impediments, or points of frustration encountered in their roles, along with possible solutions. This feedback will be treated confidentially and will help create an implementable action plan.

Annual Report

In accordance with the Local Government Regulation 2012, s190(1), the Chief Executive Officer is required to assess the local government's progress towards implementing the 5 year corporate plan and annual operational plan and include this assessment in Council's annual report. Contributions are being developed by various staff across the organisation for inclusion in the draft Annual Report for the 2022-2023 period.

Community Development

Preparations are underway for a host of community events to be held in the latter part of the year. The Teddy Bear's Picnic will be held in Esk during the September school holidays, the Kilcoy Wellbeing Festival in Mental Health Week in October and the Regional Seniors Event at the Civic Centre in late October to celebrate Senior's Month.

A new initiative, to be known as the "Hub @ the Hub" will commence at the Kilcoy Community Wellness Hub on the last Wednesday of each month from August. A variety of support services will be present at the one location from 10am to 2pm. Residents are encouraged to call in and learn more. A financial resilience officer also commenced outreach at the Kilcoy hub on a fortnightly basis and it is hoped that more people will take advantage of the help these professionals can offer, due to the cost of living increases. To help promote this service and the hub in general a "mobile bub" will be held in front of the Kilcoy IGA on 14 September to celebrate RUOK Day.

Community Recovery and Resilience

The Community Recovery and Resilience Officer (CRRO) was part of a consultation process to discuss the financial resilience and recovery services on offer to the community in the Somerset region. This was a scoping exercise conducted by the Community Services Industry Alliance to help inform future initiatives which may be planned for the region as part of the Disaster Recovery Funding Arrangements.

The CRRO was part of the district Disaster Management Interagency meeting where the Community Disaster Volunteer program was discussed. Also discussed was the idea of bringing a Community Recovery exercise into the region.

Healing Garden workshops this month were delivered to the Fernvale PCYC RUBY group which included women from diverse backgrounds who have lived experience of family violence. The group was very successful and many community resources and ideas were shared through the craft making. Disaster preparedness materials were also distributed and mindfulness strategies formed an integral part of the program.

The Community Recovery and Resilience Officer and Community Development Coordinator in collaboration with the Community Services Industry Alliance (CSIA) delivered a Business Continuity Planning Workshop for Disability support providers and community groups in the Somerset region. Fourteen representatives from Somerset organisations as well as Councillor Kylie Isidro, took part in the full day of planning and preparedness. The guest speakers included officers from QFES and Somerset Regional Council.

The CRRO also facilitated a workshop for young people with a focus on keeping an active mind for overall health. This was to cover the parts of the Wheel of Wellbeing activities as part of the Lowood Talkin it up Day. On the whole, 150 young people engaged in the activity which was intended to improve focus and learning.

Youth Engagement

Results from the youth engagement strategy survey from Kilcoy, Lowood and Toogoolawah high schools have been compiled and recorded. A similar survey has been added to the Somerset Regional Council website under "Have Your Say" and a brief for consultants to develop a strategy has been prepared. Consultation will take place with council officers, Councillors and support services before consultants are appointed.

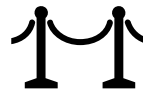
The Youth and Community Development Officer attended the Talk'in It Up event at Lowood High School on the 14 July. 171 students and 26 teachers from West Moreton attended with students from Lowood and Toogoolawah participating. The annual event is designed to raise the importance of mental health amongst youth and how to manage mental health.

The annual Somerset Skateboarding and Scooter Championship was held at Fernvale Skatepark on 1 July. The Skateboarding Best Trick Jam took place across the day. Rumble Skateboarding and Free Style Scootering Association ran the event and provided prizes and giveaways for Junior Boys and Girls and Open Men's categories. Mayor Graeme Lehmann presented trophies and congratulated all participants. A free community barbecue, facilitated by Lowood Community Action Group was provided during lunch break.

Arts and Culture



Attendance at cultural events
7675



Council events
64



Partnerships
6



Grant Funded Projects
\$89,950.45

Events

Council led events

Mayoral Gala Charity Ball

- preparations are well underway for the upcoming Mayoral Ball.

Libraries



12551 physical items circulated



6805 Visitors



53 Event and activities



83 New Members

- Libraries welcomed three new volunteers to the team who are hard at work in the local history space.
- Winter school holiday events were received well, with attendance of 268 taking part in events around the region.
- Bulk loan outreach to aged care facilities around the region continues with staff visiting Aloka, Alkira, Glenwood facilities.
- Promotion of the new QR payment option available in all libraries.

- Local history digitisation project *Rails and Tall Tales* concludes. Funded via a State Library of Queensland grant the project engaged a contractor to assess Somerset Libraries local history collection, conduct a public digitisation and oral history workshop and publish oral histories associated with workers on the Brisbane Valley Railway Line.

Somerset Civic Centre



467 Visitors



25 Events

EVENTS



\$10 940 Ticket Sales



\$2,010.91 Revenue

- A quieter month for the start of the new financial year
- 25 events in total, including 14 workshops, seven council events/workshops, three private hire events and one community event.
- The Valley of the Lakes Gardening group hosted a floral art workshop
- Highest event attendance was for the Garden Club Meeting (100)
- Total of \$10,940 in ticket sales for the month.

The Condensery



403 VISITORS



11 Public and Educational Programs



6 Exhibitions presented and



“Feedback and Engagement
“Fantastic works about rural life. Evoked many fond memories.”
“Terrific art.”
“Brilliant!”
“Wonderful.”

- In July, The Condensery exhibited *Things I want to say*, which closed on 16 July. Feedback was overwhelmingly positive:
 - “Beautiful, thank you!”
 - “Thank you. Very Interesting.”
 - “Well-done. Lovely building, history and art.”
 - “Thoroughly enjoyed.”
- The final youth engagement for *Things I want to say* was held. This Art Party was well attended with over 90 visitors.
- The Condensery was closed from 17-22 July for exhibition change-over.
- The Good*, an exhibition of work by Anna Louise Richardson toured by M&G NSW opened on 22 July. 69 people attended the opening event.

- Throughout the month, Makiko Ramsay and Jane Nicolson, local artists, have delivered workshops for *Healing Garden*. They worked with 7 schools/community groups with 248 participants.
- In development:
 - Ex tenebris lux*, exhibition by Toogoolawah artist Naomi McKenzie
 - Intimate Immensity*, exhibition by Ian Friend
 - Littoralis*, exhibition in the Bomb Shelter by Anita Holtzclaw
 - Healing Garden*, exhibition by Hiromi Tango and local artists
 - Remnants | Impressions*, exhibition in the Bomb Shelter by Louis Lim
- Programs in development:
 - Artist-in-residence and mentorship with Kellie O'Dempsey
 - The Collage Collision, collage workshops by Kellie O'Dempsey
 - Performance Drawing by Kellie O'Dempsey
 - Storytime, a First 5 Forever creative playgroup
 - Additional Healing Garden workshops at The Condensery and SRC Libraries

Attachments

Nil

Recommendation

THAT Council receive the Corporate and Community Services monthly report for July 2023 and the contents be noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Gaedtke

“THAT Council receive the Corporate and Community Services monthly report for July 2023 and the contents be noted.”

Carried

Vote - Unanimous

Subject:	Relocation of Kohn's Highway Sign on Cooeimbardi Road, Cooeimbardi
File Ref:	Roads – maintenance - sign
Action Officer:	ESM (Gary Love)

Background/Summary

Council Officers received a request for the replacement of the original and faded Kohn's Highway Sign on Cooeimbardi Road, Cooeimbardi.

This Kohn's Highway sign was installed for the opening of Cooeimbardi Road which was opened by Cr HC Kohn on 6 October 1961 and has since become a landmark in local history along this section of road.

Upon receiving this request Council Officers reviewed the current Manual of Uniform Traffic Control Devices (MUTCD) and Australian Standards and noted that the existing sign did not conform to current technical standards. Although it does not meet current standards Council Officers did not want to remove this sign given the local history, associated to it.

Council Officers have reviewed the opportunity to allow this sign to be viewed and visited by the local community and in doing so noted that its current location did not provide a safe area for the community to pull over and view. Two other areas along Cooeimbardi Road were considered for the relocation of the sign to allow for the safe pull over of vehicles for visitor to view the sign.

Proposed location number 1 is approximately 650m to the south of the existing sign location in a section of Cooeimbardi Road, adjacent to un-named road 3148. This area has a widened road reserve in which a pull off area could be constructed. This section of road is gravel and is located near existing culvert structure. Existing trees and vegetation would have to be removed for the purpose of the road widening pull over area.

Proposed location number 2 is approximately 3650m to the south of the existing sign location at the intersection of Cooeimbardi Road and Esk Kilcoy Road. This area already has a large pull off area, within the road reserve, due to the location of O'Sheas Crossing recreation area. This section of road is sealed and with the recreational area adjacent already has areas to pull over and park safely. No trees and vegetation would have to be removed for the purpose of providing a pull over area.

Both proposed locations would provide room to relocate the sign and provide a local history plaque. An advance tourist sign may be required to direct to the public to proposed location number 1 but this tourist sign may not be required for location number 2 given the proximity to the intersection of Esk Kilcoy Road and the recreation area.

Attachments

Attachment 1 - Kohns Highway Sign Relocation Plan.pdf
Attachment 2 - Kohns Highway Sign Location.pdf
Attachment 3 - Kohns Highway Sign.pdf

Recommendation

THAT Council approves the relocation of the Kohns Highway sign to proposed location near the intersection with Esk Kilcoy Road (location 2) and a tourist plaque be provided in this location.

Resolution

Moved – Cr Brieschke

Seconded – Cr Isidro

“THAT Council approves the relocation of the Kohns Highway sign to proposed location near the intersection with Esk Kilcoy Road (location 2) and a tourist plaque be provided in this location.”

Carried

Vote - Unanimous

Subject:	Chemclear Collection – October-November 2023
File Ref:	Waste management / campaigns / environmental
Action Officer:	CSSA

Background/Summary

Notification has been received from drumMUSTER advising that the Queensland Chem Clear run will be happening in October and November this year. The deadline for registration is 31 August 2023.

This program allows residents to dispose of any unwanted or obsolete agvet chemicals in one easy collection. Group 1 chemicals are collected free of charge and Group 2 chemicals may incur a fee for the service.

Eligible group 1 chemicals are –

- Eligible drumMUSTER products
- With readable labels
- Still in original containers
- Not mixed with other products
- Within 2 years of expiry or deregistration

Eligible group 2 chemicals are those that have expired and are not part of the drumMUSTER program.

To be part of this program to dispose of chemicals, residents must register their chemicals with Chemclear online, www.chemclear.org.au/register-your-chemical or telephoning 1800 008 182 by 31 August 2023. Due to the relatively short period to register Council Officers commenced promotion of this program upon receipt of the notification from drumMUSTER.

Attachments

Chemclear flyer

Recommendation

THAT Council endorse the actions of Officers in promoting the upcoming Chemclear collection on Council's facebook page and website.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Choat

“THAT Council endorse the actions of Officers in promoting the upcoming Chemclear collection on Council's facebook page and website.”

