



ORDINARY MEETING OF COUNCIL

MINUTES

8 MARCH 2017



**ORDINARY COUNCIL
MEETING MINUTES
8 MARCH 2017**

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ATTENDANCE:

Councillors Present

- Cr Tanya Milligan (Mayor) (Chairperson)
- Cr Jason Cook
- Cr Jim McDonald
- Cr Kathy McLean
- Cr Janice Holstein
- Cr Chris Wilson
- Cr Michael Hagan

Officers Present

- Ian Church, Chief Executive Officer
- Dan McPherson, Executive Manager Organisational Development & Planning
- David Lewis, Executive Manager Corporate & Community Services
- Myles Fairbairn, Executive Manager Infrastructure Works & Services
- Rick Machin, Manager Marketing, Communication & Engagement
- Stephen Hart, Manager Executive & Business Services
- Jason Harm, Manager Regional Development (part of meeting)
- Trevor Boheim, Manager Planning & Environment
- Paul Cranch, Special Projects Trade & Investment Coordinator (part of meeting)
- Prudence Earle, Planning Officer (part of meeting)
- Caitlan Natalier, Legal Services Coordinator (part of meeting)
- Fiona Tallon, Development Support Coordinator (part of meeting)
- Susan Boland, Council Business Support Officer

Media Present

- Francis Witsenhuysen, Gatton Star



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1.0 MEETING OPENED

The meeting commenced at 10.00 am

The Mayor, Cr Milligan as Chairperson opened the meeting and welcomed all present. Pastor Trevor Bartley led the meeting in prayer, following a minute's silence for those persons recently deceased.

2.0 LEAVE OF ABSENCE

No Leave Of Absence

3.0 CONDOLENCES/GET WELL WISHES

3.1 Condolences/Get Well Wishes

Date: 01 March 2017

Author: Susan Boland, Council Business Support Officer

Responsible Officer: Ian Church, Chief Executive Officer

RESOLUTION

THAT letters of condolence be forwarded to the families of recently deceased persons from within or associated with the Lockyer Valley region.

Moved By: Cr Holstein

Seconded By: Cr Wilson

Resolution Number: 16-20/0390

CARRIED

7/0

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4.0 DECLARATION OF ANY MATERIAL PERSONAL INTERESTS/CONFLICTS OF INTEREST BY COUNCILLORS AND SENIOR COUNCIL OFFICERS

4.1 Declaration of Material Personal Interest on any Item of Business

Pursuant to Section 172 of the *Local Government Act 2009*, a councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must –

- (a) inform the meeting of the councillor's material personal interest in the matter; and
- (b) leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

4.2 Declaration of Conflict of Interest on any Item of Business

Pursuant to Section 173 of the *Local Government Act 2009*, a councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees must inform the meeting about the councillor's personal interest in the matter and if the councillor participates in the meeting in relation to the matter, how the councillor intends to deal with the real or perceived conflict of interest.

Cr McLean advised of a perceived conflict of interest in Item 11.3 "Application for Development Permit for Operational Works (Internal Roads and Car Parking Areas), Souter Adventures Pty Ltd, 356 Thomas Road, Upper Lockyer", (as defined in section 173 of the Local Government Act 2009) based on past supply of goods to Murphy's Creek Escape through a family business. Cr McLean further stated that in keeping with the Councillor's actions at previous meetings regarding Murphy's Creek Escape she proposes to exclude herself from the meeting when the matter is to be debated and voted upon.

Cr Hagan advised of a perceived conflict of interest in Item 11.4 "Material Change of Use for a Campground at 942 Lefthand Branch Road, Lefthand Branch" (as defined in section 173 of the Local Government Act 2009) based on his residence being located on Lefthand Branch Road, 7km from the proposed development. Cr Hagan further stated that this perceived conflict of interest would not impede his ability to make a decision on this matter in the public interest and as a result, he would remain in the meeting when this matter is to be debated and voted upon.

5.0 MAYORAL MINUTE

No Mayoral Minute



6.1 Confirmation of Ordinary Meeting Minutes of 22 February 2017

CARRIED
7/0

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10.1 Chief Executive Officer Monthly Report

Summary:

- Key issues currently being actioned by Council's Executive Office
- Information relevant to Councillors and the organisation

THAT Council receive and note the Chief Executive Officer's Monthly Report.

THAT Council receive and note the Chief Executive Officer's Monthly Report.

Moved By: Cr Hagan **Seconded By:** Cr Cook
Resolution Number: 16-20/0392

CARRIED
7/0

Report

1. Introduction

Refer summary above.

2. Background

This report covers actions and information relevant to Councillors and the Executive Office, including the key areas of Strategic Planning, Governance, Regional Development, Marketing, Communication and Engagement, Special Projects and Executive Services.

3. Report

Strategic Planning

Community Plan Review

The Community Plan is with Marketing, Communication and Engagement for document design and will be finalised for Council endorsement at the 12 April meeting.

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Corporate Plan 2017 – 2022 Development

The final draft of the Corporate Plan will be distributed to Councillors on 02 March for discussion at the 7 March Councillor Workshop. The Draft Plan will then go out to community consultation and be tabled at the 26 April meeting for adoption. Feedback was received from all Executive Members, eight Managers and directly from six staff.

Governance:

Policies/Procedures/Guidelines

Approved:

- Code of Meeting Practice
- Related Party Disclosure Guideline

Under review/development:

- Naming of Infrastructure Policy and Guideline – under development
- Social Media Procedure – for consideration by the CEO in March
- Tree & Shrub Management Guideline – under development
- CCTV and Audio Recording Policy and Procedure – for consideration by Council and the CEO in March
- Cemeteries Policies and Guidelines – under development
- Flying Fox Management Policy – for consideration by Council in March
- Waste Management Policy- for consideration by Council in March

Related Party Disclosures

Key Management Personnel (KMP's), as defined in the Related Party Disclosure policy and guideline have been requested to complete their related party declaration forms to comply with the accounting standards. Assistance will be provided to KMP's to complete these declarations where required.

Delegations

An updated financial delegation list will be provided to the CEO for consideration by 03 March 2017.

A review of administrative delegations has been completed with Executive Managers and will be verified by the Legal Services Coordinator prior to consideration by the CEO.

External Funding:

Building Better Regions Fund (BBRF)

The Amos Road upgrade project was submitted under the Infrastructure Stream of this Program.

Building Our Regions

The Animal Management Facility and Forest Hill Flood Mitigation Stage 2 projects were submitted for funding under this program

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Regional Development

Plainland Business Networking

The Plainland Business Networking Group met on Tuesday 21 February at Porters Plainland Hotel. Discussion topics included:

- Concept plans for expansion of the Porters Plainland Hotel
- An update on progress at Plainland Crossing noting that Aldi now own the land
- “Welcome to Plainland Sign” and next steps
- A hospital at Plainland with the Mayor advising that the Group should advocate for a hospital at every opportunity
- Regional Development team members at the meeting highlighted Council’s priorities going forward

Porters Plainland were thanked for hosting the networking meeting, with the next scheduled to be hosted by Plainland Rural.

Future Food Day Brisbane 2017

Officers attended Future Food Day, a forum hosted by Brisbane Marketing. The forum provided ways in which market opportunities can be identified and also provided a means for collaborating and sharing ideas. An interesting mix of speakers highlighted future trends for the food sector including Nicki Briggs from Near Boil and previously Chobani, Alibaba, Wandering Cooks, Little Tokyo, Two Ag, Tech KMG Australia, the Department of Agriculture’s Food Science Laboratory and others. Ideas will be utilised to enhance Lockyer Food Strategy Tourism.

Neilsen’s Place – Laidley Business Incubator

Incubator tenants recently participated in one-on-one Digital Marketing training facilitated by “Tourism Tribe”. The content and delivery were well received and very informative with each participant implementing strategies following the session.

A new tenant has begun trading in the incubator space and there has been some relocation of existing traders to make better use of the space. The lease with “Naturally, Good Healthy Foods” has now been signed.

Business Awards Category Winners 2016

The workshop for our 2016 Business Award Category winners will be held on Tuesday 21 March 2017 at the Cultural Centre. This year’s workshop will be one with a difference – two Senior Executives from Serco will provide a presentation and then lead an interactive Question and Answer forum with the group over lunch.

Lockyer Chamber of Commerce & Industry (Formerly Lockyer Better Business)

Assistance and support has been provided to the Chamber to prepare a project scope and plan for a membership drive, incorporating a Business to Business promotion and a Recognition Dinner. The Chamber will vote on the concept at their next meeting on Wednesday 1 March.

Councillors and officers attended the networking breakfast on Wednesday 15 February at the Gatton RSL, with guest speakers from Council and Room Motels.

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The next Chamber networking event is a business after hours hosted by Room Motels on 15 March at 5:30pm.

Laidley Futures

The next Laidley Futures meeting is scheduled for Wednesday 12 April and in the meantime a project team has been established with Council officers to explore options for the redevelopment of McNulty Park.

Grantham Butter Factory – Community Consultation re activation

Further to the workshop with Council in which ways to better utilise the Grantham Butter Factory were explored, and the subsequent community engagement exercise, Expressions of Interest (EOI) for the lease and/or management of the facility have been prepared and are open from 1 March until 7 April. Advertising will appear in the Gatton Star each fortnight whilst the EOI is open and it has also been posted on Council's Vendor Panel.

Updated Local Business Statistics

The Queensland Government Statistician has released updated economic data for the 2015/2016 calendar year for the Lockyer Valley. The data is specifically about local business in our region and follows for Councillor information:

The Lockyer Valley has a total of 3,008 registered businesses

Registered Businesses by Employment Size

Custom region / SA2 / State	Non-employing		1-4 employees		5-19 employees		20-199 employees		200+ employees		Total
	number	%	number	%	number	%	number	%	number	%	
Custom region	1,935	64.3	778	25.9	223	7.4	62	2.1	0	0.0	3,008
Gatton	347	57.0	186	27.3	80	13.1	35	5.7	0	0.0	609
Lockyer Valley - East	844	67.3	317	25.3	74	5.9	14	1.1	0	0.0	1,255
Lockyer Valley - West	744	65.0	295	25.8	69	6.0	13	1.1	0	0.0	1,144

**There is a percentage for 200+ employees that equates to 3-4, assume this has been removed, as it is a small number to report.

Registered Businesses by Turnover

Custom region / SA2 / State	\$0 to less than \$100k		\$100k to less than \$500k		\$500k to less than \$2m		\$2m or more		Total
	number	%	number	%	number	%	number	%	
Custom region	1,376	45.7	1,132	37.6	334	11.1	154	5.1	3,008
Gatton	226	37.1	211	34.6	91	14.9	74	12.2	609
Lockyer Valley - East	598	47.6	479	38.2	138	11.0	42	3.3	1,255
Lockyer Valley - West	552	48.3	442	38.6	105	9.2	38	3.3	1,144

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Registered Businesses by Industry Type

Industry	Custom region	
	number	%
Agriculture, forestry and fishing	840	27.9
Mining	9	0.3
Manufacturing	120	4.0
Electricity, gas, water and waste services	11	0.4
Construction	504	16.8
Wholesale trade	80	2.7
Retail trade	155	5.2
Accommodation and food services	87	2.9
Transport, postal and warehousing	280	9.3
Information media and telecommunications	6	0.2
Financial and insurance services	133	4.4
Rental, hiring and real estate services	227	7.5
Professional, scientific and technical services	186	6.2
Administrative and support services	86	2.9
Public administration and safety	9	0.3
Education and training	20	0.7
Health care and social assistance	66	2.2
Arts and recreation services	30	1.0
Other services	135	4.5
Not classified	24	0.8
Total(a)	3,008	100.0

LGAQ Regional Economic Development Advisory Group

As previously noted the Manager Regional Development was accepted as a member of the LGAQ Regional Economic Development Advisory Group. The first meeting of the Advisory Group for 2017 will be held on Monday 6 March. The agenda and topics for discussion include Governance Overview, Regional Roundup, (top 3 issues from each region), Trade and Investment Attraction, Tourism, Innovation and the LGAQ Advocacy Program. A report will follow after the meeting.

Members include:

Cr Kerry Hayes	Mayor, Central Highlands Regional Council
Cr Fiona Gaske	Councillor, Balonne Shire Council
Cr Cameron O'Neill	Councillor, Maranoa Regional Council
Cr Anne Glasheen	Councillor, Toowoomba Regional Council
Shawn Day	Manager, Economic Development, Brisbane City Council
Angelo Finniochiaro	Program Leader, Economic Development and Sustainability, Cairns City Council
Debra Howe	Director, Strategic Growth & Development, Livingstone Shire Council
Jason Harm	Manager, Regional Development, Lockyer Valley Regional Council
TBA	McKinlay Shire Council
Kim Kerwin	Project Manager, Planning Scheme Review, Redlands City Council
Paul Martins	Manager, Economic Development, Sunshine Coast Council
Nicole van Beuningen	Grants/Economic Development Officer, Tablelands Regional Council
Simon Millcock	Manager, Economic Development & Strategic Projects, Townsville City Council

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Regional Development Australia – Jobs Board Matching Local Jobs to Local People

The website is seeing increased numbers in both jobs advertised and those searching for jobs. Awareness has been raised via local media advertising, apprenticeship centres and job active members.

Laidley Library History Boards

Regional Development staff are undertaking research and coordinating the production of History Boards, similar to those in Nielsen's Place, for the Laidley library project. These are to be produced and installed in the meeting room of the new facility.

GenR8 – Employment Pathway for Youth

Student work placements commence in identified areas within Council in the first week of May and a draft schedule has been prepared to ensure the students are well catered for.

Embracing 2018 Commonwealth Games

The first meeting of the "Embracing 2018 Commonwealth Games Group" was held on Monday 6 February and hosted by State Development in Ipswich. The purpose of the meeting was to share information in respect of the opportunities arising for local regions from the hosting of the 2018 Commonwealth Games at the Gold Coast.

The following topics were on the agenda:

- Trade and Investment Presentation
- Food and Agri-business
- Report from the Manager, Major Events – Office of the Commonwealth Games)
Regional Activities

Further information is available should any Council require it.

Single Point of Entry - Business Support

The following table highlights areas of enquiry from prospective developers and business operators that have been dealt with by the Regional Development team. The purpose of the Regional Development team being the first point of contact in these instances is to assist potential developers and business operators by "walking them through" Council processes and providing them with a single point of contact rather than multiple staff contacts. No details are provided as they are potentially commercial in confidence, however should any Councillor wish to ascertain more detail please do not hesitate to contact me or the Manager Regional Development.

Industry Sector	Level of interest	Notes:
Accommodation and Food Services	☆☆	Additional short term accommodation facilities.
Tourism	☆☆	Potential new tourism experience operation - both enquiries will take time to bring to fruition
Manufacturing	☆☆	Value Added Agricultural product distribution
Transport, Postal, Warehousing	☆☆	New business establishment project development
Arts & Recreational Services	☆	Establishment of new business, and relocation of existing business

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Industry Sector	Level of interest	Notes:
Wholesale Land Development	☆☆☆☆☆	Support provided to potential and existing land developments
Retail Trade	☆☆	Information in relation to establishing new business
Electricity, Gas, Water & Waste	☆☆	Potential solar power investment

Marketing, Communications & Engagement (MCE)

Gatton Historical Society

On Monday 21 February, a decision was made by the members and committee of the Gatton Historical Society to no longer operate on Sunday's due to a lack of membership and instead, open by appointment only. A report outlining the level of Council's ongoing involvement and funding moving forward will be drafted and presented at an upcoming Council Meeting.

Waste Education campaign

As part of Council's ongoing commitment to waste and recycling education, a proportion of money raised through the collection of waste services is used for general community education. At present MCE staff are in discussions with the Waste Team to develop a series of advertisements promoting responsible recycling.

Safety Audit of Laidley Pioneer Village

An initial safety audit of the Laidley Pioneer Village has been conducted with a number of recommendations being put forward to the Committee. Council staff including its Occupational Health and Safety Officer will go back to the village to ensure the recommendations have been taken on board and implemented. At the conclusion of the safety audit, key representatives of Council will assist the Committee with their governance structure to ensure it not only meets but exceeds both Council and community expectations.

SES recruitment campaign

As a primary means to attract new volunteers to all SES groups located within the Lockyer Valley, an annual recruitment evening is held. This year, the SES recruitment drive will feature presence on social media through a targeted video message as well as through mainstream channels including print in an attempt to recruit new staff to all three local units. Staff from MCE are working closely with Disaster Management staff to ensure the correct messaging is delivered and that collateral is printed and distributed in time for the event, which is due to take place on 25 March and will include an open day at 3pm and information session from 6pm.

Lockyer Food Ambassador contract

The contract renewal for the Lockyer Food Ambassador has been renewed for a further two years. As part of the contract process, AlfreshCo Catering has been added to Council's procurement panel.

National television promotion (Everyday Gourmet)

An opportunity has arisen whereby the Lockyer Valley can be prominently featured on a national cooking program with filming to commence 18 April in Melbourne and aired on Channel Ten. The show utilises the culinary skills of a number of celebrity chefs including Lockyer Valley Food Ambassador, Alastair McLeod. This segment is expected to air to an initial national audience of 400,000 people. Throughout the program, Alastair will cook a number of dishes using Lockyer Valley ingredients and also talk up the tourism opportunities

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of the Lockyer Valley being situated just an hour from Brisbane and a little over an hour from the Gold Coast. Council's commitment is just the cost of air fare for Alastair to and from Melbourne from Brisbane and one night's accommodation.

Regional Flavours 2017

As part of Council's promotion of the Lockyer Valley, the region is promoted at two tradeshows, one being Regional Flavours. Although held in July, planning for the two day event is now underway with discussions taking place with Brisbane Marketing. The popular Picnic Patch area will be preserved for this year's event and due to the popularity last year; event space for Lockyer Valley producers will be limited to one stall in order to accommodate what we expect to be additional interest in attendance.

Digital Marketing Program (Tourism)

Lockyer Valley Regional Council entered into a partnership agreement with Brisbane Marketing to provide in depth digital marketing training for local tourism providers. Twenty six participated in the program with some local tourism operators already putting into practice what they learnt in order to better promote both their business as well as the Lockyer Valley region as a whole.

Temporary Entertainment Events Permit

With changes to the local law now providing for the requirement of a temporary entertainment event permit, staff from MCE are working with the Local Laws Business Unit to determine which events require permits to go ahead and which will be exempt from the process.

Event organisers workshop

A cross functional team including staff from MCE, Infrastructure Works and Services and Health, Waste and Regulatory Services are hosting a workshop event targeted at community groups who stage events within the Lockyer Valley. At this stage the date for the workshop has been booked in for Wednesday 29 March and will step attendees through the entire process from start to finish on the Council requirements needed to successfully host an event including temporary entertainment event permits, use of local and TMR roads in the region, marketing, promotional bags, financial and in-kind support and more.

Special Projects

Gatton West Industrial Zone

A letter of support was provided to the Department of Transport and Main Roads to further develop the Truck Stop adjacent to the Gatton West Industrial site.

National Water Infrastructure Fund

The project was put out to tender and Cardno were selected to complete it. The project plan has been compiled and sent to the administering body, the Department of Energy and Water Supply. The first milestone was submitting the project plan and the Department will now be invoiced for our first funding payment. The next step will be to begin community consultation.

Water Users Group

The Water Users Group met with Officers to discuss their plans for the next stage of their Socio-Economic study. Officers reiterated the conditions required by Council to make sure that the study is in accordance with the objectives that Council wishes to achieve.



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Inland Rail – Australian Rail Track Corporation (ARTC)

ARTC's team met with Council's Community Engagement team to discuss their next steps and gain insight in how to engage effectively with the Lockyer Valley community. The Community Engagement team have also requested that they be involved in future meetings when ARTC meet with Council

Lockyer Valley Growers Group

The Growers group have been working to advocate for more courses in Agriculture and working with their members to gather some data on the production volumes from the Lockyer Valley.

Industry Major Projects Forum

We are currently working to identify a theme that creates a positive vibe in the community and stimulates pride. It is important that the delivery is executed well so this is being planned carefully.

Executive Business Support

Strategic Document Coordination (Policy, Legislation, Motions, Green/White papers etc)

COMSEQ Committee Meetings have recommenced for 2017. The Rural Communities Special Interest Group Meeting will be held on 6 March 2017. The COMSEQ Board Meeting and Visioning Workshop will be held on 10 – 11 March 2017. Details of the Agenda will be provided on 6 March 2017.

Enhance Council Governance and Decision Making

Additional Councillor workshops have been programed to address the significant work load. Workshops are also being held if time is available after Council Meetings.

Property Administration

The Woodlands Road tender process has proceeded and the contract has been executed subject to the dedication of the road through the property to access the property adjoining to the east.

Tranche 1 of the property sales has now been finalised and a second Tranche is currently being identified for Council consideration prior to commencement of the disposal process. The Ray White Agreement has finalised.

A flood study on the Gatton Saleyards site has now been provided to the Public Safety Business Agency for their consideration.

Insurance

Insurance schedules are being prepared for the 17/18 insurance policy. Councils insurer, Local Government Mutual, (LGM), have been approached to attend a Council workshop to clarify the details of policies held by Council and to answer any question regarding LVRC's approach to insurance and how the Mutual Fund operates.

Several claims against Council for damage to vehicles have been denied following internal investigation into liability.



Date: 01 March 2017
Author: Stephen Hart, Manager Executive Business Services
Responsible Officer: Ian Church, Chief Executive Officer

This report informs Council of the key portfolio focus areas identified during these meetings.

THAT Council receive and note the Councillor Portfolio Update report.

THAT Council receive and note the Councillor Portfolio Update report.

Moved By: Cr McDonald Seconded By: Cr Cook
Resolution Number: 16-20/0393

CARRIED
7/0

- ## Report

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- Attend the opening of the Laidley District Little Legends Playgroup
- Meet and greet with media person from Hit FM
- Further discussions with landholders re Lockyer Catchment Action Plan
- Meet with ABC media person
- COMSEQ
- Meet with Regional Safety Manager re road issues
- Attend Faith Lutheran College badging ceremony
- Attend council workshops
- Attend and Chair Council meetings
- Attend and speak at Gatton Meals on Wheels 40th celebration
- Attend the Work for the Dole program
- Attend Laidley Futures meeting
- Participate in CEO appraisal
- Attend Lockyer Valley Bushfire Sub Committee
- Attend Management of Complaints workshop
- Attend the Living Book launch
- Discussions with community member re art gallery conversation
- Attend QFES workshop
- Discuss 2017 Business Awards
- Attend Mt Sylvia State School badging ceremony
- Meet the new SES Local Controller
- Attend the Laidley RSL AGM
- Attend Lake Clarendon State School badge presentation
- Meet with Lockyer Valley mid-wife
- Attend / Chair Lockyer Says No to Violence
- Attend meetings with CEO, EM's and depot staff
- Attend and speak at Lockyer Chamber breakfast
- Attend Lockyer District High School badge presentation
- Attend meeting with Brisbane Marketing
- Attend Nexus meeting
- Meeting re Parklea Estate
- Launch the Words for Wellbeing
- Attend Lockyer Valley Community Reference Group meeting
- Attend Laidley Community Day Club
- Meet with various stakeholders re Anzac services 2017
- Attend Plainland Business meeting
- Attend Mayoral Leadership Breakfast with Southern Downs
- Attend SEQ Regional Plan meeting
- Meet with UQ, Gatton
- Attend Combined Church breakfast
- Attend Gem Show, Gatton
- Attend Gatton State School leaders induction
- Attend Skilling Qld Cert II graduation ceremony
- Meeting with officers and DNRM

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Deputy Mayor Cr Cook: *Recreation/Amenity Facilities: Sport and Recreation, Community Facilities, Health and Waste Management, Animal Management.*

- Meeting with Plainland Hotel regarding a development application
- Meet with ARTC regarding Inland Rail
- Attend Lockyer Better Business meeting
- Industry tour around the region
- Meeting with Regional Safety Manager
- Attended the Come and Try Sports Day at Laidley rec grounds
- Councillor workshop
- Meeting regarding CEO 6 month review
- Attend workshop for Management of Complaints and Councillor Behaviour
- Attend the Ride the Range launch in Toowoomba
- Meeting with Step Into Life regarding lighting costs at Laidley Rec grounds
- Meet with neighbour of Murphy Creek Escape
- Attend consultation for black spots at cultural centre
- Meeting with residents regarding containers on their property
- Meeting with resident regarding SEQ Regional Plan
- Meeting with resident regarding SEQ Regional Plan
- Attend lunch with the board of QUU
- Attended the Laidley Community Day Club
- Laidley Rec Committee meeting
- Attend breakfast at the Council depot
- Audit and Risk Committee meeting
- Toured the Gatton waste facility and new Laidley Library

Cr Wilson: *Business Systems and Processes; Corporate Plans and Performance; Finance; Information, Communication and Technology (ICT).*

- 1/2 - Portfolio Meeting
- 1/2 - Meeting with ARTC regarding inland rail
- 1/2 - Lockyer Chamber of Commerce & Industry Meeting
- 2/2 - Councillor Industry Tour
- 3/2 - Leadership Talk (St Mary's School, Laidley)
- 3/2 - Meeting with resident regarding Warrego Highway Intersection at the Hatton Vale Golf Club
- 7/2 - Councillor Workshop
- 8/2 - Council Meeting
- 8/2 - Laidley Futures Meeting
- 9/2 - CEO Review
- 9/2 - Councillor Workshop
- 13/2 - Leaders Badge Ceremony (Laidley District SS)
- 15/2 - Lockyer Chamber of Commerce & Industry Breakfast
- 15/2 - Meeting with residents regarding Murphys Creek Escape
- 15/2 - Community Consultation for Black Spot Funding Projects
- 16/2 - Meeting with residents regarding SEQ Regional Plan
- 20/2 - Lunch with QUU Board

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- 21/2 - Lunch with Laidley Community Day Club
- 22/2 - Council Meeting
- 23/2 - Breakfast with council staff
- 23/2 - Audit & Risk Committee Meeting
- 28/2 - Councillor Industry Tour

Cr McDonald: *Environment: Environmental Management, Weed/Pest Management, Waterways, Natural Resource Management.*