Carried

Vote - Unanimous

Subject:	Operations Report for July 2023
File Ref:	Governance – Reporting – Officer Reports
Action Officer:	CSSA

Background/Summary

Engineering Services Team (Gary Love)

The Engineering Services Design Team continues design delivery for the 2023-2024 budget design program, with designs being readied for issue or finalised for the following Capital Works projects:

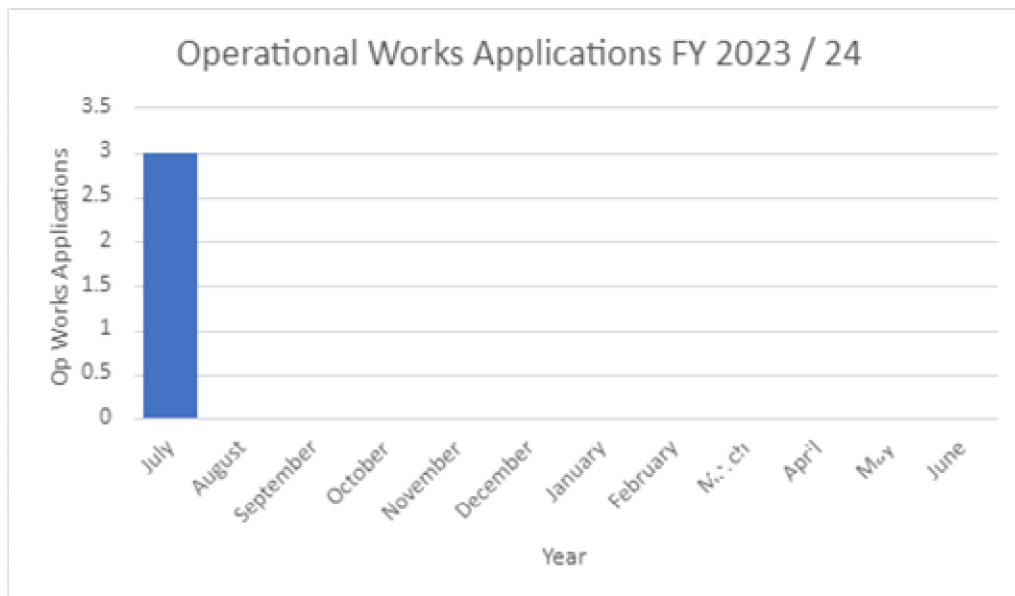
- East Street/Mary Street footpath, Esk
- Lowood State School footpaths, Lowood
- Gunyah Street, Toogoolawah
- Prenzlau Road, Prenzlau

- Ivory Creek Road, Toogoolawah
- King Street, Somerset Dam
- Schroeder Lane, Fernvale
- Pipeliner Park stormwater improvements, Esk

The team has continued to provide engineering support to the works department on several projects such as:

- Murrumba Road culverts
- Royston Street/Stanton Street, Kilcoy
- Esk Crow Nest Road Stage 2
- East Street/Mary Street footpath

The Engineering Services Team provided engineering development advice to the planning department and assessment and applicant response to Operational Work applications. Last financial year saw 33 operational works applications which almost doubled the previous best number of 17 in financial years 2013/2014 and 2020/2021. July has started the 2023/2024 financial year in the continued trend with three new operational works applications being received:

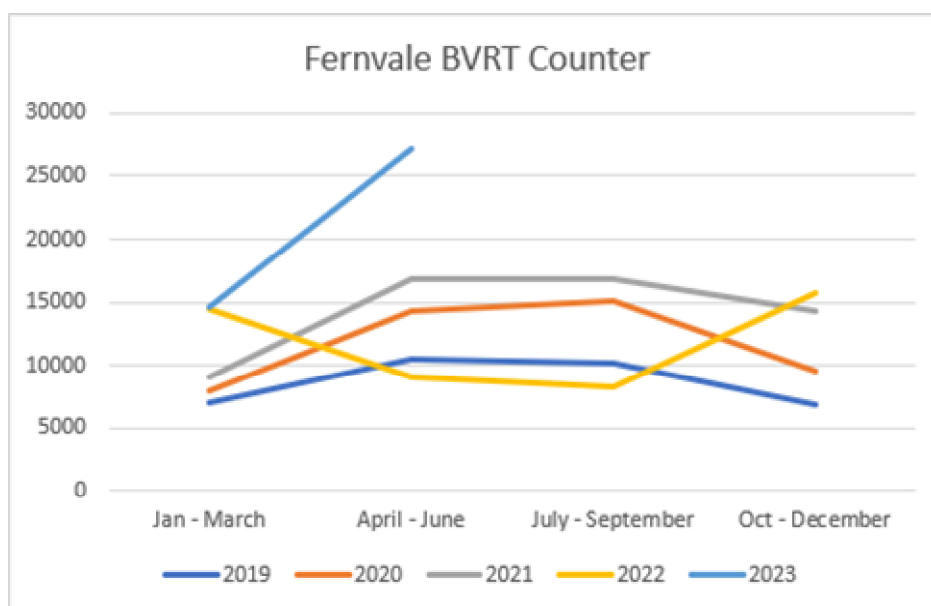
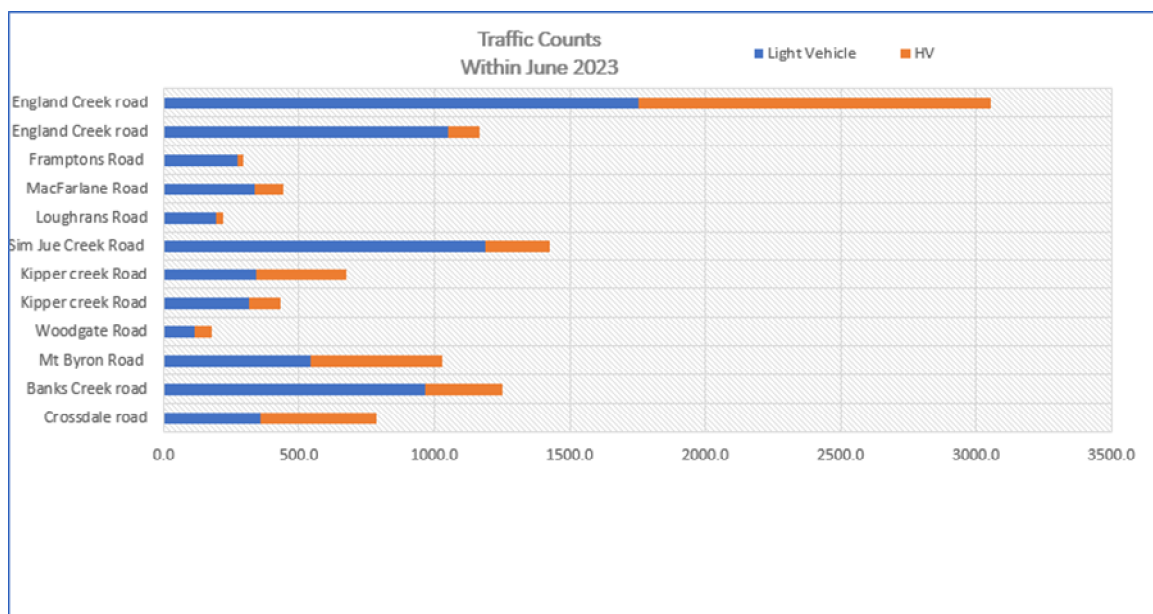


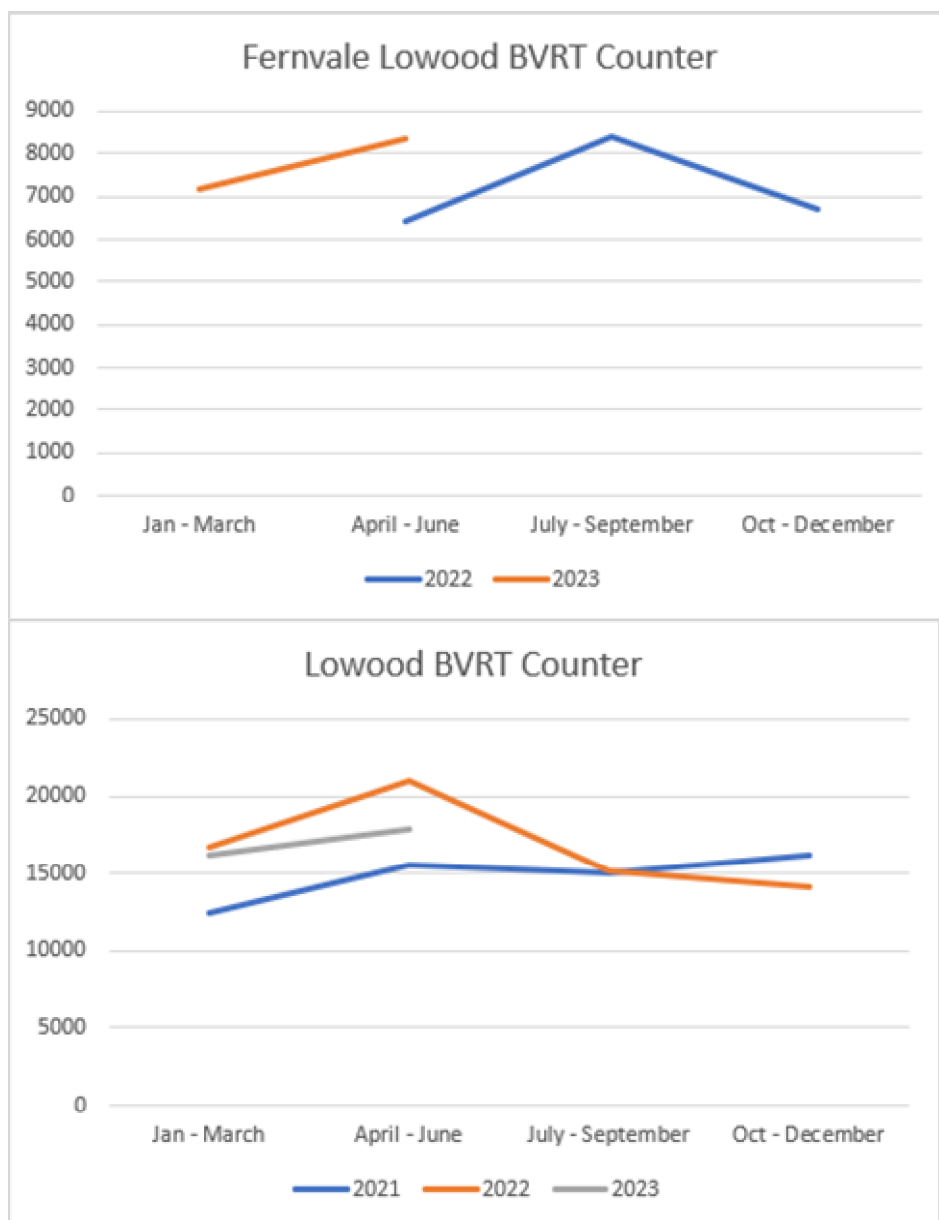
The Engineering Services Parks and Facilities Team continues to oversee operations in the parks and facilities areas, with new contracts being released for Town Stewards and Mowing in our regional towns, cemetery mowing and a new cleaning contract being awarded. The facilities team are reviewing the maintenance contracts for the air conditioning systems throughout all our facilities and are reviewing, isolating and testing suspected asbestos with an outcome to remove or protect.