- The Coordinator Environmental Planning presented a report to Council recommending that a consultant should be engaged to consider the causes and possible cure of the cloudiness of the water in Lakes Freeman and Apex. The recommendation was accepted unanimously. A request to quote is presently being prepared and is expected to go to the market later this week.
- The Senior Environmental Planner, along with the Procurement Coordinator and Special Projects Trade and Investment Coordinator, evaluated tenders received for the consultancy services required for the National Water Infrastructure Development Fund grant. Four consultants were invited to quote, two responded, and the quality of both responses was high. Cardno was selected as the preferred consultant.
- The Coordinator Environmental Planning attended the Regional Bushfire Subcommittee meeting and provided advice on the progress of nominating Council owned or managed land to be included in the cool burn plan for this winter. Another three properties are yet to be assessed before consideration.
- A letter-box drop was undertaken at households close to the flying-fox roosts at Gatton and Laidley. The information advised of a possible mass mortality event likely to occur on the following weekend and included information on what to do with dead flying-foxes that might found. This followed a series of phone calls to residents local to the flying-fox roosts that have expressed concern in the past. This included the Free Range Kids Childcare Centre in Patrick Street, Laidley. Council was placed on stand-by for an anticipated clean-up and briefings and inductions were provided.
Initial phone calls were received from the Australian Bat Clinic volunteers on Saturday afternoon that flying-foxes were starting to die. A mass mortality event was confirmed on Sunday morning however, CEO confirmed that, given the extreme temperature, that the clean-up would commence on Monday. Information was provided via the LVRC Facebook page.
The Coordinator Environmental Planning and the Senior Environmental Planner commenced the clean-up of dead flying-foxes. 140 kilos of dead animals were taken to the Gatton landfill.
The clean-up of dead flying-foxes continued with the Coordinator Environmental Planning and IWS staff. In total over 320 kilos of dead animals were taken to the Gatton landfill. Dead flying-foxes were also removed from a tree at the Free Range Kids child-care centre, Laidley. The mass mortality event triggered a significant number of customer requests. The Environmental Planning team have subsequently de-briefed the response and will make a number of adjustments to the procedure.
- The Senior Environmental Planner gave a 30 minute presentation to a meeting of Floodplain Management Australia on the Resilient Rivers Initiative and Lockyer Catchment Action Plan.
- The Senior Environmental Planner, along with the CEO, Manager Regional Development, Special Projects Trade and Investment Coordinator and Major Projects

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Officer, gave a presentation to the Board of Queensland Urban Utilities, to showcase the region and future collaborative opportunities.

Cr Holstein: Roads and Drainage, Parks and Gardens, Transport and Active Transport, Asset Management and Disaster Management.

February

- Meet with Plainland business regarding car parking/development
- Inland Rail stakeholder engagement update
- Industry tour to various businesses in region
- Meeting regarding Planning issues
- Meet with Grantham resident regarding various issues
- Meeting regarding regional safety
- Meeting with TMR regarding proposed service centre
- Mulgowie Markets
- Come and Try Sports Day Laidley
- Meet with Art group in Gatton
- Attend Cancer fundraiser in Withcott
- Present medallions at Little Athletics Carnival, Springbrook Park
- Council workshop
- Council meeting
- Laidley Futures meeting
- Meeting with CEO re six months
- Lockyer Valley Bush Fire Sub Committee meeting
- Withcott Rural Fire Brigade meeting
- QFES workshop
- Do artwork for International Women's Day flyer/tickets
- Meet with officers and developer regarding rock walls/hydro mulch in subdivision
- Lockyer Chamber of Commerce breakfast meeting
- Meet with residents in Thomas Road regarding development issues
- Community consultation for Black Spot projects. While the feedback received was good it was very disappointing that there was only about 20 residents who attended the consultation despite it being advertised well
- Darling Downs Moreton Rabbit Board meeting in Warwick – First meeting since being appointed by the State Government to the Board focused on 2017/2018 budget. It has been budgeted to spend \$889,756 to maintenance/ improvements to rabbit fence.

Fence Maintenance

- (a) Existing maintenance programs to remain in place over the course of the year
- (b) Three capital projects are proposed
 - (1) May Park Chinchilla, 13kms of fence renewal
 - (2) Back Creek, Palen Creek, 1km of fence renewal
 - (3) Mt Lindsay 1km fence renewal

Compliance and Control

- The compliance team are currently prioritising breeding areas for control efforts. Key focus areas over the next 12 months include:

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-
- (a) Continuation of eradication program in the Lockyer Valley
 - (b) Baillie Henderson Hospital and Toowoomba Christian College
 - (c) New England Highway at Highfields
 - (d) Contractors and Moreton area staff to undertake additional compliance work at the Gold Coast, Ipswich and Scenic Rim Councils.
 - Discussions took place on involving Somerset and North Burnett Councils in rabbit board activities given they both now have rabbit issues
 - The Moreton Division Patrolmen, as part of their normal patrol duties have been replacing foot netting and posts, cleaning drains and floodgates, and doing vegetation control e.g. slashing, brushcutting/spraying. There has been 444 metres of foot netting installed in last 13 week period.
 - A total of 317 properties were inspected during the (04/11/16 – 08/02/17) reporting period (52 in the Lockyer Valley region, 48 in Southern Downs, 32 in Toowoomba, 21 in Ipswich, 15 in Gold Coast, 9 in Logan and 3 in Scenic Rim). Of these, 30 were new reports from the public, DDMRB staff initiated 23 inspections, 4 inspections were for ongoing issues and 1 was a completed site). Some properties were visited multiple times to facilitate or monitor rabbit control activities.
 - 30 rabbit breeding sites were identified during the property inspections, with 13 being removed during the reporting period. Three reports of pet rabbits were received.
 - Eleven of the 13 known key rabbit breeding sites have now been treated in the Lockyer Valley. Compliance work is continuing to ensure the remaining two sites will also be treated soon.
 - Meeting with mayor and officers regarding community consultation on a park issue
 - Meeting with business owner regarding SEQ Regional Plan
 - Meeting with officers, TMR Regional Director and CEO Nexus regarding Toowoomba Second Range Crossing
 - Spring Bluff Committee meeting Toowoomba
 - Qld Urban Utilities board lunch
 - Site meeting with resident and Executive Manager Infrastructure Works & Services regarding gravel Road at Ma Ma Creek
 - Laidley Community Day Club event
 - Site meeting with Executive Manager Infrastructure Works & Services and Principal at Lake Clarendon School to review upgrade of parking
 - Plainland business networking meeting
 - Present badges at Withcott State School
 - Council meeting
 - Council workshop
 - Speak with Gatton Star regarding Clean Up Australia Day
 - Depot BBQ
 - Meeting with Infrastructure officers regarding Laidley Flood Mitigation works
 - Portfolio meeting to discuss future park improvements/capital works
 - Fundraiser at Withcott Hotel with raffle proceeds to Crime Stoppers
 - Attend Toyota Land Cruiser Club of Qld event at Murphys Creek
 - Erect Clean Up Australia Day corflutes for Clean Up Australia Day
 - Put up Crime Stoppers banner at Cultural Centre for Crime Stoppers Day
 - Council site tour
 - RADF meeting
 - Helidon Progress Association meeting
-

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Cr McLean: *Planning and Building Services, Planning Scheme, Townships and Villages, Cultural Heritage and Streetscape, Regional Planning.*

8th February

- Attended the Pioneer Village Committee meeting
- Ordinary council meeting
- Laidley futures meeting

9th February

- CEOs review
- Workshop on management of complaints and councillor behaviour

10th February

- Meeting with resident on the draft SEQ regional plan

12th February

- Attended the living books restaurant

14th February

- Planning portfolio catch-up

15th February

- Daus Neumann house committee meeting
- Attended community consultation for blackspot projects

17th February

- Met with resident regarding the a SEQ regional plan

21st February

- Attended the Laidley community day club

22nd February

- Council meeting

23rd February

- Attended relay for life committee meeting

28 February

- Councillor tour
- Planning portfolio catch-up

Cr Hagan: *Community Development: Arts and Culture, Youth and Disability/Multicultural, Public Safety, Customer Service and Community Services.*

Youth and Disability / Multicultural

- I attended the WMHHS- 'Service Planning and Population Health Working Group – for People with diverse cultural backgrounds'. Over the next six months the Health Service Plan is being reviewed. The purpose of the plan is to look at the following:
 - o What the needs of our population are and how these needs will change;
 - o How we will respond to those needs; and
 - o What our priorities will be for developing capability and delivering health care services to the community over the next 20 years.
- I attended the 'Backpackers BBQ', the first for the year saw approximately 60 in attendance.
- I assisted in the presentation of Leader Badges at Mt Sylvia State School.

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- I attended a meeting of the Child, Youth and Family Alliance Ipswich and West Moreton (CYFA).
- CYFA is comprised of over 40 Organisations from government and non-government working in areas of health, education, community development, justice as well as child, youth and family support.

Arts and Culture

- I attended the Regional Arts Development Fund (RADF) Committee meeting at the Gatton Library.

Organisations and Committees Representation:

- Attended Forest Hill Community development Association meeting.
- Attended Laidley Futures meeting.
- Participated with the Mayor and Councillors in the CEO's 6 months in office appraisal.
- Participated in the 'Management of Complaints and Councillor Behaviour' workshop.
- Meeting with the Mayor, CEO, Coordinator Environmental Planning, and members of the Water Users Forum with regard to issues to be addressed at the DNRM meeting.
- Attended with the Mayor, CEO, Coordinator Environmental Planning, and the Manager - Special Projects, a meeting with representatives from DNRM over water issues in the Central Lockyer.
- Attended the Lockyer Chamber of Commerce and Industry Breakfast.
- Meeting with local residents at Upper Lockyer with regard to Murphy's Creek Escape.
- Attended the Community Consultation evening in relation to Black spot projects at North and William St intersection and East and Crescent St intersection in Gatton.
- Attended the Helidon Progress Association meeting.
- Attended meetings with the Mayor, Councillors, CEO and officers to discuss the SEQ Regional Plan issues with Local residents.
- Attended the 'Words for Wellbeing' launch at the Gatton Library.
- Attended the Lockyer Valley Shed Men meeting.
- Attended Lunch with the Queensland Urban Utilities Board.
- Attended the Cahill Park Cluster group meeting.
- With the Mayor and other Councillors visited the Laidley Community Day Club and shared lunch with their community.
- Meeting with the Mayor, Event & Marketing Officer, Manager Marketing, Communication & Engagement and various service providers regarding ANZAC Day.
- Attended Breakfast with Council Staff at the Depot.



Disposal of Land situated at Gillespies Road, Placid Hills - Lot 19 on SP123969

Date: 02 March 2017
Author: Stephen Hart, Manager Executive Business Services
Responsible Officer: Ian Church, Chief Executive Officer

Council owns land described as Lot 19 on SP 123969 located at Gillespies Road Parklea Estate. The land is located between Lockyer Creek and the residential area of Parklea Estate. The parcel is approximately 14 Hectares and is currently vacant and designated for park purposes. The purpose of this Report is to consider the future use of this land and the potential for disposal of the land.

THAT with respect to the land owned by Council described as Lot 19 on SP 123969, and provided adequate buffer is able to be established between the residential and any planned agricultural use, Council resolve to:

- a) Invite tenders for the lease of Lot 19 on SP123969;
- b) authorise the Chief Executive Officer to send correspondence to all adjoining owners to advise of the tender and determine if they have any interest in leasing the land; and
- c) authorise the Chief Executive Officer to negotiate a lease on terms acceptable to Council.

THAT with respect to the land owned by Council described as Lot 19 on SP 123969, and provided adequate buffer is able to be established between the residential and any planned agricultural use, Council resolve to:

- a) Invite tenders for the lease of Lot 19 on SP123969;
- b) authorise the Chief Executive Officer to send correspondence to all adjoining owners to advise of the tender and determine if they have any interest in leasing the land; and
- c) authorise the Chief Executive Officer to negotiate a lease on terms acceptable to Council.

Moved By: Cr Holstein Seconded By: Cr Wilson
Resolution Number: 16-20/0394

CARRIED
7/0

Report

1. Introduction

The purpose of this report is to consider the future use of Council owned land situated at Gillespies Road, Placid Hills. The parcel is also known as Parklea Estate Park, and is described as Lot 19 on SP 123969 which comprises of approximately 14 hectares. It is proposed that Council consider potential alternate uses for this land in order to better utilise the land and reduce ongoing maintenance requirements and costs.

2. Background

Lot 19 on SP 123969 is currently owned by Council and comprises approximately 14 hectares. The land is zoned Rural Agricultural, Rural General and is bounded to the South by Lockyer Creek, by 27 Residential properties to the North and East and 1 agricultural land owner to the South West (Refer attached aerial map).

The land is held on trust by Council following a Planning and Environment Court decision in the late 1990's. In March 2000 the Court subsequently ordered that the land be transferred to Council in fee simple on trust for park purposes.

An easement exists for *water supply and maintenance of water supply pipeline* that services the adjoining farmland to the South West. This easement contains a bore, pump and pipeline. This easement pre-dated the 2000 Court order.

Since that time council have been responsible for the maintenance of the subject land.