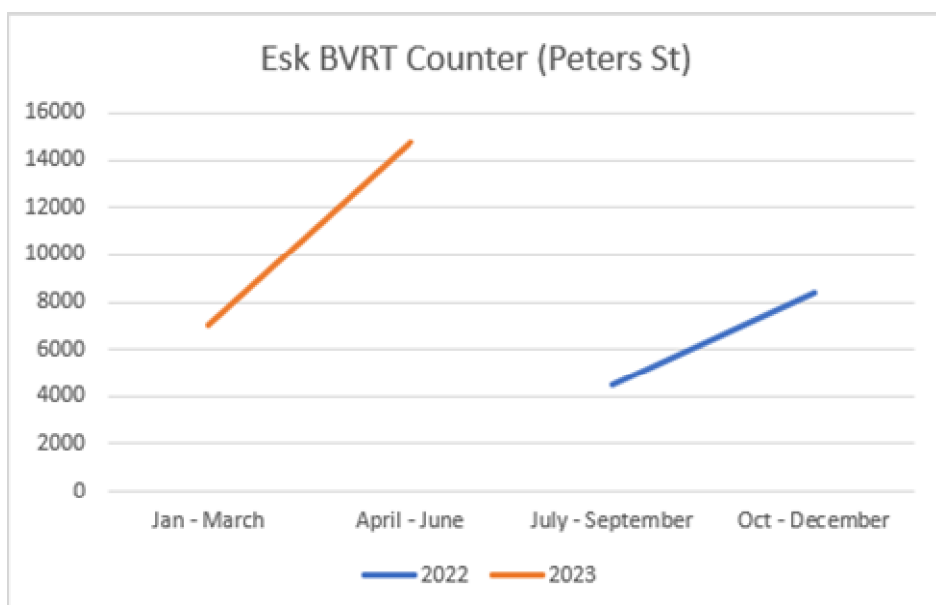
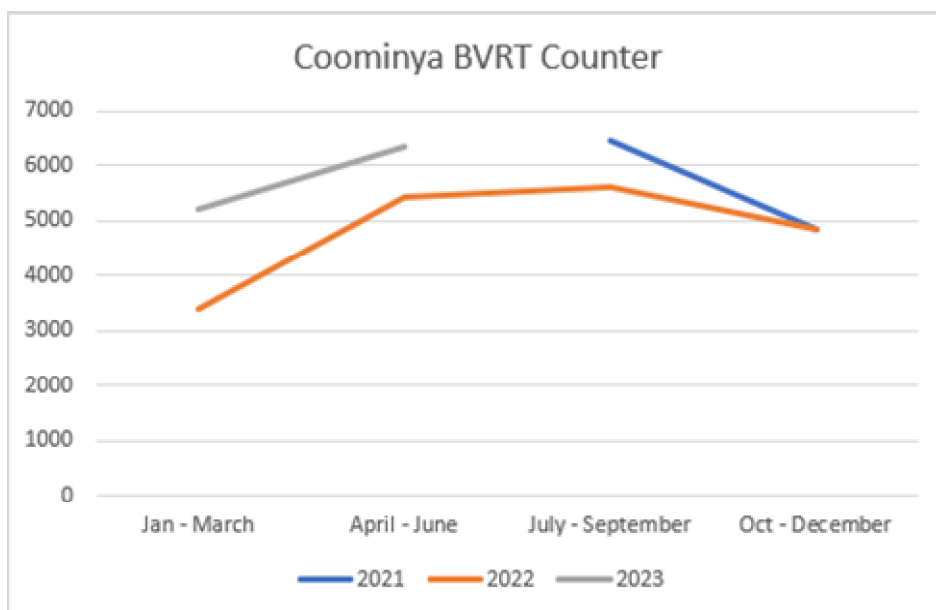
The Engineering Services Team continue to set out traffic counters within the region, and provide continual assessment of Council infrastructure to ensure our information remains current within our asset and GIS systems, with all parks infrastructure captured and all floodways' along our local roads of regional significance (LRRS) network being assessed for appropriate signage requirements as well as overseeing works within road reserve applications, property access applications and heavy vehicle permits.

Jul-23 Jul-22

Land Access Permit	8	40
Property Access Applications	24	28
National Heavy Vehicle Regulator Permits Processed	9	13







Works Team

Projects underway:

- Prospect and William Street, Lowood - stormwater installation – final stage on hold pending supply of concrete pipes.
- Esk Crows Nest Road, Eskdale - Stage 1 – 90% complete – awaiting final seal.
- Glamorganvale Road, Wanora – Road widening – 90% complete – awaiting final seal.
- Waverley and Sheppards Road, Lake Manchester – Two-coat bitumen seal - 90% complete – awaiting final seal.
- Murrumba Road culverts – replace existing corrugated structures with RCBC and RCB's
- Royston Street, Kilcoy, between Mary and Rose Streets – replace footpaths, kerb & channel sections – progressing well. Rehabilitation of pavement commenced.
- Stanton Street, Kilcoy – intersection works with Royston Street; kerb & channel.
- Kilcoy Landfill – rehabilitation of landfill.

- Urgent repairs to Hine Road Bridge. During a programmed structural inspection damage from the 2022 floods was noted and a 3 tonne load limit restriction was required to preserve the structure. Note SEQ Water have closed the Billies Bay and Hays Landing reserves until the repairs have been completed.

Ongoing projects:

- Mowing and slashing works on Council and DTMR
- Crews continue to complete CSR's
- Maintenance to flood affected roads continues throughout the region.
- General maintenance of Council's civil infrastructure

Workshop – Mechanical

- Completed repairs, services, and scheduled maintenance of Council fleet.
- During our routine quarterly trailer inspections tandem trailer 746 which is used by Parks and Gardens was found to have excessive rust in the floor supports and draw bar sub frame. The trailer was stripped and new sub frame, draw bar and floor fitted, the trailer is back in service.
- All six SES vehicles have had their six-monthly service.
- Half yearly service of Floating Plant Group 3 has commenced.

Workshop – Fabrication

- Welding bay has been carrying out various repairs to Council fleet as well as repairs to other various council assets around the region, such as handrail, park furniture, etc.
- Fab a standpipe frame for the spray crews at Kilcoy Depot which is part of the Kilcoy Depot upgrade.
- Cut and shape approximately 180 ligatures for Bridge Crew job.
- Cut approximately 200 pieces of railway iron 2.5 metres long for bollards around river crossing in the Southern end of the Shire.
- Carry out electrical test and tag on Council portable equipment.

Department of Transport and Main Roads (TMR) Works

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

- Repairing potholes and sealing of patches and pavement repairs over the TMR network.
- Ongoing signage and guidepost repairs continue throughout the TMR network.

Flood Repair Works underway - carried out by Contractors

- Browns Contracting – Brightview Mt Tarampa region; Glamorgan Vale & Marburg region; Lowood & Minden regions; Mount Stanley Region; Harlin & Moore region.
- A & M Civil – Coominya region; Fernvale Region; Esk region.
- CPM Contractors – East Wivenhoe Region.

Flood Repair Works underway - carried out by SRC

- North Crew – Toogoolawah region

Other Works carried out by Contractors

- Ertech Contractors is continuing with the reconstruction of Lowood Minden Road between Litzows Road and Lukritz Road – approximately 60% complete.

Weather Outlook

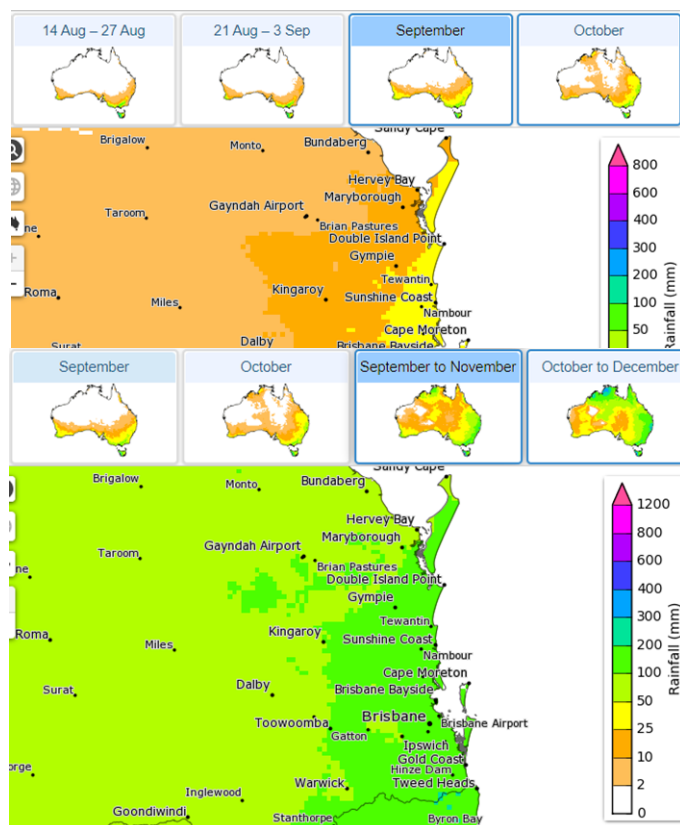
For September, below median rainfall is likely (60% to 80% chance) for much of eastern Australia.

For September to November, below median rainfall is likely (60% to greater than 80% chance) for most of Australia, which includes the Somerset region.

Bushfire will remain a risk for the Somerset region over the coming season due to drier conditions forecasted and an increase of fuel loads following the 2022 rain events.

For September to November, above median maximum temperatures are very likely (greater than 80% chance) for almost all of Australia.

Outlook for September (these are the most likely totals – i.e. 75% chance)

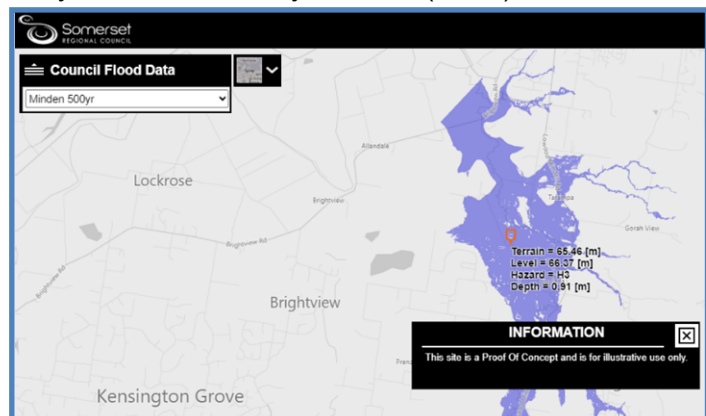
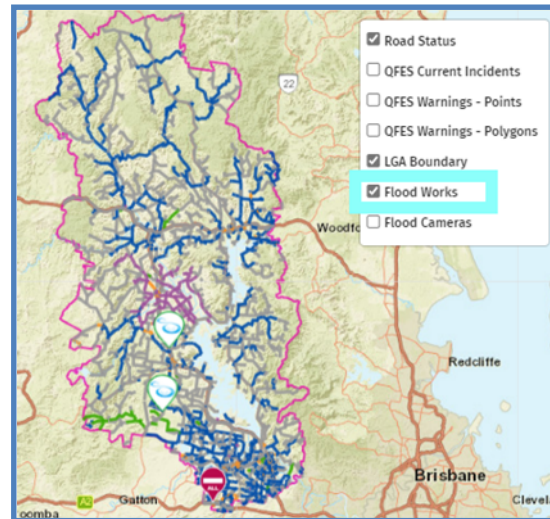


Outlook for September to November (these are the most likely totals – i.e. 75% chance)

Disaster Management

The following activities were conducted in July 2023

- Map showing flood restoration approvals has been developed and will go live in August.
- Disaster Dashboard has been upgraded and will go live in August.
- Application submitted as part of the Emergency Response Fund (QRA) to repair the irrigation system at the Kilcoy District Rugby League fields that was damaged in the floods of 2022.
- Working with Allison Cuskelly, we are developing an all-hazards preparedness booklet that will be made available to new residents coming to the region. Copies will also be made available to existing residents, along with an option to download a copy from our website.
- Council is assisting QFES with its Bushfire Safety Campaign by promoting on our social media channels.
- Attended a series of information sessions and workshops for a proposed new Flood Forecasting and Warning System being investigated by the Bureau of Meteorology.
- Council helped facilitate a Business Continuity Planning workshop for those in the disability and vulnerable sectors at the Esk Civic Centre in July. The workshop was developed and run by the Community Services Industry Alliance (CSIA).
- Explored proof of concept to expand WaterRide/Flood Certificates system to provide additional information to staff and the community.
- EAP notices Lake Manchester
- Attended information sessions conducted by QRA on Queensland's flood warning infrastructure. These sessions were conducted to assist in providing funding opportunities in the future to install flood warning products throughout Queensland.
- Batteries for Council's flood warning sirens were upgraded to the more resilient and longer lasting lithium batteries.
- Meeting held between QPS, Ipswich City and Somerset Regional Council's to discuss Emergency Alerts and their use during disasters.
- Council's Local Disaster Coordination Centre (LDCC) has returned to Esk. During the recent roof repairs and refurbishment of the Esk administration building, Council's LDCC was in Fernvale.



Hazard Specific Preparedness - Bushfire

- At the request of the Biarra Rural Fire Brigade, Council has engaged contractors to maintain the firebreak originally installed along Breens Lane to assist in protecting the township of Esk in the event of a large uncontrolled bushfire. The original break was created in 2021.



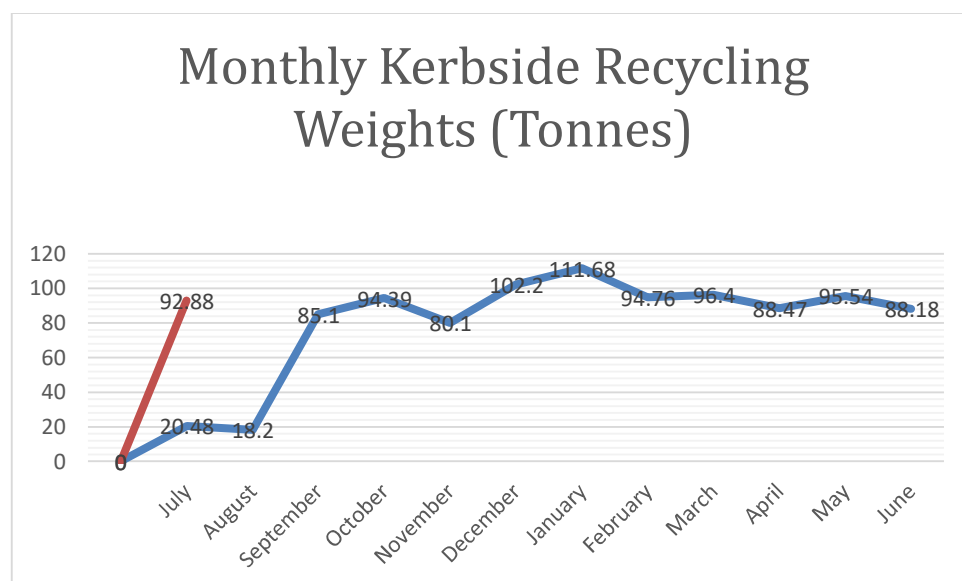
- Bushfire Risk Mitigation Plans have been received by the LDMG.
- Council is looking to work with QFES and HQ Plantations to perform hazard reduction in the township of Jimna over the next few months.
- A planned burn was conducted by SEQWater on an area around Lake Somerset on the 8 August, 2023. The SEQWater team consisted of 4 fire unit crews and 9 Fire Trained Central Region Ranger Staff.

Waste Management

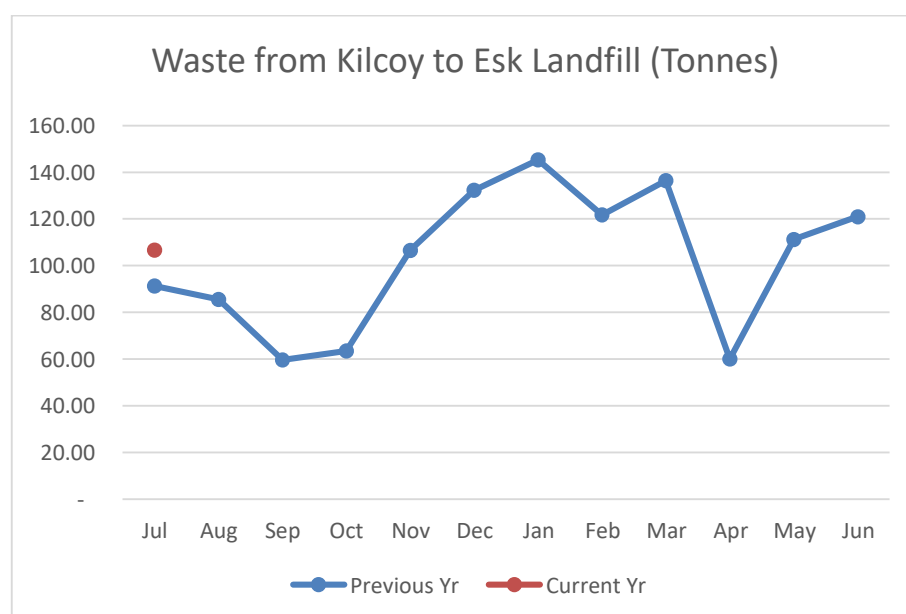
Kerbside Collection Contract – Ipswich Waste

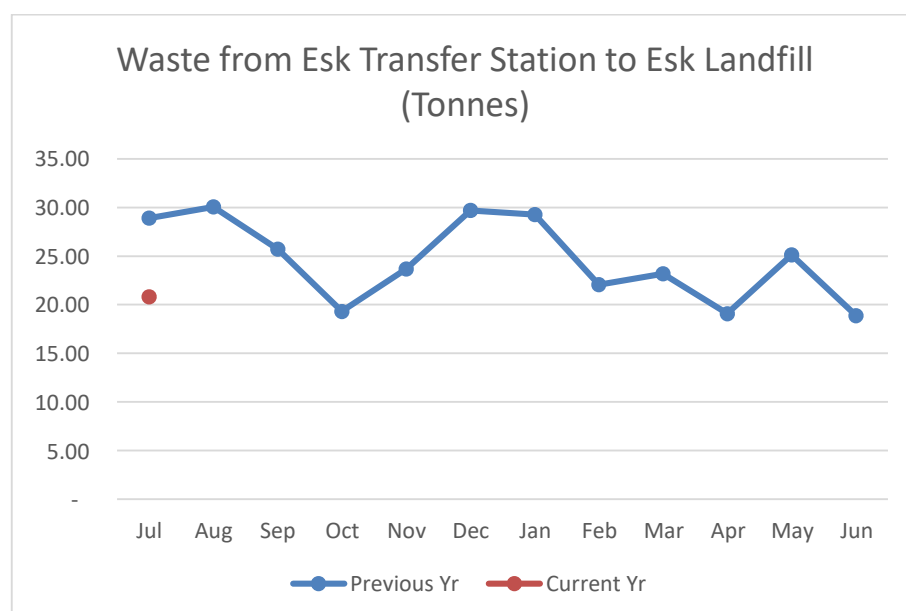
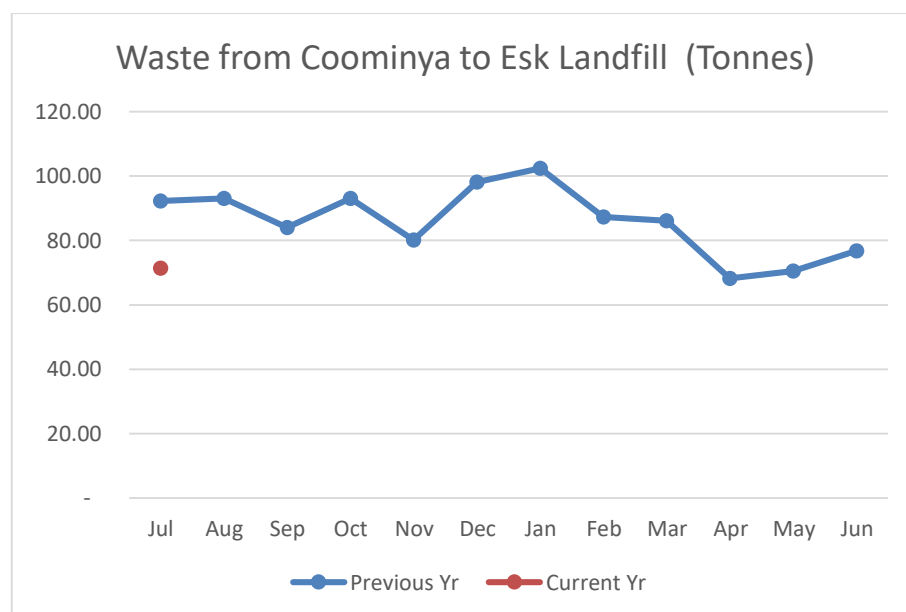
During the month of July 2023, there were 56,001 kerbside services performed –

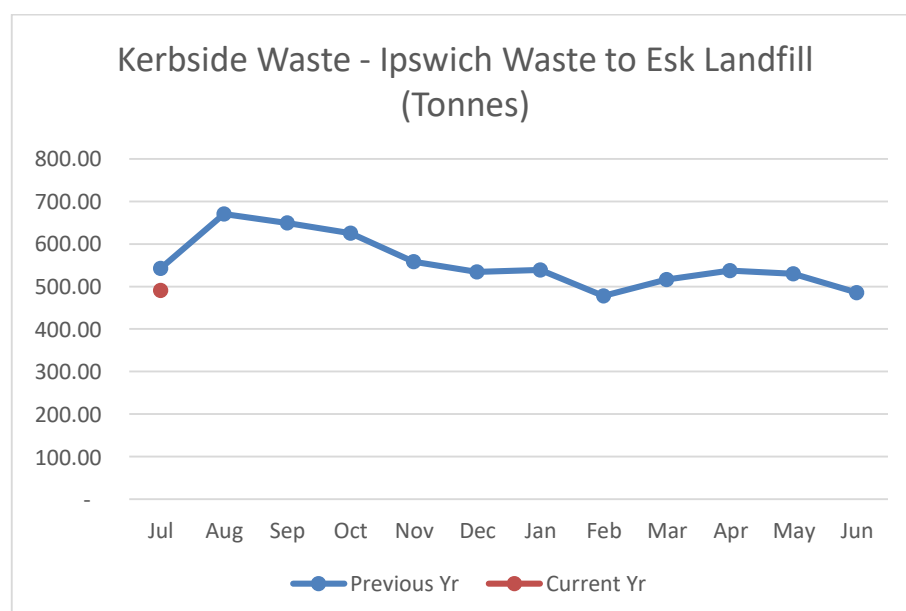
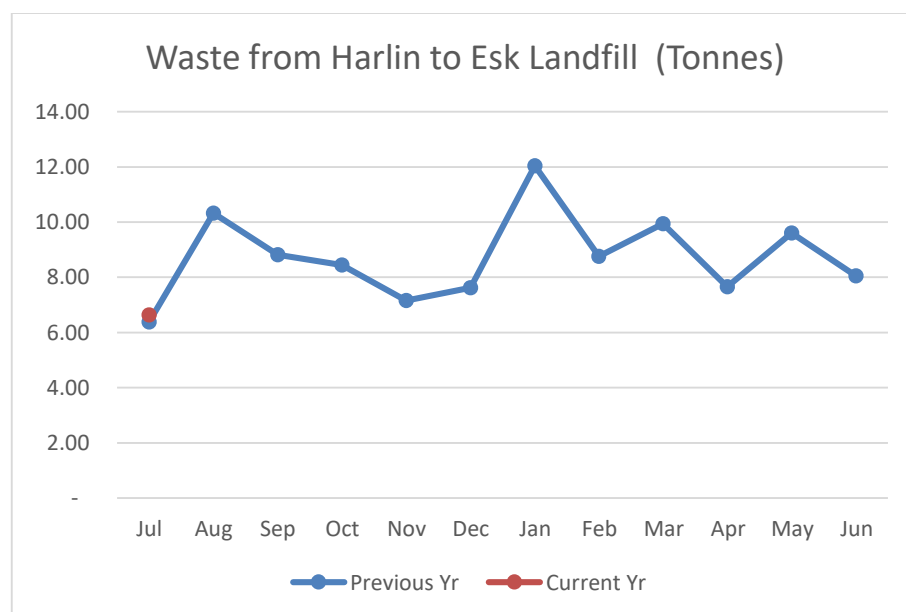
- General waste services – 42,092 with 86% presentation rate
- Recycling services – 13,909 with 63% presentation rate