3. Report

Given the limited utilisation of the park area and the ongoing maintenance costs, alternate options for the use of the subject land are being considered. These options involve the consideration of legal, planning, community use and maintenance cost issues.

Legal

The Local Government legislation provides for the disposal of land held by Council. Pursuant to the *Local Government Regulation (2012)* the disposal of land by a local government can only be undertaken by tender or auction (S227). Section 236 then provides that Council has the discretion to apply exemptions from that requirement in defined circumstances.

Section 236(1)(c)(iv) is the relevant subsection of the Local Government Regulation relating to adjoining owners. That section provides that land can be disposed of (sale or lease) to an adjoining owner in certain circumstances. It is considered that, in this case, these circumstances can be met. However, the exemption criteria contained in S236 is discretionary and Council may prefer to go to open tender. This would avoid any risk of the rental amount failing to reach valuation. The detailed requirements relating to the leasing of land is considered below (in Section 4 of this report).

Section 678 of the *Sustainable Planning Act 2009* also provides the process required if a Council is intending to sell land it holds on trust in fee simple. This would entail:

- Advertising Council's intention to sell the land;

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- Allowing reasonable time for public submissions;
- Consideration of all submissions
- Ensuring that if sold the proceeds go to providing trunk infrastructure.

The requirements specified in the Local Government legislation would also apply to any disposal of land.

Planning

As indicated above, although the land is zoned as Rural Agricultural, Rural General, the land has been set aside as park as required by the Court Order in 2000.

From a planning perspective, the decision to provide the land as a buffer to the nearby agricultural land would have been required by the then State Planning Policy SPP1/92 and the associated Planning Guideline separating Agricultural and Residential Land Uses.

The need to achieve this type of outcome is still reflected in the current State Planning Policy although the approach currently is to achieve this outcome through the making or amendment of a planning scheme rather than through the assessment of development applications.

If this land is to be leased or sold and used for cropping it would negate the reason it was provided as a buffer. This would have been to ensure adequate separation between residences in the estate and agricultural activities. Council will need to be assured that adequate separation is provided.

Costs of Maintenance

Infrastructure Works and Services have advised that the cost of annual maintenance is directly linked to the dictates of weather. An indicative cost for slashing the area is of the order of \$4000. Such a cost may be incurred up to four times a year. This equates to an indicative annual maintenance cost of \$16 000 pa.

Community engagement

It is recognised that adjoining land holders may have mixed views on the future use of the subject land. There may be concern over the potential loss of park land and how the future use of the land will be regulated should the land be disposed of by Council. If a sale or lease is to be contemplated, correspondence will be sent to all adjoining land holders. This will be drafted in consultation with the community engagement team. This correspondence would advise of the basis for this proposal and the process to be undertaken in accordance with the legislative requirements.

Sale v Lease

The legislation enables the sale or lease of the subject land. As indicated above a proposed sale would trigger an additional process. The financial return to Council would be greater if the land were to be sold. However, it is considered that a lease over the subject land will provide Council with the capacity for greater control over the future use of the subject land under the terms of the lease. Such a lease could address concerns that may be raised by the community.

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4. Policy and Legal Implications

Pursuant to the Local Government legislation the disposal of land by a local government can only be undertaken by tender or auction (s227).

Section 236 provides that Council has the discretion to apply exemptions from that requirement in defined circumstances.

Section 236(1)(c)(iv) is the relevant subsection of the Local Government Regulation relating to adjoining owners. That section provides that land can be disposed of to an adjoining owner if:-

- a) The land is not suitable to be offered for disposal by tender or auction for a particular reason for example, the size of the land or the existence of particular infrastructure on the land;
- b) There is not another person who owns other adjoining land who wishes to acquire the land.
- c) It is in the public interest to dispose of the land without a tender or auction; and
- d) The disposal is otherwise in accordance with sound contracting principles.

A number of factors indicate that the exemption may be applied. The subject land is an irregular parcel with limited access from Gillespies Road. From a flood inundation perspective, the land is located almost entirely in the High Hazard Area. The land also contains water infrastructure including a bore, pump and pipeline. This infrastructure is within an easement for water supply and maintenance of water supply pipeline which services the adjoining owner to the south. Any lease agreement would need to reflect the existing easement.

If an exemption were to be applied all adjoining owners would need to be consulted to determine if any other adjoining owner is interested in the land.

In order for Section 236 to apply (for the lease of the land to an adjoining land owner), the rental income must be an amount equal to, or more than, the market value of the interest in the land. A written market valuation by a registered valuer would be required to meet Council's statutory obligations under Section 236 (1)(c)(iv).

The exemption criteria contained in s236 is discretionary. It is considered preferable to go to open tender. This would be more open process, better test the market and avoid any risk of the rental amount failing to reach valuation.

5. Financial and Resource Implications

Leasing of the subject land would attract a rental return. The quantum will depend on the preferred usage eg agriculture or grazing. This will need to be specified. If an open tender process is utilised this would meet sound contracting principles and a valuation would not be required. If the exemption in s236 is applied the legislation specifies that such a valuation is mandatory. The rental income must then be an amount equal to, or more than, the market value of the interest in the land.

The cost to Council of obtaining a valuation from a registered valuer is estimated to be between \$500.00 and \$1000.00. There may also be additional costs of weed treatment prior to disposal.

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An additional financial benefit to Council would be the reduced costs associated with maintenance of the land. This is estimated as being between \$8000 and \$16000 per annum.

6. Delegations/Authorisations

As per the officer recommendation, the Chief Executive Officer would be authorised to send correspondence to adjoining land holders and negotiate a lease.

7. Communication and Engagement

As indicated above there are legislative processes to be met regarding the disposal of land by lease. Additional consultation would be required if sale of the land were to be contemplated. If a lease is to be considered, it is intended that correspondence be sent to all adjoining land holders to both advise and seek interest in a lease.

8. Conclusion

The future use of Lot 19 on SP 123969 needs to be considered. The parcel of land is currently underutilised and is costly to maintain. Providing adequate buffer between residential use and cropping can be maintained, disposal of the land can be considered. To seek to ensure any community concerns that may arise are addressed, it is considered that a lease would be preferable to sale.

The legislative requirements relating to disposal can be met through either an open tender or through the discretionary application of an exemption for adjoining land holders. If the exemption for adjoining land holders is applied any tender will be required to meet or exceed a valuation. On balance, an open tender process is preferred.

9. Action/s

1. Determine if an adequate buffer can be achieved to enable improved land utilisation.
2. Draft correspondence to adjoining land holders to both advise of the process and seeking interest in leasing the subject land.
3. Administer tender process as required.
4. Negotiate lease.

Attachments

1 [View](#) map 1 Page





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**10.4 Lease - Helidon Community Shed Association Incorporated –
6 Plant Street, Helidon**

Date: 01 March 2017
Author: Julie Millard, Property Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this Report is to consider a request by the Helidon Community Shed Association Incorporated to enter into a Trustee Lease over part of Lot 19 on CP 903641 situated at 6 Plant Street, Helidon for the purpose of a Girls Shed. If this request is granted, the application of statutory exception from tendering in Section 236(1)(b)(ii) of the *Local Government Regulation 2012* must be applied by resolution before a lease can be granted.

Officer's Recommendation:

THAT with respect to the future use of part of Lot 19 on CP 903641, Council resolve to:-

- a) apply the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 in order for a Trustee Lease to entered into with the Helidon Community Shed Association Incorporated on the following conditions:-**
 - (i) The lease will be for a term of 20 years;**
 - (ii) The Helidon Community Shed Association Incorporated will be responsible for all costs incurred in preparation and registration of the Trustee Lease, including survey costs if any;**
 - (iii) The Helidon Community Shed Association Incorporated will be responsible for all outgoings, including but not limited to insurance and utility expenses, incurred in respect of the leased premises; and**
- b) delegate authority to the Chief Executive Officer to negotiate a Trustee Lease on terms satisfactory to Council.**

RESOLUTION

THAT with respect to the future use of part of Lot 19 on CP 903641, Council resolve to:-

- a) apply the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 in order for a Trustee Lease to be entered into with the Helidon Community Shed Association Incorporated on the following conditions:-**
 - (i) The lease will be for a term of 20 years;**
 - (ii) The Helidon Community Shed Association Incorporated will be responsible for all costs incurred in preparation and registration of the Trustee Lease, including survey costs if any;**
 - (iii) The Helidon Community Shed Association Incorporated will be responsible for all outgoings, including but not limited to insurance and utility expenses, incurred in respect of the leased premises; and**
- b) delegate authority to the Chief Executive Officer to negotiate a Trustee Lease on terms satisfactory to Council.**

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Moved By: Cr McDonald Seconded By: Cr Cook
Resolution Number: 16-20/0395

CARRIED
7/0

Report

1. Introduction

The purpose of this Report is to respond to a request by the Helidon Community Shed Association ("Club") to enter into a Trustee Lease over part of Lot 19 on CP 903641 situated at 6 Plant Street, Helidon ("the Land") for the purpose of a Girls Shed and discharge Council's statutory obligations before formal tenure is offered.

2. Background

In approximately 2011 the Club, with the help of the then Lockyer Valley Regional Council Mayor and Energex, erected a shed for the purpose of running a Girls Shed on the Land. This would be a meeting place for the Club where community and leisure activities could be undertaken. During the 2011 floods the Club received extensive donations and the Girls Club actively received and distributed donated items to assist the community.

It has recently come to Council's attention that the Club has been operating for the past 5 years without the correct building and planning permits and a trustee lease over the Land. Until recently they had also been operating an Opp Shop from the premises.

On Tuesday, 24 January 2017 Council's Manager of Plumbing and Building Services met with the Club regarding the required permits and Council regulations. It was agreed between Council and the Club that they would cease all use of the premises until the appropriate permits and tenure could be arranged.

The Club was also advised that they would not be able to operate a shop from the premises due to onerous building and planning requirements and the land being reserve land in which the Department of Natural Resources and Mines would be unlikely to approve a commercial operation without stringent requirements being met.

After discussions with the Club, the Club have agreed that they would like to use their Shed for a "Girls Shed" for the following activities:-

1. Helping the next generation to learn the crafts that they learnt from their Grandmothers, mothers and at school which will include sewing, knitting, crochet, embroidery, beading etc. as well as all ages learning new craft;
2. Giving other members of the community a place to call in for a chat or get together;
3. Cultivating the interest in the history of the area and help others with their genealogy and family history;
4. Helping with computer skills and technology; and

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5. To be available and to help in any future disaster for a place for the rescue services to congregate and for the community to offer their support.

3. Report

The site that is currently used by the Club is shown on the **attached** Aerial Plan and contains approximately 391m². The Land is a Reserve for Recreation in which Council is Trustee and the Land is zoned as Open Space.

As the Club is a community organisation and will not be operating for the purpose of obtaining a profit, it is recommended that Council apply the exception contained in Section 236(1)(b)(ii) of the *Local Government Regulation 2012* in order to offer the Club a Trustee Lease over the Land.

4. Policy and Legal Implications

Section 236(1)(b)(ii) of the *Local Government Regulation 2012* states that a Local Government may dispose of a valuable non-current asset other than by tender or auction if the valuable non-current asset is a community organisation.

A Trustee Lease may be offered for a term up to 20 years, but cannot contain any renewal options.

The Department of Natural Resources and Mines have advised that the purpose is consistent with the Recreation Reserve therefore Council is not required to obtain or have Ministerial approval under the Land Act 1994.

As the purpose is consistent with the Recreation Reserve a Land Management Plan is also not required. This empowers Council to be the day to day manager of the reserve and to make decisions on the consistent use of the trust land.

The Club will be bound by the standard trustee lease terms, including obligations to pay for lease registration, survey costs (if any) and insurance costs. Community grants and other funding can be sought by the Club to assist with these expenses.

5. Financial and Resource Implications

In line with other trustee leases offered by Council to community organisations, it is proposed that the rental sought will be \$119.00 excluding GST, which is equivalent to the rental sought for State leases to small community organisations. This rental would be indexed annually to CPI.

6. Delegations/Authorisations

The Chief Executive Officer, through the Legal Services Team, shall be authorised to do all things necessary to negotiate a lease with the Club on the terms and conditions recommended in this Report.

7. Communication and Engagement

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The Chief Executive Office, through the Legal Services Team, will be responsible for communicating with all relevant parties to finalise a Trustee Lease over the Land.

8. Conclusion

The Recommendation made in this Report will enable a Trustee Lease to be entered into with the Club over the Land in compliance with legislative requirements.

9. Action/s

1. Advise the Club of Council's resolution in response to their request.
2. Negotiate and finalise a Trustee Lease with the Club.
3. Register the Trustee Lease with the Department of Natural Resources and Mines.

Attachments

1 [View](#) Aerial Map 1 Page





Date: 28 February 2017
Author: Rick Machin, Acting Manager Marketing, Communications & Engagement
Responsible Officer: Ian Church, Chief Executive Officer

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The intent of the QTM promotional vehicle was to raise awareness of the museum and in turn increase patronage. However, this strategy has not proved successful in attracting additional visitors.

On 12 October 2016, a decision was made by Council to open the QTM to Lockyer Valley residents free of charge and that a Marketing Strategy be developed to assist with the ongoing promotion of the facility.