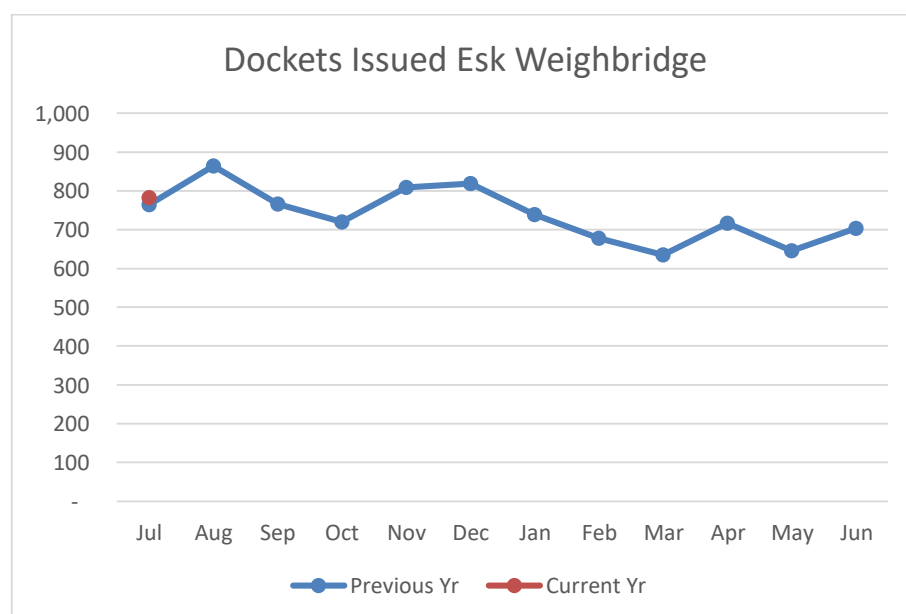
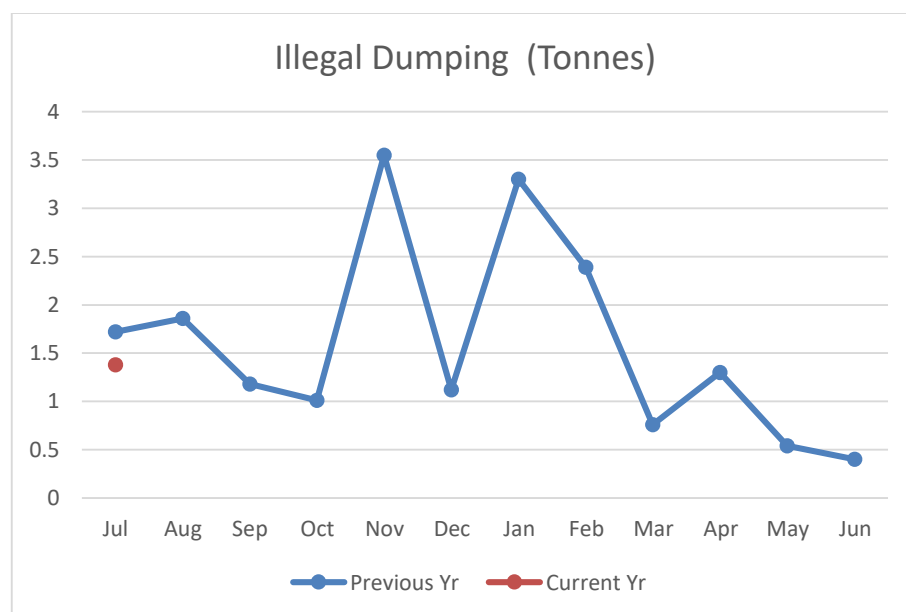


Waste received at Esk Landfill







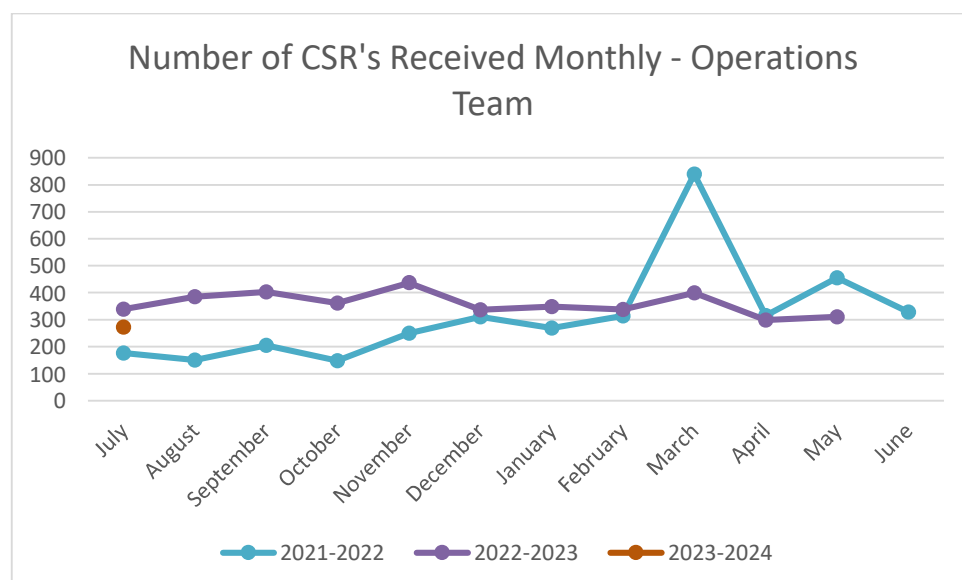
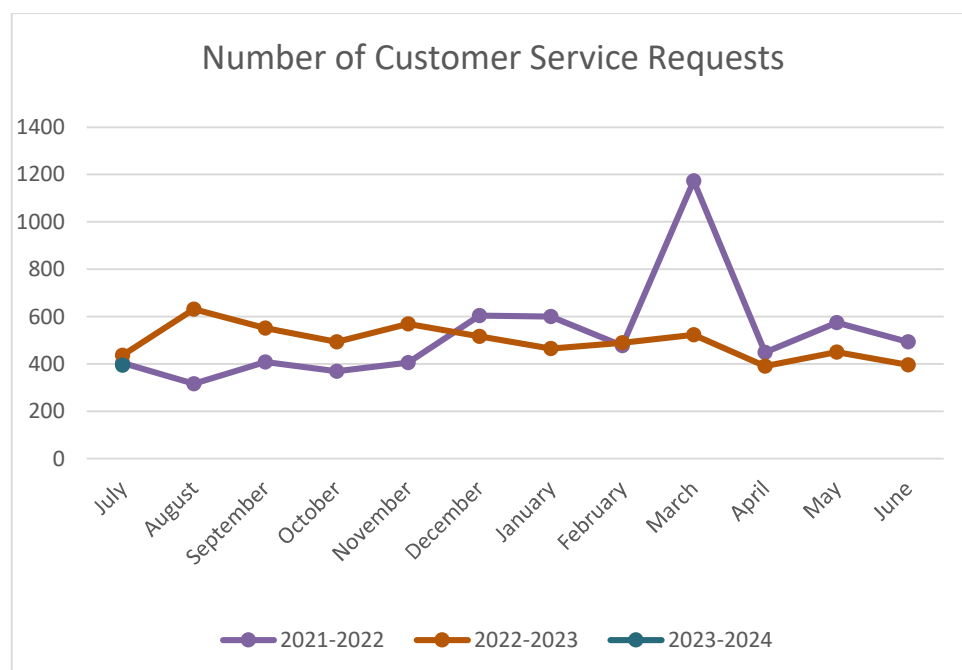


Approved Park/Community Events

Esk Markets – Esk Pipeliner Park – every Saturday

Customer Service Requests

Council received 395 customer service requests for the month of July 2023 on Council's corporate customer service system. A copy of the report is attached for your information.



	Jul-23
Cemeteries	1
Disaster Management	0
Departmental reviews	0
Fences on roadways	0
Illegal dumping clean ups	20
Overgrown Council land	2
Parks including mowing, cleaning/maintenance park equipment including public toilets, tables and chairs, shade shelters etc.	3

Roads - bitumen	25
Roads - gravel	18
Roads - drainage	8
Roads - culverts	3
Roads - vegetation	19
Roads - footpaths	3
Roads - linemarking	1
Roads - bridgework	0
Roads - traffic furniture	16
Rural Property Number	1
Stormwater issues within private properties	1
Waste management	
Wheelie bins	0
Cancellation of extra services	0
Damaged lids and wheels	11
Replacement Split Bins	29
New Services	21
Extra services	4
Stolen/Non Delivery of New Bins	5
Missed services	8
Contractor requests/complaints	3
Facilities	0
Air conditioning	2
Carpentry, painting, tiling & flooring	11
Electrical	5
Equipment, furniture & fixtures	10
Grounds maintenance	1
Pest Control	2
Plumbing	23
Roofing and guttering	2
Security, locks & CCTV	2
Signage	0
Vandalism	7
Cleaning	5
	272

Attachments

Customer service report for July 2023 – attachment 1

Recommendation

THAT Council receive the Operations Report for July 2023 and the contents noted.

Resolution

Moved – Cr Isidro

Seconded – Cr Brieschke

“THAT Council receive the Operations Report for July 2023 and the contents noted.”

Carried

Vote - Unanimous

Subject: Community Assistance Grants – Summary of Excellence Bursary Applications Awarded for June/July 2023
File Ref: Community Relations – Sponsorships – Somerset Excellence Bursaries
Action Officer: CEO / DHRCS

Background/Summary

Somerset excellence bursaries are not community grants as defined by the Local Government Regulation notwithstanding that they are to be funded from the same budget allocation as community assistance grants. As per policy, Excellence Bursaries are considered and approved at Officer level as delegated and reported to Council's Ordinary meeting monthly.

Somerset Excellence Bursary applications are considered as part of the Community Assistance Grant Policy which Council provides:

- Regional Level selection \$250
- State Level selection \$500
- National Level selection \$750
- Selection for an event hosted internationally \$1,000
- Team application (Regional, State or National) Up to \$2,000 per team/group of 4 or more individuals.

Council received two (2) excellence bursary applications in June and seven (7) excellence bursary applications for July 2023 including two team applications. Somerset Excellence Bursary applications awarded for the month of June/July as detailed below:

Applicant	Bursary Recipient	Doc Id	Field	Level	Event
Ross Jardine	Benjamin Jardine	1524401	AFL (June)	Regional \$250	Benjamin has been selected to represent the 12 years boys Darling Downs AFL team at the State Championships being held at the Maroochydore Multi Sports Complex, Queensland from 8-11 June 2023.