Entry to the QTM has been available to Lockyer Valley residents free of charge since the middle of January 2017. This has not been heavily promoted in anticipation of the development and adoption of the attached Marketing Strategy.

Despite the relatively low promotion thus far, 131 residents have been through the museum free of charge as at 28 February 2017.

The planned redevelopment of the QTM aims to significantly increase visitor numbers through the adoption of the attached Marketing Strategy

3. Report

There is no doubt the QTM needs to be properly promoted in order to continue to gain patronage with additions such as the driving simulator and interactive displays forming part of the overall strategy to increase visitation.

In order to attract a broader visitor base, it is recommended the facility expand its exhibits to include motorcycles, cars and even include aspects of aviation, making it a true transport orientated museum and not just a facility almost solely dedicated to trucks.

By broadening the exhibits and making the facility, more hands on and interactive, it is anticipated the QTM will be more appealing to a wider section of the community, in turn increasing patronage.

The Marketing Strategy also recommends the continued partnership with other transport related museums including the Ipswich Rail Museum, the Cobb & Co Museum in Toowoomba, the Queensland Auto Museum in Toowoomba, the Panorama Motorcycle Museum, the Australian Motorcycle Museum at Haigslea and even the RAAF Amberley Aviation Heritage Centre. Discussions will be undertaken with these museums around the potential for cross-promotional opportunities.

It is proposed that low end licensed souvenirs such as Ford, Holden, Kenworth, Mack merchandise will be sold as a revenue source, countering the free entry. Items with a high turnover and good profit such as licensed beer holders and pens can be purchased for a profitable re-sale .

Packages can also be developed with the Staging Post Café to incorporate entry to the QTM coupled with a dining experience and targeted to bus tours.

4. Policy and Legal Implications

There are no policy and legal implications for the adoption of the marketing strategy.

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5. Financial and Resource Implications

Free entry to the museum by residents will lead to greater utilisation of the QTM but will be at a cost due to the loss of revenue. Average annual patrons raised approximately \$42,000 in revenue. This will reduce given free entry to residents.

The promotional vehicle that was previously used for marketing purposes is now for sale. It is anticipated the funds from that sale may be allocated to the implementation of the marketing strategy. There will also be a saving in its maintenance and operational costs.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report.

7. Communication and Engagement

Free entry to the QTM will be promoted through below the line means including Facebook in the first instance with the Manager of Marketing Communications and Engagement to work with the Marketing and Tourism Coordinator to look for initial funding for above the line tactics as outlined in the Marketing Strategy.

8. Conclusion

This report outlines the proposed QTM marketing Strategy. It seeks Council adoption of the attached Marketing Strategy that aims to increase visitor numbers and utilisation of this significant tourism venue.

9. Action/s

That the Marketing Strategy recommendations be implemented.

Attachments

1 [View](#) QTM Marketing Strategy 15 Pages



Queensland Transport Museum Marketing Strategy



Overview

Officially opened on 7 November 2009, the Queensland Transport Museum (QTM) is an integral part of the Lockyer Valley tourism profile.

Attracting an average of 6000 visitors each year, the Queensland Transport Museum will undergo a redevelopment in 2017.

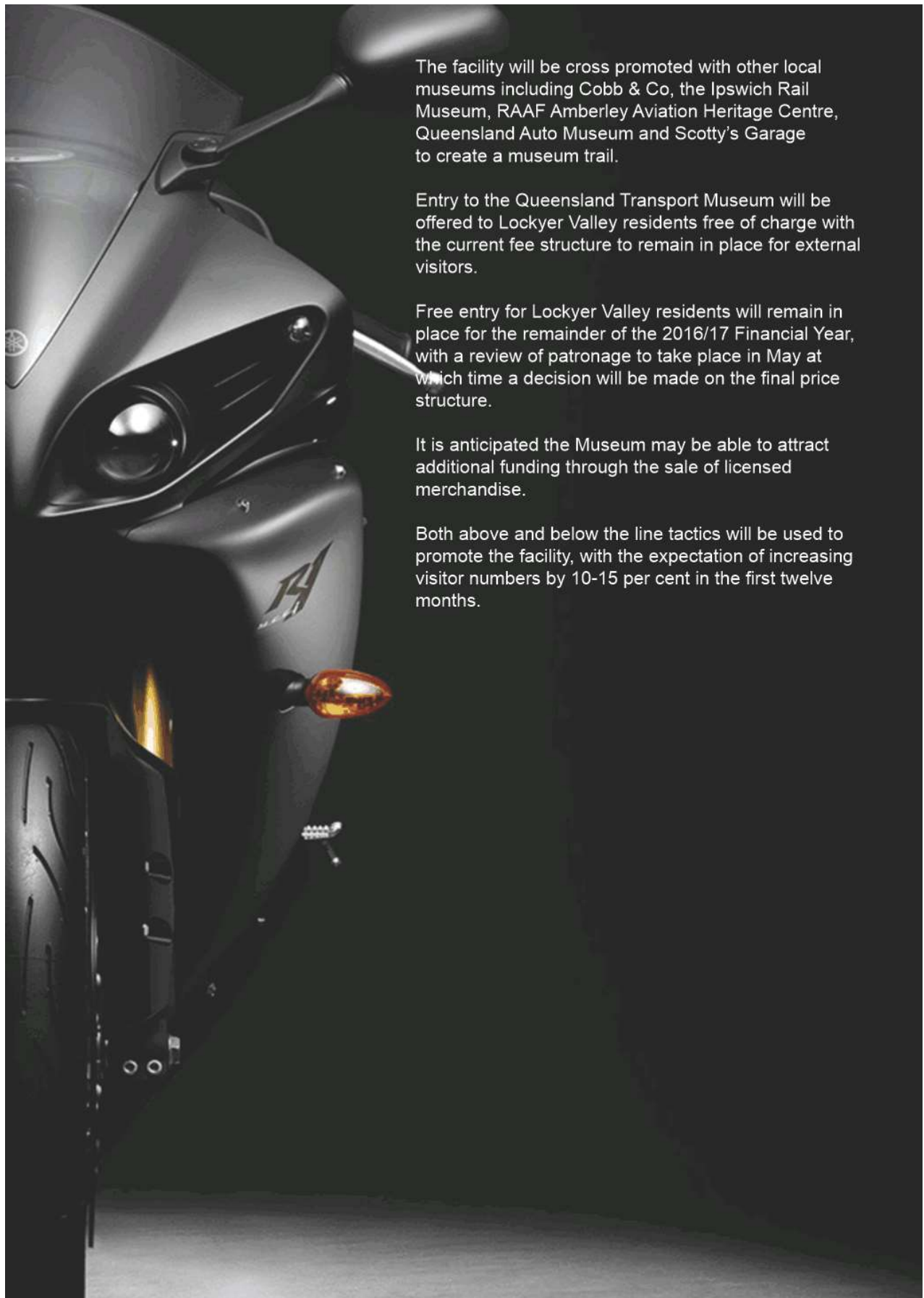
A new committee has been formed and consists of members of the former steering committee, Councillors and Council staff that will guide the future direction of the facility in line with both community and Council expectations. The overall aim will be to create a museum that will not only be the jewel in the crown of the Lockyer Valley, but also of South East Queensland.

The QTM will open up its display range to include aircraft, motorcycle and car displays with themed periods to coincide with national and international events.

Themes could include a Holden vs Ford display in the lead up to Bathurst or additional military vehicles throughout the ANZAC period.

The aim of the Museum will be to have less static displays but with a higher turnover so there will always be something new and exciting to see.

The Museum will gradually become more interactive with the planned inclusion of working engine parts to allow visitors to see the inner workings of an engine as well as a driving simulator.



The facility will be cross promoted with other local museums including Cobb & Co, the Ipswich Rail Museum, RAAF Amberley Aviation Heritage Centre, Queensland Auto Museum and Scotty's Garage to create a museum trail.

Entry to the Queensland Transport Museum will be offered to Lockyer Valley residents free of charge with the current fee structure to remain in place for external visitors.

Free entry for Lockyer Valley residents will remain in place for the remainder of the 2016/17 Financial Year, with a review of patronage to take place in May at which time a decision will be made on the final price structure.

It is anticipated the Museum may be able to attract additional funding through the sale of licensed merchandise.

Both above and below the line tactics will be used to promote the facility, with the expectation of increasing visitor numbers by 10-15 per cent in the first twelve months.

Short term goals

The shorter term goals for the Queensland Transport Museum centre around raising the profile of the facility and everything it has to offer. There are still people within the Lockyer Valley that have never visited the facility.

Once the profile has been lifted within the Lockyer Valley, branding the facility outside of the region will ramp up.

The Museum needs to be fun and interactive and be constantly changing, enticing people to visit again and again. This is something we hope to deliver in the shorter term.



Long term goals

The longer term goal is to genuinely create a facility that will continue to grow and prosper and one that will attract visitors from across South East Queensland. Once operating at its fullest potential, the longer term goal is to grow the Museum and take it to the next level of fun and interaction.

The ultimate goal is to have the facility operating and running seamlessly with very little input aside from directing exhibits throughout the year.







Target market

The target market during the initial redevelopment of the Queensland Transport Museum is locals. Giving Lockyer Valley residents the reason to really take ownership of the QTM and make it the success everyone wants it to be.

The aim is that locals will take visiting friends and relatives, the Lockyer Valley's largest tourism market, to the Queensland Transport Museum.

Local schools will be invited to attend throughout the year with the hope they will not only get some positive learnings out of the visit, but also in the hope they will entice their friends and family to attend.

The other targeted market is clearly visitors from outside the region. Working within budgetary constraints, marketing the facility to promote patronage from areas including Brisbane and the Gold Coast will take place.

Competition

Genuine competition comes in a number of forms, and while competition includes all other Lockyer Valley attractions such as Lake Dyer and Spring Bluff, primarily it comes from other local museums.

Transport related museums located within a short driving distance of the Lockyer Valley include:

Cobb & Co Museum, Toowoomba

Amberley Aviation Heritage Centre

Das Neumann Haus, Laidley

Heritage Centre, Toowoomba

Laidley Pioneer Village

Milne Bay Military Museum, Toowoomba

QLD Motorsport Museum, Ipswich

Rosewood Railway Museum

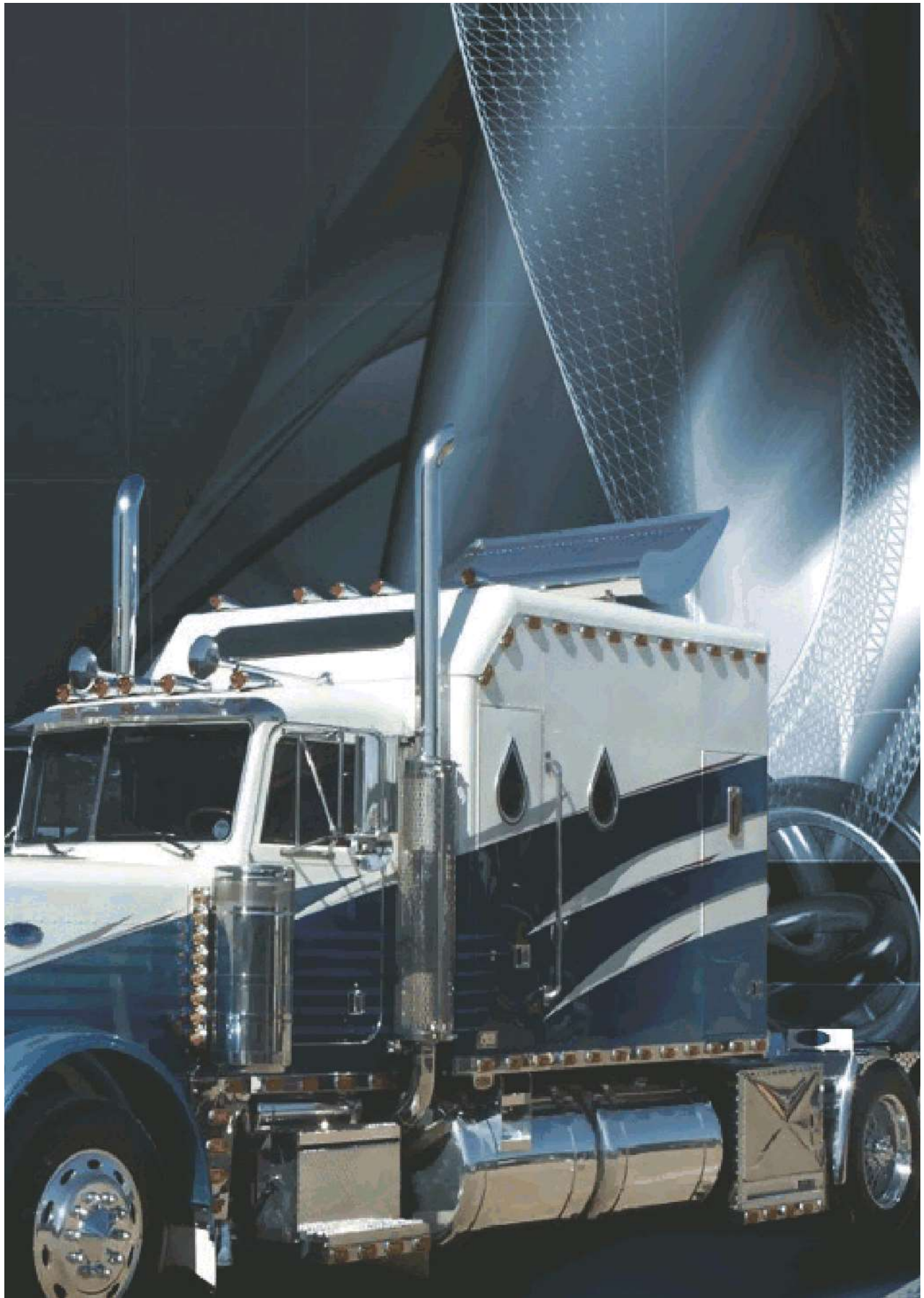
Ipswich Railway Museum

Scotty's Garage, Upper Flagstone

Montys Garage Vintage Car Museum, Glenmorgan

Museum of Australian Army Flying, Oakey





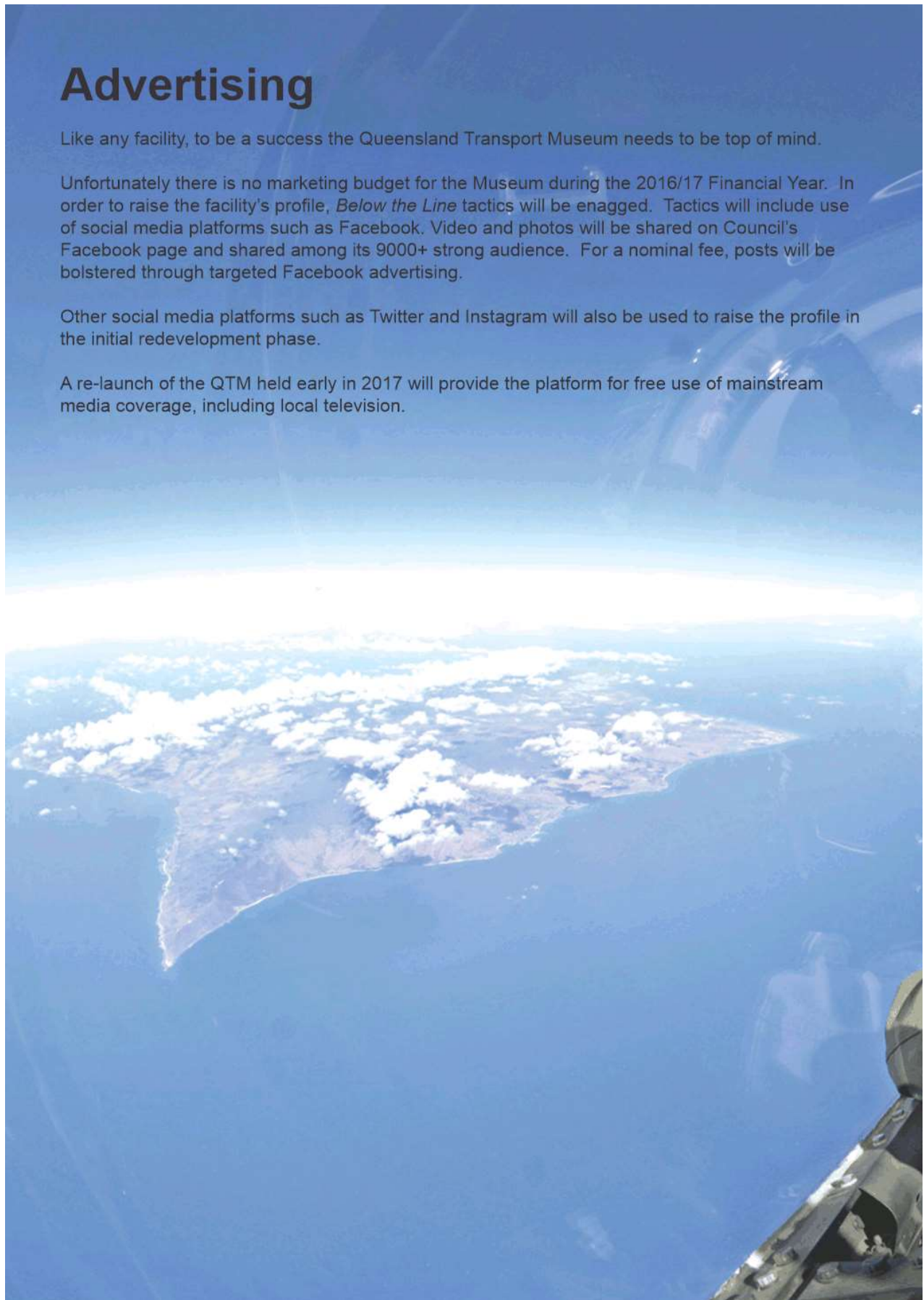
Advertising

Like any facility, to be a success the Queensland Transport Museum needs to be top of mind.

Unfortunately there is no marketing budget for the Museum during the 2016/17 Financial Year. In order to raise the facility's profile, *Below the Line* tactics will be engaged. Tactics will include use of social media platforms such as Facebook. Video and photos will be shared on Council's Facebook page and shared among its 9000+ strong audience. For a nominal fee, posts will be bolstered through targeted Facebook advertising.

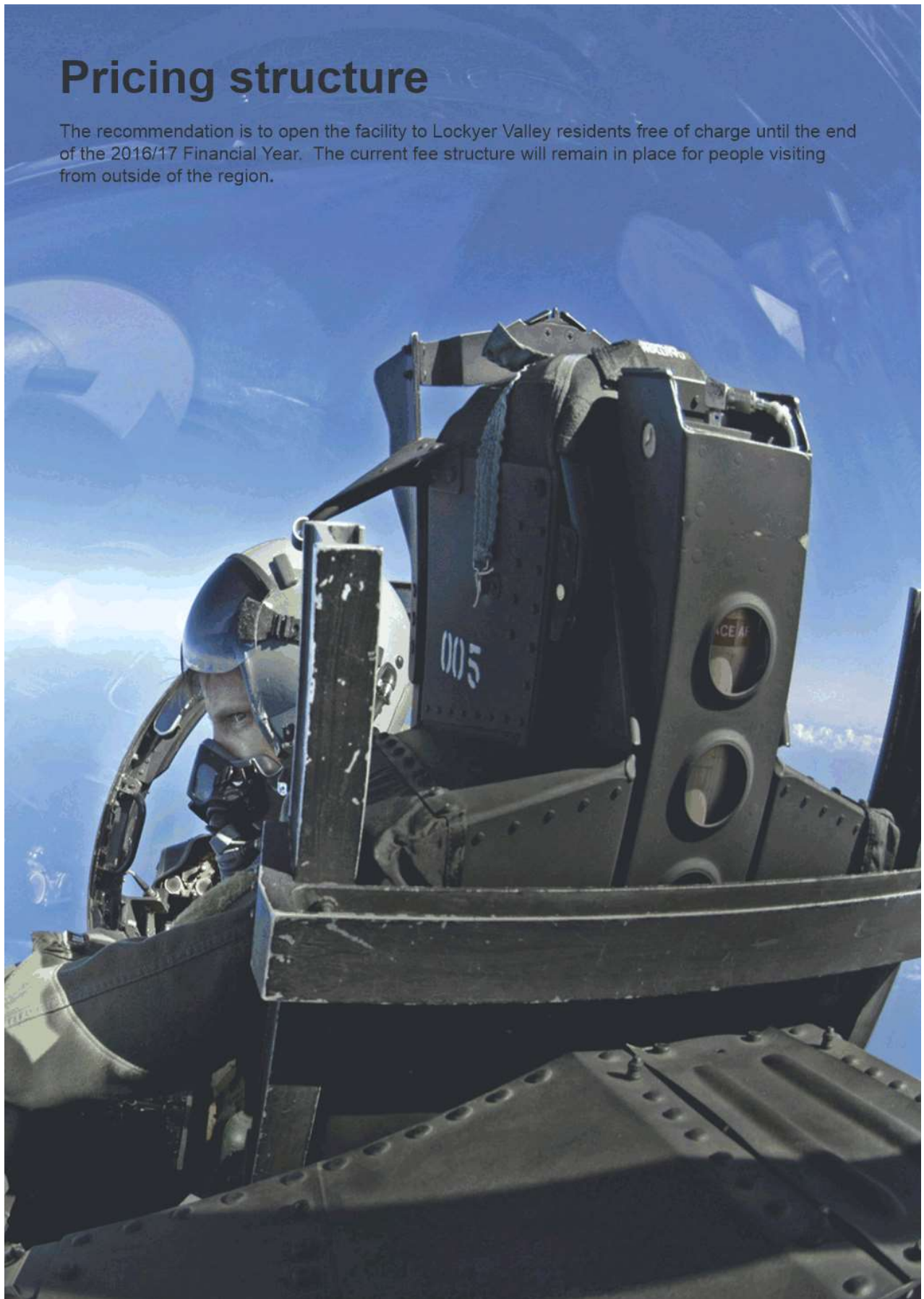
Other social media platforms such as Twitter and Instagram will also be used to raise the profile in the initial redevelopment phase.

A re-launch of the QTM held early in 2017 will provide the platform for free use of mainstream media coverage, including local television.



Pricing structure

The recommendation is to open the facility to Lockyer Valley residents free of charge until the end of the 2016/17 Financial Year. The current fee structure will remain in place for people visiting from outside of the region.



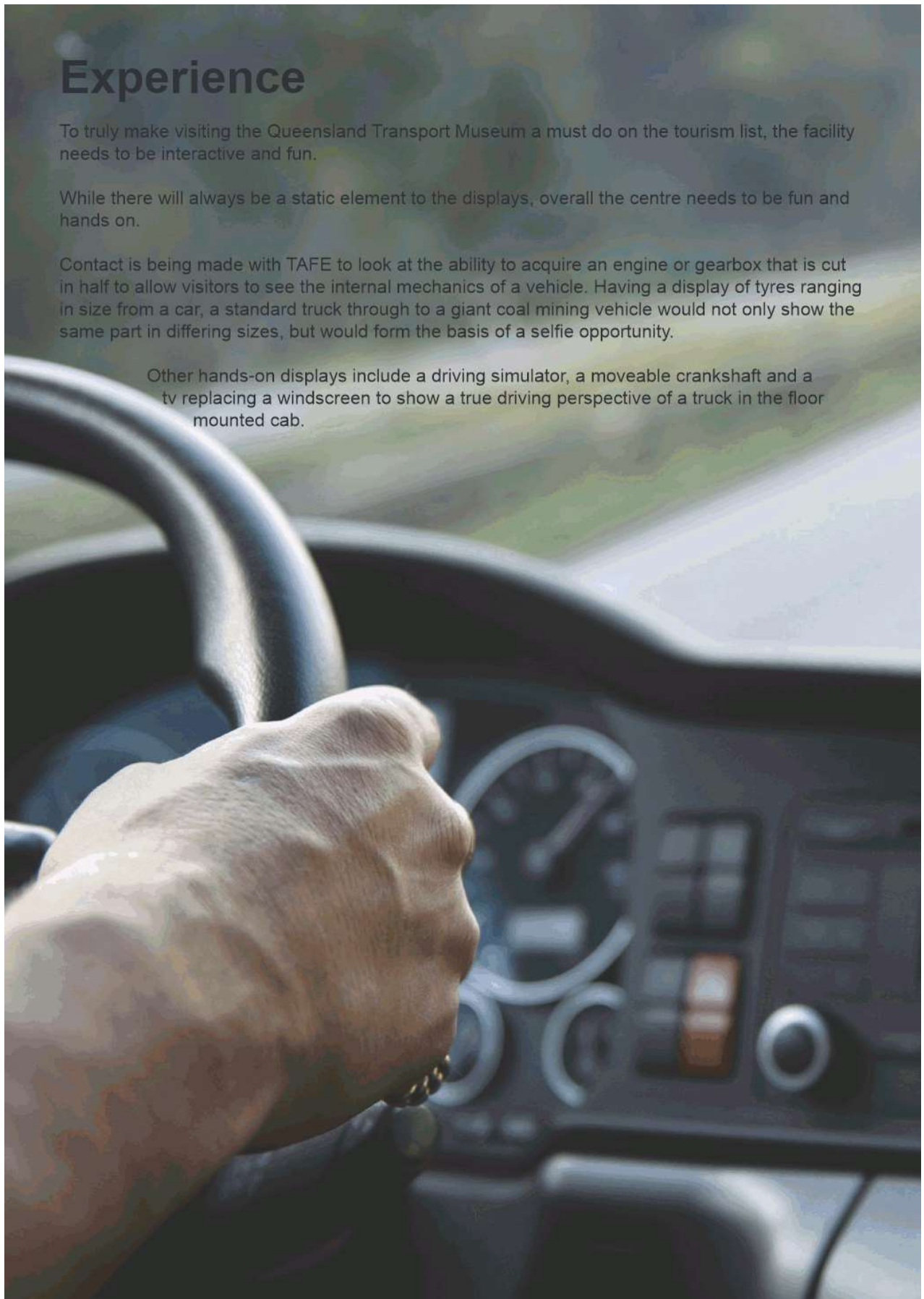
Experience

To truly make visiting the Queensland Transport Museum a must do on the tourism list, the facility needs to be interactive and fun.

While there will always be a static element to the displays, overall the centre needs to be fun and hands on.

Contact is being made with TAFE to look at the ability to acquire an engine or gearbox that is cut in half to allow visitors to see the internal mechanics of a vehicle. Having a display of tyres ranging in size from a car, a standard truck through to a giant coal mining vehicle would not only show the same part in differing sizes, but would form the basis of a selfie opportunity.

Other hands-on displays include a driving simulator, a moveable crankshaft and a tv replacing a windscreen to show a true driving perspective of a truck in the floor mounted cab.



Social media

One of the key ways to get the message out to the community that the QTM has changed for the better will be through social media. Council's Facebook page has more than 9000 people following it.

Strategic launches, imagery and offers will be made through Facebook as a means to advertise for free. This will be complimented with paid Facebook advertising for a very nominal fee.

Mainstream media

For maximum reach and effectiveness, mainstream media needs to be engaged. Some promotional activity such as a re-launch should be able to generate free media exposure. This can be followed by effective and meaningful displays that are able to attract media attention.

It is also recommended that targeted advertising take place following the handing down of the 2017/18 Budget through targeted means such as cinema advertising (Fast and Furious 8 is released in 2017 and as a car movie, is the perfect platform for cinema advertising).

Other movies to be released in 2017 that the QTM could be promoted in include Cars 3 and Transformers: The Last Knight.

Council can make the on-screen commercial, saving considerable money.



Measurables

With the baseline data already established from years of capturing entry to the QTM, one key measure of success would be a significant increase in visitation numbers.

Another would be an increase in merchandise sales and increase in sales at the Staging Post Cafe.

Marketing strategy overview

The overall marketing strategy for the QTM is very simple, yet potentially very effective.

Marketing and promotion will be solely centred around use of 'below the line' tactics throughout the remainder of the 2017/18 Budget deliberations that will allow for some 'above the line' campaigns to run as well as the continued use of social media.

It is anticipated themed displays will assist with the overall lure of the facility, coupled with free entry for Local Government members.

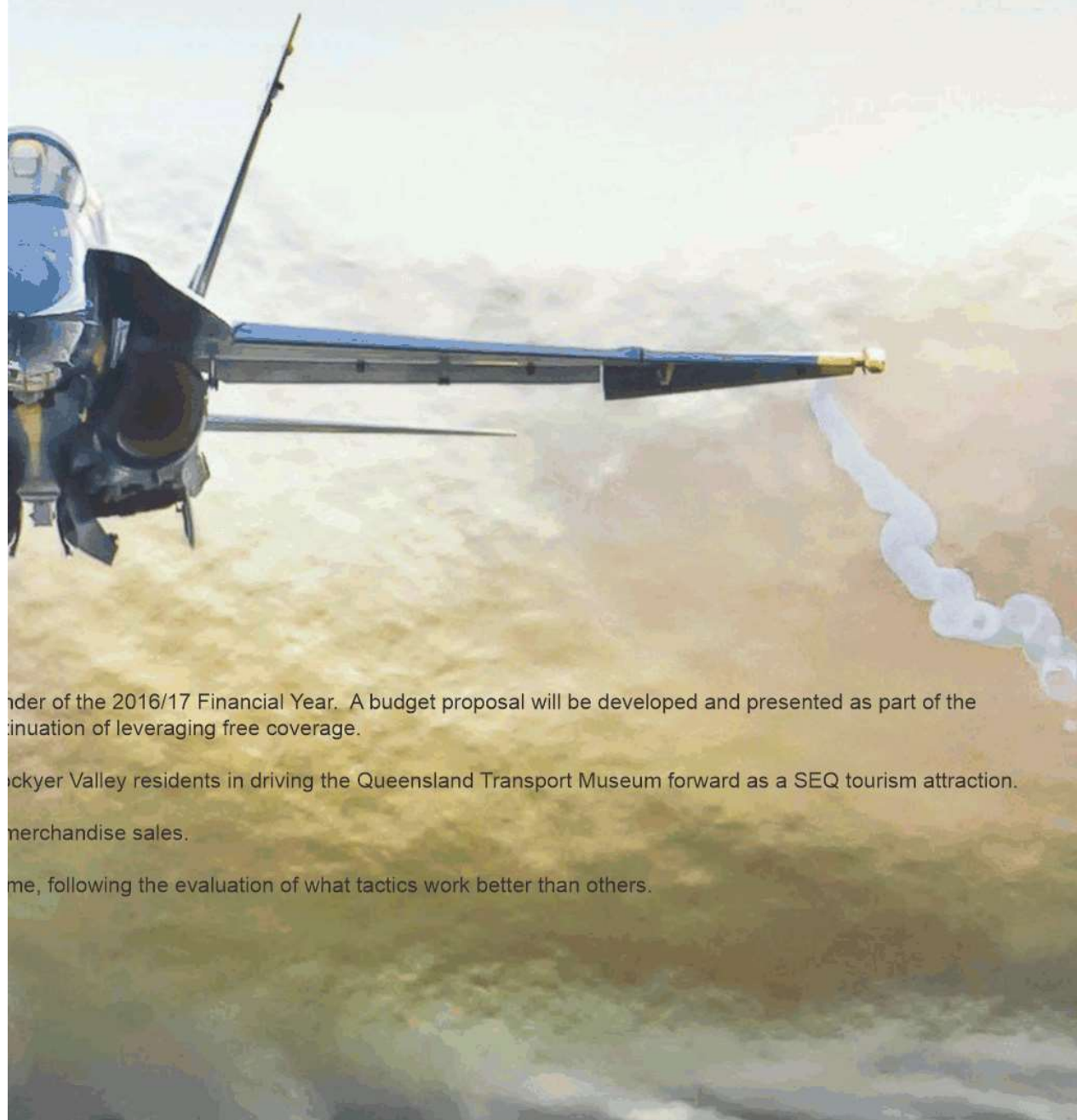
The sale of licensed merchandise is currently being explored with the hope it will lead to a raised level of revenue for the QTM.

This marketing plan should be considered a living document and will continue to grow and develop over time.

Partnerships

The ongoing success of the Queensland Transport Museum relies on our ability to partner with surrounding museums and cross promoting. By doing this, we essentially have access to every single person that visits any of the museums listed.

Initial conversations about cross promoting have been very favourable and will continue in a more formal sense throughout the early stages of 2017.



nder of the 2016/17 Financial Year. A budget proposal will be developed and presented as part of the
inuation of leveraging free coverage.

ockyer Valley residents in driving the Queensland Transport Museum forward as a SEQ tourism attraction.

merchandise sales.

me, following the evaluation of what tactics work better than others.



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11.0 ORGANISATIONAL DEVELOPMENT AND PLANNING REPORTS

11.1 Outstanding Infrastructure Charges - Material Change of Use Approvals

Date: 02 March 2017

Author: Dan McPherson, Executive Manager Organisational Development & Planning

Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

As a result of an audit of development approvals for material change of use that had been acted upon and the approved use had commenced it was noted by way of a report to Council in September 2015 that there was a total of \$207,444.70 in infrastructure charges that were due but had not been paid. Action to collect these charges was initiated in December 2016.

Officer's Recommendation:

THAT Council resolve to note the content of this report and authorise the Chief Executive Officer to amend as necessary Council charges associated with the recovery of the outstanding infrastructure charges as outlined in Council Resolution 9 September 2015.

RESOLUTION

THAT Council resolve to note the content of this report and authorise the Chief Executive Officer to amend as necessary Council charges associated with the recovery of the outstanding infrastructure charges as outlined in Council Resolution of 9 September 2015.

Further;

THAT Council acknowledge that a review has been undertaken by the Chief Executive Officer and systems have been implemented to address the concerns in regard to the levying and collection of Infrastructure Charges – for Material Change of Use Approvals.

**Moved By: Cr McDonald Seconded By: Cr Cook
Resolution Number: 16-20/0397**

CARRIED

7/0

Report

1. Introduction

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As a result of an audit undertaken Council resolved to take action to collect outstanding infrastructure charges for developments that had commenced but for which infrastructure charges had not been paid.

2. Background

Council officers became aware in late 2014 that the Ipswich City Council had recently undertaken an audit of infrastructure charges levied against development approvals for which the use had commenced and found in the order of one million dollars' worth of infrastructure charges had not been paid.

A similar audit was undertaken for the Lockyer Valley Regional Council, which reviewed approvals, and payments back to 1 July 2012 and this identified a total of \$207,444.70 in uncollected infrastructure charges. A report was presented to the 9 September 2015 Ordinary Meeting where Council resolved to initiate action to collect the outstanding infrastructure charges.

3. Report

Infrastructure charges are levied for two types of development approvals, these being material change of use approvals and reconfiguring a lot approvals.

In relation to reconfiguring a lot these charges are payable at the time of sealing a plan of survey for the development and there is now and has always been an administrative process in place to ensure these charges are paid in full before the plan is sealed. This process is initiated by the receipt of an application for approval of the plan of survey.

In contrast, the payment of infrastructure charges for material change of use approvals falls due at the time of commencement of the use. Unlike the situation with reconfiguring a lot approvals there is no application that would initiate an administrative process and so no ability to withhold an approval until the payment is made. Material change of use approvals generally have a default relevant (i.e. currency) period of four years which may be extended upon receipt and approval of a request. As a result the period between when an approval is given and use commences can be four or more years.

Council sent out letters to eighteen (18) owners to recover infrastructure charges, of the eighteen, four (4) have paid (approximately \$50,000), thus far; of the eighteen (18) owners, five (5), are local with the remaining being interstate investors twelve (12) and Queensland Urban Utilities one (1). Council has a legal obligation to collect these charges with the motion of 9 September 2015 endorsed such action.

Council does not now and has not in the past had a practice of proactive compliance in the planning area (due to a lack of resources and the currency period), and is instead reactive, the effect of which is that it only acts when an issue arises. Proactive compliance would have a process in place whereby there is a regular inspection of all sites for which a material change of use approval has been given and for those where construction has commenced, in addition a series of further inspections is then arranged to verify compliance with all conditions attached to the approval as construction proceeds and the payment of infrastructure charges when the project is complete and the use commences.

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There has been a significant delay between Council approving the collection of infrastructure charges and to the action to collect such charges; this in part has been a system and resource issue. Officers recognise that in an ideal world things could have and should have been better managed. At the time of writing this report officers of the Finance and Planning departments will be meeting to finalise and put into place a process that will assist in a smooth transactional invoicing system. In addition to overcome the issues of the past from a planning perspective, the process will entail a review of the building approvals, a desktop audit using the mapping system and quarterly physical inspections.

4. Policy and Legal Implications

The registered owners of the properties are liable for the payment of infrastructure charges that attach to the property as a rate if not paid.

Due to delays in the infrastructure charges recovery process, a number of properties have changed ownership within the intervening period with the new owners apparently unaware of the outstanding Material Change of Use – Infrastructure Charges which transferred with the property.

Council has to date received a number of complaints in relation to the recently issued invoices; however, from a financial and legal perspective, our only recourse is to seek recovery from the exiting property owner who in turn can see compensation from the entity from which they purchased the property.

5. Financial and Resource Implications

The collection of these outstanding charges will deliver \$207,444.70 plus interest charges at 11% compounding daily from the date of invoice that is legally required to be paid to Council.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

7. Communication and Engagement

There are no implications for communication or engagement arising from the recommendation provided in this report.

8. Conclusion

The audit undertaken in 2015 identified \$207,444.70 that was required to be paid but which had not been paid. Action to collect these payments has already recovered \$49,893.00. An internal audit process in line with the second option described above has already been implemented.

9. Action/s

That Council notes the content of this report.



Date: 28 February 2017
Author: Trevor Boheim, Manager Planning and Environment
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

That Council recommend:
THAT Council resolve to make Amendment No.2 to the Laidley Shire Planning Scheme;
And further;
THAT Council resolve to forward correspondence to the Minister for Infrastructure and Planning advising of Council's decision to make Amendment No.2 to the Laidley Shire Planning Scheme.

**THAT Council resolve to make Amendment No.2 as attached to these Minutes, to the Laidley Shire Planning Scheme;
And Further;
THAT Council resolve to forward correspondence to the Minister of Infrastructure and Planning advising of Council's decision to make Amendment No.2 to the Laidley Shire Planning Scheme.**

2. Background

At present the development of Intensive Animal Husbandry is impact assessable in all zones of the Gatton Shire Planning Scheme and all areas of the Laidley Shire Planning Scheme with the exception of the Rural Landscape area where it is code assessable.

3. Proposed Amendments

The use of land for Laidley Shire Planning Scheme for the purpose of Intensive Animal Husbandry is currently code assessable in the Rural Landscape area. This has been the situation for over 13 years since the Laidley Shire Planning Scheme came into effect in 2003.

Concerns have been raised by the community regarding the fact that a recently approved poultry farm on land included in the Rural Landscape area in Spring Creek was not impact assessable.

The option of utilising a temporary local planning instrument to change the level of assessment is not considered to be appropriate, as it is unlikely to be supported by the Minister, as the matter does not meet the tests of risk of serious environmental harm or serious adverse cultural, economic or social outcomes if the scheme amendment process was used.