Ross Jardine	Grace Jardine	1503139	AFL (June)	Regional \$250	Grace has been selected to represent the 13-15 years girls Darling Downs AFL team at the State Championships held at the Springfield Sports Complex, Queensland from 25-28 May 2023.
Ross Jardine	Benjamin Jardine	1527450	Orienteering	Regional \$250	Benjamin has been selected to represent the U13s Darling Downs Region squad to compete at the Queensland Schools Orienteering Championship being held at Miles, Queensland on 22 July 2023.
Ross Jardine	Grace Jardine	1527450	Orienteering	Regional \$250	Grace has been selected to represent the Junior Division Darling Downs Region squad to compete at the Queensland Schools Orienteering Championship being held in Miles Queensland on 22 July 2023.
Maximillian Hoban	Maximillian Hoban	1524613	Soccer	State \$500	Maximillian was successful at regional trials to be selected a position on the Under 21 men's Queensland soccer team to compete at the National Titles being held at the Harmony Sports Field, Palmview from 29 September to 02 October 2023.
Julie Eaddy	Ryder Cochran	1528175	Golf	State \$500	Ryder has qualified to represent Queensland at the Australian Junior Open to be held at Rockhampton Golf Club from 25-26 September 2023.
Lisa Anderson	Shari Anderson	1529723	Cricket	State \$500	Shari has been selected as part of the Queensland team in a championship against NSW all schools. A mix of one day games and T20 games will be played across five days. The championships will be held in Pottsville NSW from 10-15 September 2023.

Lowood Stags Junior Rugby League Football Club	Under 10's Team Application	1520405	Rugby League	Team Application \$1,500	The under 10's team of the Lowood Stags Junior Rugby League Club have nominated a team to attend the Gordon Tallis Cup being held in Townsville from 23 – 24 September 2023. The team will participate in the carnival against teams from across the state to further develop their rugby league skills. 15 boys hope to attend. Due to rugby league rules being changed, no scores are kept for teams under the age of 12 years therefore no qualification is required for these events.
Lowood Stags Junior Rugby League Football Club	Under 9's Team Application	1520407	Rugby League	Team Application \$1,500	The under 9's team of the Lowood Stags Junior Rugby League Club have nominated a team to attend the Paul Bowman Challenge being held at the Proserpine JRLFC Crystalbrook, Queensland from 16-17 September 2023. The team will participate in the carnival against teams from across the state to further develop their rugby league skills. The Paul Bowman Challenge is held for all under 9's teams from across Queensland. Due to rugby league rules being changed, no scores are kept for teams under the age of 12 years therefore no qualification is required for these events.

Attachments

Nil.

Recommendation

THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of June/July 2023 and the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

"THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of June/July 2023 and the contents be noted."

Carried

Vote - Unanimous

Subject:	Customer Service Report
File Ref:	Officers Report
Action Officer:	CSC

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 July 2023 is provided for Council's information.

Summary for July 2023



3,232

**TOTAL
PHONE
CALLS**



3,120

**PHONE CALLS
RECEIVED DURING
BUSINESS
HOURS**



149

**PHONE CALLS
RECEIVED
AVERAGE
PER DAY**



25

**PHONE CALLS
RECEIVED BY
AFTER HOURS
CALL CENTRE**

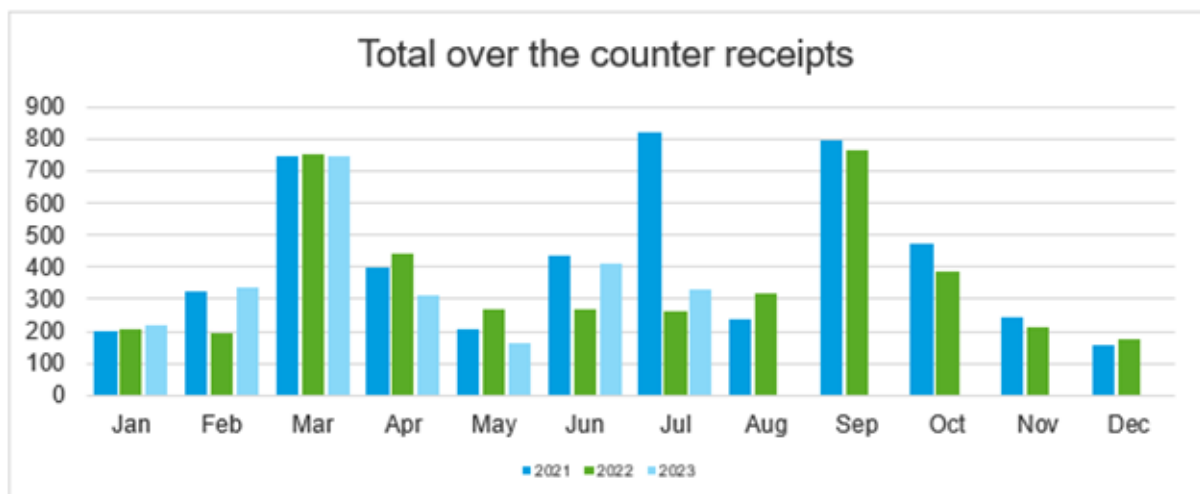
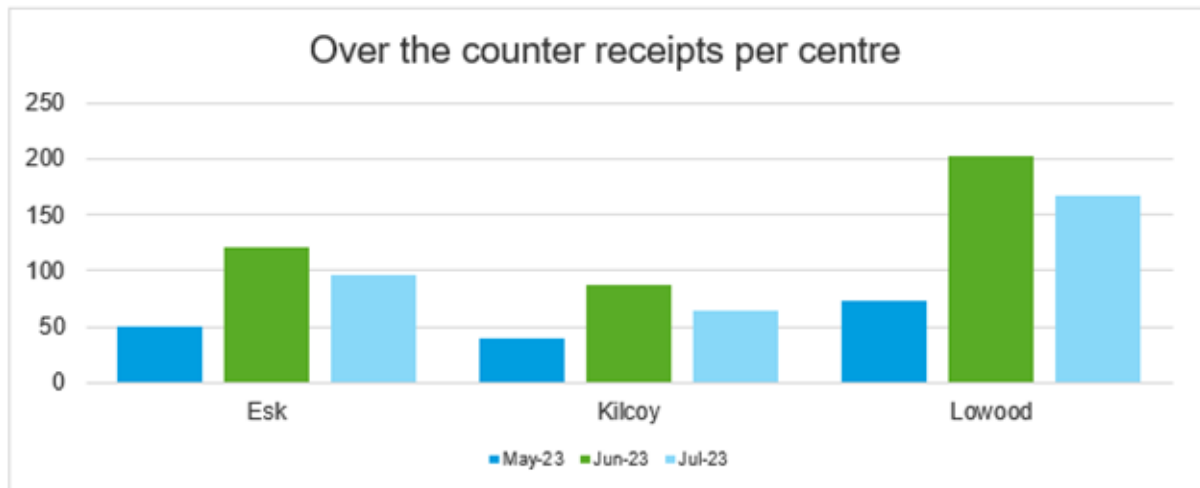


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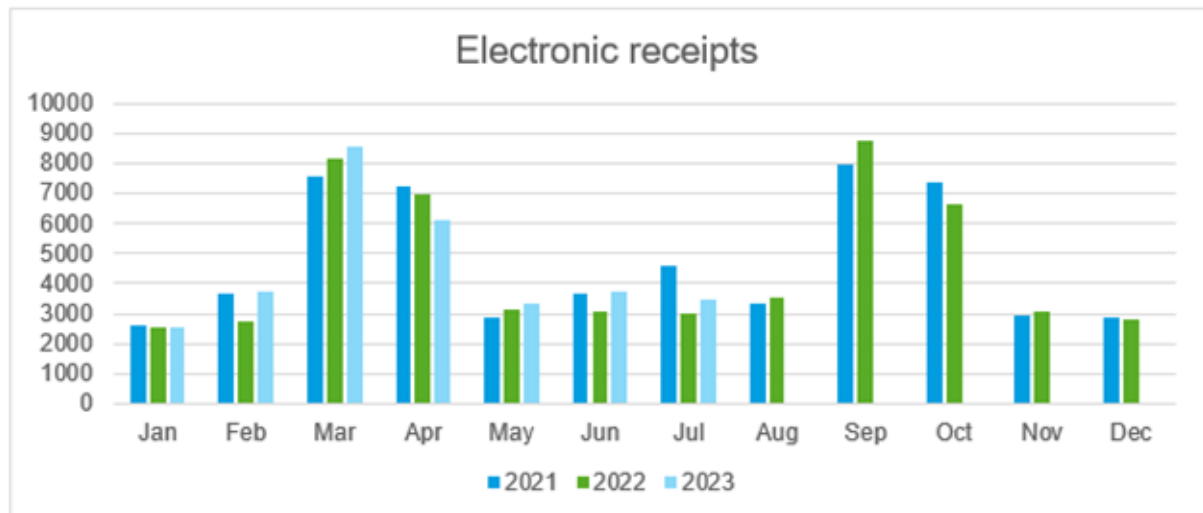
**PHONE CALLS
REFERRED TO
AFTER HOURS
DUTY OFFICER**



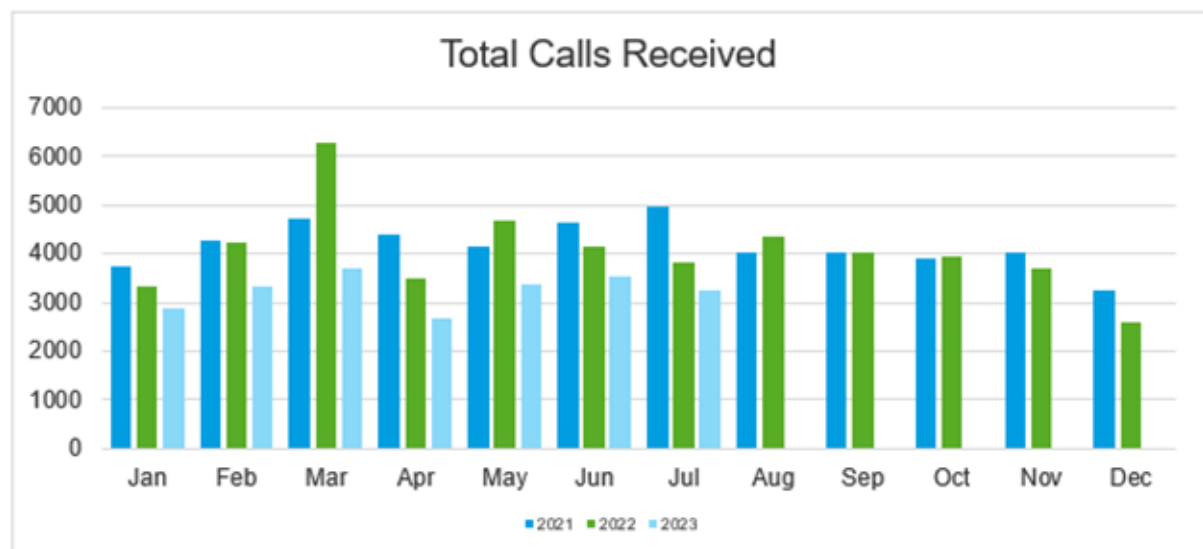
The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for July 2023. These numbers include cheques that were posted into the Council. In total there was 328 financial transactions across the three customer service centres with 96 at Esk Administration Centre, 65 at Kilcoy Customer Service Centre and 167 at Lowood Customer Service Centre for July 2023.



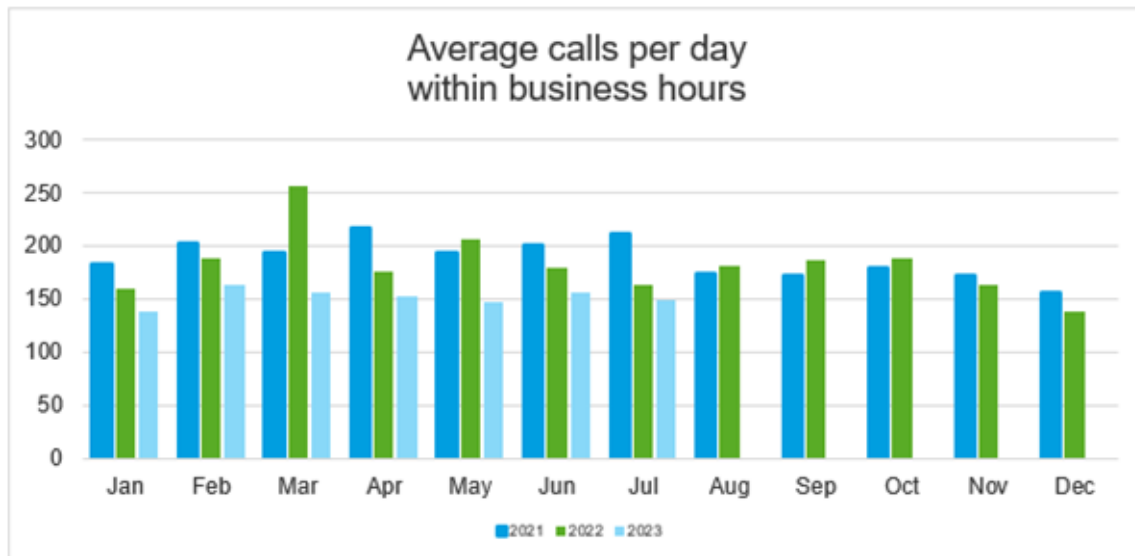
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc.



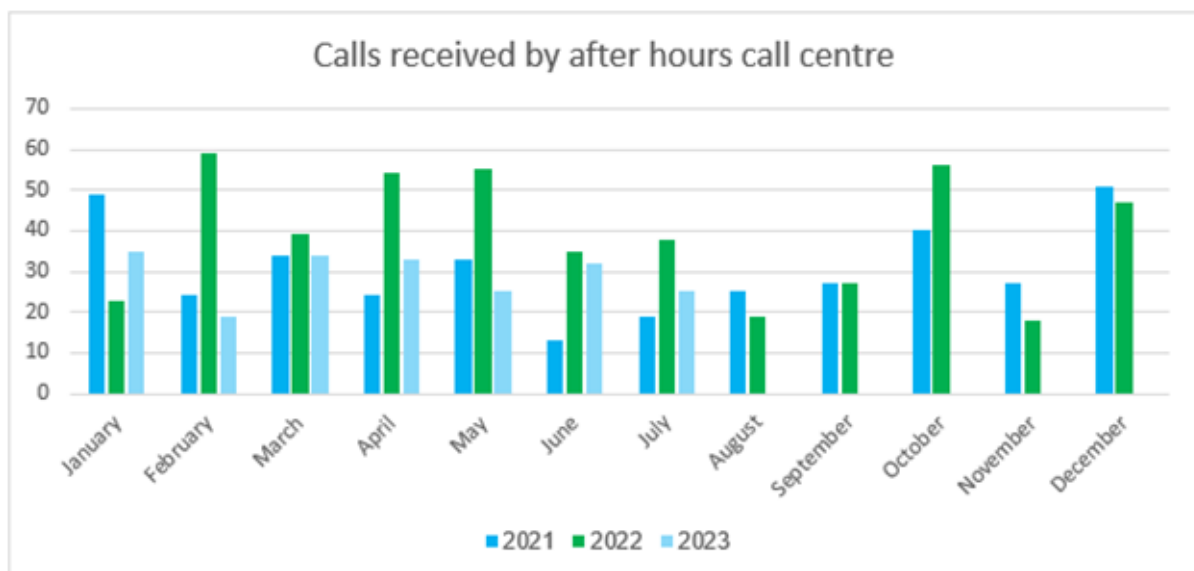
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to previous calendar years. Calls received does not include internal calls made within Council, or outbound calls. There were 3,232 calls received for the month July 2023. This is a decrease of 303 calls compared to June 2023. Compared to July 2022 there was a decrease of 604 calls for the month. The decrease in July this year compared to the previous July is due to the follow up calls from the flooding which occurred in May 2022.



Listed below is a comparison of the average calls received per day within business hours. On average there were 149 calls received each business day for July 2023, which was a decrease of six calls on average per day from June 2023. Compared to July 2022 there was a decrease of 15 calls on average per day.



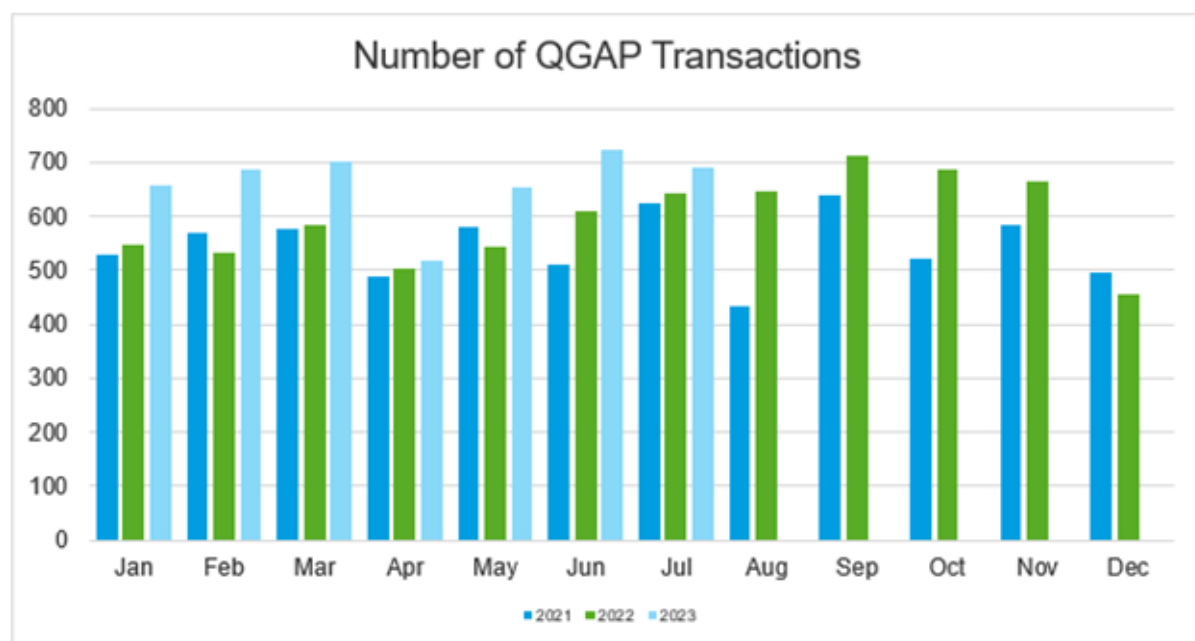
There were 3,120 calls received during business hours and 112 out of hours. Of the 112 calls received out of hours, 25 calls transferred to the afterhours call centre. There was a decrease of six calls to Council's afterhours provider compared to June 2023.



For the month of July 2023 there were 76 property searches completed for prospective purchasers. This decreased by four completed searches for the month compared to June 2023.



There were 692 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in July 2023. On average there were 33 transactions per business day in July which is the same on average as June 2023.



Attachments

Nil

Recommendation

THAT Council receive the Customer Service Report for July 2023 and the contents be noted.

Resolution

Moved – Cr Isidro

Seconded – Cr Brieschke

“THAT Council receive the Customer Service Report for July 2023 and the contents be noted.”

Vote - Unanimous

Carried

Subject:	Mount Glen Rock – Growing Future Tourism Grant
File Ref:	Parks and Reserves / Planning / Mount Glen Esk Development
Action Officer:	CTM

Background/Summary

In February 2022, Council received the Mount Glen Rock (MGR) Adventure Park draft Master Plan from external consultants (Otium Planning Group).

Following community consultation, Council undertook further ecological investigations and further consultation with traditional custodians. Ecological consultants undertook initial onsite investigations in March and will return to site in September / October 2023 to undertake further investigations.

In May 2023, Council finalised and agreed to a Cultural Heritage Management Plan for MGR with the Jagera People.

Council has also partnered with a local community group, Care4Esk, to deliver a successful Koala Community Grant on the site, entailing Koala survey and genetic analysis (University of the Sunshine Coast), targeted weed management, and select rehabilitation planting of habitat Koala species on the site and within the local context.

In August 2023, the Queensland Department of Tourism, Innovation and Sport launched the Growing Future Tourism Fund. The new \$15 million fund is focused on coastal and marine tourism, heritage and cultural tourism and ecotourism and sustainability. The Fund provides 50 per cent co-funding of between \$1 and \$4 million dollars, i.e. total project value between \$2 and \$8 million.

An application for a low impact hiking trail to the Summit of Mount Glen Rock along with other project components to improve visitor access, parking, signage and allow for sport climbing access could be submitted and would have the potential for success. The application would focus on providing hiking and sport-climbing access to MGR as well as highlighting and leveraging the ecological and cultural assets of the Mountain through further collaboration with first nations partners. It should be noted that such projects do not inhibit other potential long-term activities.

The Proposed Project would have a value of \$3,168,600 and have the following components:

- Lions Park Upgrade
- Summit Hiking Trail
- Small Outlook – Summit Trail
- Eastern Loop Hiking Trail
- Southern Escarpment Sport Climbing site
- Southern Escarpment Sport Climbing Site Entry (Carpark and Trail)
- First Nations Surveying, Story Collection and Historical Research
- Interpretive Sign Development (Ecological and Cultural)
- Interpretive Sign Fabrication and Installation
- Wayfinding Signage Fabrication and Installation

The project value has been derived from Quantity Surveyor Reports for the project components. These reports and the values attributed to the various components were provided some time ago and as such actual tenders may derive costs that are higher than the overall project value. There is a risk to Council that the project cost may exceed the Quantity Surveyor Estimate. Any cost above the potential funded project will need to be borne by Council. Council's funding application would need to be submitted on that basis.

Expressions of interest (EOI) for the Growing Future Tourism Fund close on 11 September 2023. Successful EOIs will be invited to submit a full business case by 20 November 2023. Successful applicants will be notified in early 2024, with projects to be completed by 30 June 2026.

A 50 per cent contribution of the total estimated project cost is \$1,584,300.

Attachments

Nil

Recommendation

THAT Council endorse Officers preparing and submitting an Expression of Interest to the Growing Future Tourism Fund for the Mount Glen Rock Summit Hiking Trail and Southern Escarpment Sport Climbing Project based on a 50 per cent Council contribution.

Resolution

Moved – Cr Brieschke

Seconded – Cr Wendt

"THAT Council endorse Officers preparing and submitting an Expression of Interest to the Growing Future Tourism Fund for the Mount Glen Rock Summit Hiking Trail and Southern Escarpment Sport Climbing Project based on a 50 per cent Council contribution."

Carried

Vote - Unanimous

Subject:	Biosecurity Protection Levy Response
File Ref:	2022-2025 State and Federal Government Departments Liaison
Action Officer:	CEO

Background/Summary

At the Ordinary Council Meeting on 24 May 2023, Council made the following decision.

"THAT Council

- 1. Write to the Federal Minister for Agriculture, Fisheries and Forestry requesting that the Australian Government reconsider and reverse the new biosecurity protection levy announced in the budget on 9 May 2023.*
- 2. Suggest to the Federal Government that they fairly apply the levy to industries that create the most risk to Australia's biosecurity, such as import industries, rather than to Australian farmers who already deal with the impacts of Australia's historic biosecurity failures every day".*

At the Australian Local Government Association National Assembly on 14 June 2023, Council took the opportunity during a question time to raise a question as presented in the Council decision directly with Federal Minister for Agriculture, Fisheries and Forestry, Senator The Hon Murray Watt.

Council has received the attached letter dated 31 July 2022, from the Federal Minister for Agriculture, Fisheries and Forestry, Senator The Hon Murray Watt, with the content consistent with the verbal response provided at the Australia Local Government Association National Assembly.

Attachments

Letter from the Federal Minister for Agriculture, Fisheries and Forestry, Senator The Hon Murray Watt, dated 31 July 2023.

Recommendation

THAT Council receive the 'Biosecurity Protection Levy Response' report and the contents be noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Isidro

"THAT Council receive the 'Biosecurity Protection Levy Response' report and the contents be noted."

Carried

Vote - Unanimous

Subject:	Toogoolawah Police Station Minister Response.
File Ref:	2022-2025 State and Federal Government Departments Liaison
	Doc Id 1533129
Action Officer:	CEO

Background/Summary

At the Ordinary Council Meeting on 19 July 2023, Council made the following decision.

"THAT Council write to the Minister for Police and Corrective Services and Minister for Fire and Emergency Services, Hon Mark Ryan MP, and the Queensland Police Commissioner, Katarina Carrol, requesting confirmation that the Toogoolawah Police Station will remain fully operational as a police officer-manned station both now and in the long term."

Council has received the attached letter from the Minister for Police and Corrective Services and Minister for Fire and Emergency Services, Hon Mark Ryan MP, confirming that there are no plans to close Toogoolawah Police Station, with officers attached to this station now and into the future.

Attachments

Letter from the Minister for Police and Corrective Services and Minister for Fire and Emergency Services, Hon Mark Ryan MP, dated 11 August 2023.

Recommendation

THAT Council receive the 'Toogoolawah Police Station Minister Response' report and the contents be noted.

Resolution

Moved – Cr Brieschke Seconded – Cr Gaedtke

"THAT Council receive the 'Toogoolawah Police Station Ministers and Commissioners Response' report and the contents be noted."

Carried

Vote - Unanimous

Subject:	Mayoral Gala Charity Ball Grant – Establishment of a Foodbank
File Ref:	Mayoral Gala Charity Ball Fund
Action Officer:	EA

Background/Summary

The Mayoral Gala Charity Ball Funds Distribution Policy defines a Tailored Service Program (TSP) as meeting one of the following criteria:

- a) A charitable organisation whose primary aims are to assist people suffering from a disability, homelessness, trauma, abuse or neglect in the Somerset Region.
- b) A charitable organisation whose primary aim is to improve the quality of life of vulnerable sections of the Somerset Community.

A request has been received from the Kilcoy Parish of the Anglican Church for assistance to help with set up costs to establish a Food Bank in Kilcoy. The group are seeking an amount of of \$9,250 as a TSP application from the Mayoral Gala Charity Ball Fund.

Assessor's Summary

The applicant states that since May, the Kilcoy parish of the Anglican Church has sought approval to proceed with a Food Bank at the church hall. Through liaison with Council Officers, it has been confirmed that the proposal complies with town planning and food safety requirements provided it remains an ancillary use to the Anglican Church activities. Various options for the provision of the service have been considered with fortnightly trips to Food Banks Morningside warehouse offering the best outcome for maintaining stock at an affordable cost. This would be supplemented with other local produce, either donated or provided at cost, as once established it is easier to source donations, including some fresh produce from farmers direct, not dissimilar to what neighbourhood centres do regularly to support their food pantries. There will be a relationship with a financial resilience counsellor who will be visiting the Kilcoy Community Wellness Hub whereby families who visit more than once are encouraged to make an appointment. The counsellor can help with budgeting, accessing NILS loans (No Interest Loans Scheme) and consumer hardship schemes.

It is proposed that the food hampers will include pantry staples such as rice, pasta, vegemite, baked beans, breakfast cereal, chunky soups, flour, sugar etc, consumables such as bread and milk, with a small amount of meat and fresh vegetables. Hampers will vary in size, priced at \$20 or \$30 offering substantial savings to struggling families. There will also be options to purchase hampers with soap, shampoo, toothpaste, roll-on deodorant, laundry liquid and washing up liquid to ensure hygiene does not suffer.

To help with the initial set up and sustain the food bank for the initial twelve months the Kilcoy Anglican Parish has sought a grant through the Mayoral Gala Charity Ball Tailored Service Program. This includes the purchase and installation of industrial shelving in a former office at the church hall, the purchase of a large refrigerator/freezer and eskies with freezer bricks for safe transportation of cold items and initial stock

As per the policy section g) the applicant must also acknowledge that where a funding is provided for the purchase of a non-current asset and the asset is sold within twelve (12) months after the date on which Council grants the funds for the purchase, the grant provided must be repaid to the Council.

Attachments

Nil

Recommendation

THAT the application as summarised in this report be recommended for funding and \$9,250 be granted through the Mayoral Gala Charity Ball Fund budget allocation; plus GST if applicable, to assist with costs associated with establishing a Foodbank.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT the application as summarised in this report be recommended for funding and \$9,250 be granted through the Mayoral Gala Charity Ball Fund budget allocation; plus GST if applicable, to assist with costs associated with establishing a Foodbank.”

Carried

Vote - Unanimous

Meetings authorised by Council

Nil

Mayor and Councillor Reports

Cr Brieschke – Councillor Report

Meetings/Functions attended

July

- 09 Ordinary Council Meeting, Esk.
Council Workshop Meeting, Esk.
- 14 Meeting with resident.
- 15 70th Anniversary of Blue Care Service in Queensland celebration, Alkira
Aged Care Facility, Toogoolawah
- 17 Traffic and Safety Advisory Committee meeting, Esk.
- 18 Somerset Art Society Inc AGM., Anglican Church Hall, Esk.
- 19 Mayoral Gala Charity Ball, Somerset Civic Centre.
- 20 Meeting with resident.
- 22 Police Charity Day, Toogoolawah Bowls Club.
Briefing meeting, Esk.
Draft SE Qld Regional Plan information meeting, Esk.

I would like to extend sincere thanks to Council staff for the wonderful presentation of the Mayoral Gala Ball on Saturday night. Thanks also to the sponsors and patrons for their continued support of this much needed fund in our region.

Cr Gaedtke– Councillor Report

August

- 09 Ordinary Council Meeting & Workshop Meeting – Esk
Rural Fire Brigade Quarterly Meeting – Hazeldean Rural Fire Brigade AGM
- 12 Indigenous Heritage Community Meeting – Kilcoy
Kilcoy Golf Club – Fund Raiser
- 15 Alkira – Blue Care 70th Birthday Celebrations – Toogoolawah
Kilcoy State High School P&C Assn Meeting
Kilcoy Chamber of Commerce Executive Meeting
Somerset Dam & Districts Progress Assn Meeting
- 16 Mt Kilcoy State School P&C Assn Meeting
Jhangri's Wedding – Kilcoy
- 17 Traffic and Safety Advisory Committee Meeting – Teams
Regional Arts Development Fund Committee Meeting – Teams
Kilcoy Art Society Monthly Meeting
- 18 Somerset Art Society Incorporated Annual General Meeting – Esk
- 19 Mayoral Ball – Somerset Civic Centre – Esk
- 21 Kilcoy District Progress Alliance meeting

I was delighted to be invited to a wedding held between a Bangladeshi member of our community and his bride to be, who currently lives in Bangladesh. We were treated with Bangladeshi custom, with traditional wedding attire worn by the husband and bride. Home cooked meals were provided which consisted of Bangladeshi culinary at its best with pungent spices cooked with fish, mutton and chicken, and specially cooked rice.

Cr Isidro – Councillor Report

August

- 10 Brisbane Valley Interagency meeting
- 15 Alkira Birthday Celebration
- 15 Meeting BVRT, Esk
- 15 EDTAC, Esk
- 15 Esk Recreational Reserve Advisory Committee Meeting
- 17 TSAC meeting via Teams
- 17 RADF meeting, Esk
- 19 Villeneuve RFS open day
- 19 Mayoral Ball, Esk
- 21 Kilcoy and Districts Progress Association meeting
- 23 Council meeting

Cr Wendt – Councillor Report

August

- 09 Ordinary Council Meeting – Esk
Stanley River Fire Group AGM – Hazeldean
- 15 70 year celebration – Alkira Aged Care - Toogoolawah
- 16 Somerset and Wivenhoe Fish Stocking Assoc Meeting - Fernvale
- 17 Traffic and Safety Advisory Committee Meeting – Teams
- 18 SASI AGM - Esk
- 19 Fernvale Country Fair – Fernvale
Mayoral Gala Charity Ball - Esk
- 22 Councillor Discussion with CEO – Teams

LRC Meeting - Lowood

Cr Lehmann – Councillor Report

Mayor's Report of Activities from 20 July to 23 August 2023

Ref – Governance – Reporting – Reporting – Mayor and Councillor Reports

July	
Thursday, 20 July	Agritourism Workshop, Esk
Friday, 21 July	Radio interview re Toogoolawah Police and SES recruiting
Saturday, 22 July	Stonehouse open Day, Moore The Good Exhibition Opening, Toogoolawah
Sunday, 23 July	Somerset Rail Trail Classic
Monday, 24 – 27 July	Bush Council Convention Goondiwindi
Saturday, 29 July	Queensland Athletics Cross Country State Championships, Toogoolawah
Sunday, 30 July	Commissioning of the new Baptist Church, Toogoolawah
August	
Tuesday, 1 August	ShapingSEQ 2023 update, Brisbane
Wednesday, 2 August	Kilcoy Chamber of Commerce Dinner, Kilcoy
Thursday, 3 August	Meeting with Glenwood Hostel, Lowood Lockyer valley and Somerset Water Collaborative, Gatton 3pm Regenerative Agriculture Workshops, Esk
Friday, 4 August	COMSEQ meeting, Brisbane
Saturday, 5 August	Meeting with Esk Bowls Club
Sunday, 6 August	Church of Christ Lowood 74 th Anniversary
Monday, 7 August	QRIDA drop in Session, Lowood The Condensery Advisory Committee Meeting Presentation of trophies at Toogoolawah Bowls Club
Wednesday, 9 August	Ordinary Council meeting, Esk
Thursday, 10 August	Radio Interview re illegal dumping Brisbane Valley Interagency meeting, Lowood
Monday, 14 August	Lowood Lions Meeting, Lowood
Tuesday, 15 August	Bluecare 70 th Anniversary, Toogoolawah
Thursday, 17 August	Planning Meeting with CEO and Director Planning, Esk Lowood Ambulance Committee AGM and General meeting
Friday, 18 August	Discussion re Kilcoy Policing Vietnam Veterans Day, Kilcoy Vietnam Veterans Day, Lowood
Saturday, 19 August	Mayoral Gala Charity Ball, Esk
Tuesday, 22 August	DDMG meeting, Ipswich ShapingSEQ consultation
Wednesday, 23 August	Ordinary Meeting of Council

Resolution

Moved – Cr Isidro

Seconded – Cr Brieschke

“THAT the verbal and written reports of Mayor Lehman and Councillors Brieschke, Isidro, Choat, Gaedtke Whalley and Wendt be received.”

Carried

Vote - unanimous

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.14am.