Following adoption by Council, the proposed amendment will be forwarded to the Planning Minister for State Interest review. Upon receipt of the Minister's agreement the proposed amendment will be subject to public notification for a minimum of 30 business days during which time submissions can be made to Council on the proposed amendment. Following the conclusion of public notification, a report will be brought to Council on the outcome of public consultation recommending changes, if any, before the amendment is sent to the Minister for final State Interest review. Upon receipt of the Minister's agreement the proposed amendment will then be able to be adopted and will come into effect.

4. Policy and Legal Implications

The changes in levels of assessment from code to impact assessment can be taken to be a change in the policy of Council.

5. Financial and Resource Implications

The impact of the change in level of assessment to impact assessable could result in increased costs to Council as a decision to approve Intensive Animal Husbandry on land in the Rural Landscape area would, after the change has been made, enable the approval to be subject of a submitter appeal.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

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7. Communication and Engagement

Formal consultation on the proposed amendments will need to be undertaken. This need only extend to providing notices in the local newspapers, the Government Gazette and on Council's website.

8. Conclusion

The change the level of assessment for Intensive Animal Husbandry from Code to Impact Assessable in the Rural Landscape area in the area of the former Laidley Shire ensures a consistent approach of impact assessable across the whole of the Lockyer Valley.

9. Action/s

That Council progresses the proposed amendment to the Laidley Shire Planning Scheme as set out in the Officer's Recommendation.

Attachments

1 [View](#) Attach 1 4 Pages

LOCKYER VALLEY REGIONAL COUNCIL

Planning Scheme Amendment No. 2

Laidley Shire Council Planning Scheme

An amendment to the Laidley Shire Planning Scheme to change the level of assessment for Intensive Animal Husbandry from code to impact assessable in the Rural Landscape area.

Planning Scheme Amendment No. 2

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Clause 3 Commencement	2
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Clause 4 Amendment of the Planning Scheme	3
Clause 5 Amendment of Part 4 Areas – Division 5 Assessment Tables	3
Part 3 Explanatory Statement	3
Changes to Part 4 Areas – Division 5 Assessment Tables	3

Planning Scheme Amendment No. 2

Part 1 Preliminary

Clause 1 Short title

This amendment may be cited as Laidley Shire Council Planning Scheme – Amendment No. 2

Clause 2 Adoption

Lockyer Valley Regional Council adopted this planning scheme amendment on the [INSERT
DATE]

Clause 3 Commencement

This amendment took effect on the [INSERT DATE]

Part 2 Amendment of the Planning Scheme

Clause 4 Amendment of the Planning Scheme

The Laidley Shire Council Planning Scheme is amended in the manner set out in this part.

Clause 5 Amendment of Part 4 Areas – Division 5 Assessment Tables

Part 4, Division 5 – Section 4.9 - Table 9 – Assessment Categories and Applicable Codes for the Rural Landscape Area – Making a Material Change of Use (Including Associated Works)

(1) *Delete* – the row for **Intensive Animal Husbandry**;

Intensive Animal Husbandry	Code Assessable	Building Dimensions Code On-Site Effluent Disposal Code Rural Areas Code Rural Uses Vehicle Access and Parking Code
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Part 3 Explanatory Statement

Changes to Part 4 Areas – Division 5 Assessment Tables

The proposed amendment to the level of assessment will ensure Intensive Animal Husbandry is impact assessable across all areas of the Laidley Shire Planning Scheme and will ensure a consistent level of assessment applies across the whole of the Lockyer Valley. This amendment is proposed in response to community concerns that there is no ability for formal submissions to be made and considered applications for Intensive Animal Husbandry in the Rural Landscape Area.



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Cr McLean advised of a perceived conflict of interest in Item 11.3 "Application for Development Permit for Operational Works (Internal Roads and Car Parking Areas), Souter Adventures Pty Ltd, 356 Thomas Road, Upper Lockyer", (as defined in section 173 of the Local Government Act 2009) based on past supply of goods to Murphy's Creek Escape through a family business. Cr McLean left the chambers at 11.11 am, taking no part in the debate and decision on this matter.

11.3 Application for Development Permit for Operational Works (Internal Roads and Car Parking Areas), Souter Adventures Pty Ltd, 356 Thomas Road, Upper Lockyer

Date: 28 February 2017
Author: Trevor Boheim, Manager Planning and Environment
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

An application for operational works is recommended for refusal, as the plans provided do not contain adequate information to enable the works to be properly assessed.

Officer's Recommendation:

THAT Council resolve to refuse the Application for a Development Permit for Operational Works (Internal Roads and Car Parking Areas) lodged by Souter Adventures Pty Ltd in respect of land at 356 Thomas Road, Upper Lockyer for the following reason:

- 1. No plans of the works were provided with the application and the plans provided to Council for an Application for a Development Permit for Material Change of Use do not contain the detail necessary to properly assess the works.**

RESOLUTION

THAT Council resolve to instruct the Chief Executive Officer to bring a report to the meeting of 22 March 2017 approving the Application for a Development Permit for Operational Works (Internal Roads and Car Parking Areas) with relevant conditions.

As the internal roads and car parking areas already exist, Council is of the opinion that officers should, by means of a visual inspection, be able to assess the adequacy of the existing works and attach to a Development Approval reasonable and relevant conditions requiring any inadequacies identified to be addressed.

Moved By: Cr McDonald Seconded By: Cr Cook
Resolution Number: 16-20/0399

CARRIED

5/1

**ORDINARY COUNCIL
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Voting

For the Motion: Crs Holstein, McDonald, Wilson, Cook and Hagan.

Against the Motion: Cr Milligan.

Report

1. Introduction

This report recommends that Council refuse an Application for a Development Permit for Operational Works (Internal Roads and Car Parking Areas) because no plans that allow a proper assessment of the works have been provided to Council.

2. Background

The Request to Change a Development Approval that was approved on 28 May 2012 included a requirement as Condition P18 that operational works approval be obtained for all roads and car parking areas. As this condition had not been met when Council sought an Order of the Planning and Environment Court, the 16 May 2016 Order required the respondents to within two months of the date of the judgement to "Obtain an effective development permit for operational works for all roads and car parking areas on the Land".

On 5 January 2017, a set of IDAS forms for operational works was lodged with Council together with an email and letter that requested fees for the application be waived and that no additional plans be required.

On 11 January 2017, a Not Properly Made notice was issued indicating that the application was not properly made for the following reasons:

1. It was not accompanied by any of the mandatory supporting information stated in the approved form as required by s.260(1)(c) of SPA; and
2. It was not accompanied by the fee for administering the application that has been fixed by resolution by Council as required by s.260(1)(d)(i) of SPA.

The Not Properly Made notice issued on 11 January 2017 indicated that in relation to Item 1 it would be necessary to:

Provide a full set of design plans of all internal roadways, vehicle manoeuvring areas and vehicle parking areas and within the property. These plans will need to:

- *be prepared by a suitably qualified person such as an RPEQ;*
- *be drawn to scale and be at an appropriate scale (e.g. 1:100, 1:200 or 1:500);*
- *accurately show the location, dimensions and surface treatment of all internal roadways, vehicle manoeuvring areas and vehicle parking areas; and*
- *detail how stormwater runoff from all internal roadways, vehicle manoeuvring areas and vehicle parking areas will be managed and detail of the location and design of any culverts that cross the internal roadways.*

On 25 January 2017, a meeting occurred with the applicant where, among other things, the requirements for plans to support the operational works application were discussed. Following

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this meeting on 1 February 2017, the applicant provided a copy of a “Fit for Purpose Assessment” of the internal roads prepared by RMA Engineers and sent an email to Council which indicated that his engineers had advised him the cost of preparing the plans for the operational works application was \$25,000.

The application was subsequently discussed with the Mayor and Councillors and it was decided that:

- The application for operational works lodged on 5 January 2017 will be considered to be properly made upon payment of the application fee of \$1,175.
- The set of eight plans prepared by JW Concepts submitted with the development application for material change of use on 18 July 2016 would be used to assess the application for operational works.

The application fee was paid in full on 7 February 2017 and the application became properly made on that date.

3. Assessment

The application has been assessed utilising the plans prepared by JW Concepts that were submitted with the development application for material change of use on 18 July 2016. A copy of these plans is provided as Attachment 1. These plans do not contain adequate information to enable the works to be properly assessed. In particular while the plans are drawn to scale, they do not accurately show the width of the internal roadways, which internal roadways are for one-way or two-way traffic, the standard of construction, the locations and dimensions of the car parking spaces and details of stormwater drainage.

4. Policy and Legal Implications

There are no policy or legal implications arising from the recommendation provided in this report.

5. Financial and Resource Implications

There are no financial or resource implications arising from the recommendation provided in this report.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from the recommendation provided in this report.

7. Communication and Engagement

Council's decision will be communicated with the applicant in the manner required by the *Sustainable Planning Act 2009*.



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8. Conclusion

It is recommended that the application be refused as the plans provided plans do not contain adequate information to enable the works to be properly assessed.

9. Action/s

That Council determines the application as set out in the Officer's Recommendation.

Attachments

1. Plans submitted with application for material change of use.

Attachments

1 [View](#) Attach 1 8 Pages



LP01

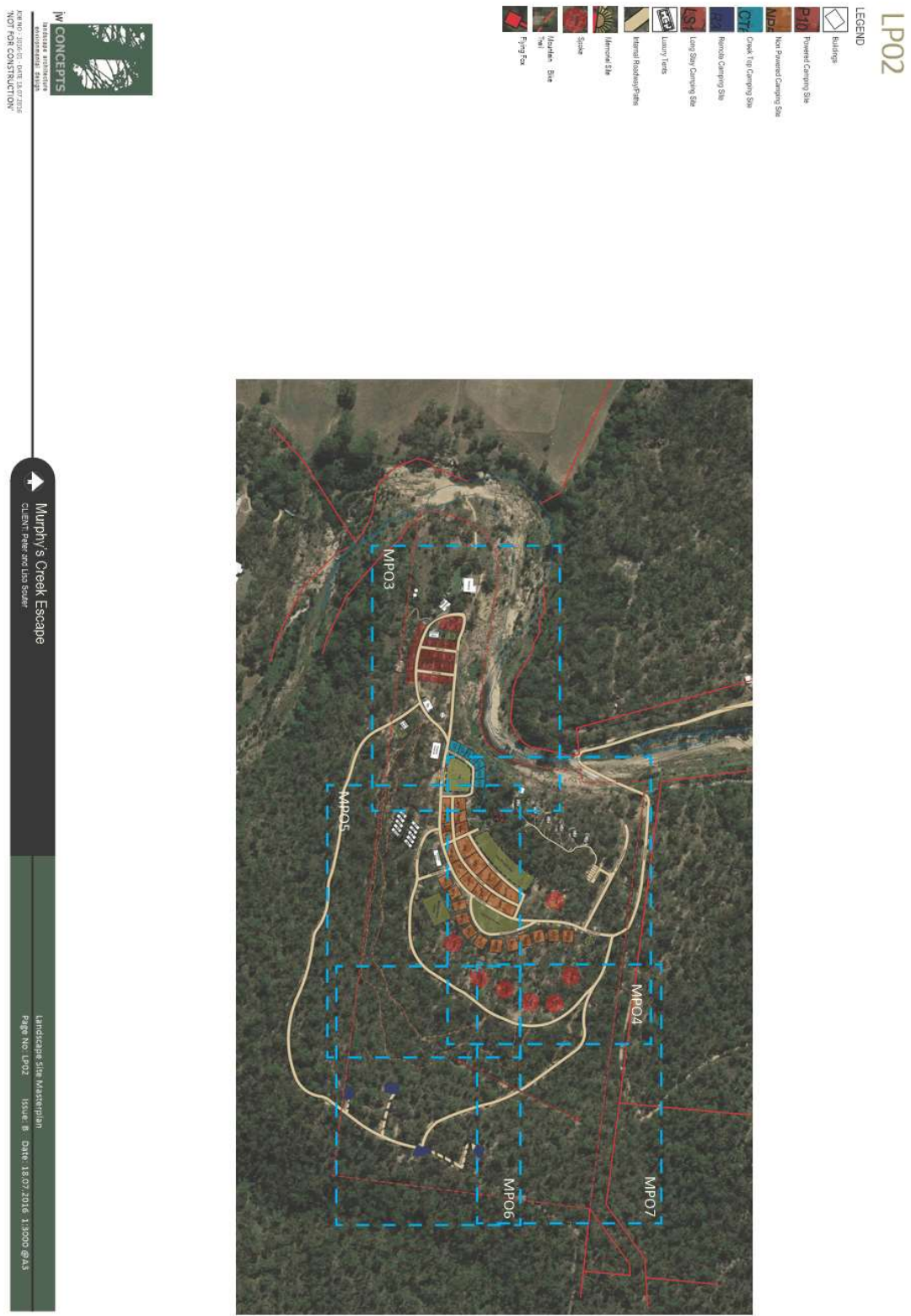
Murphy's Creek Escape
Landscape Site Masterplan

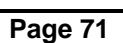


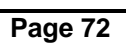
PROJ NO: 1806-01 DATE: 18.07.2016
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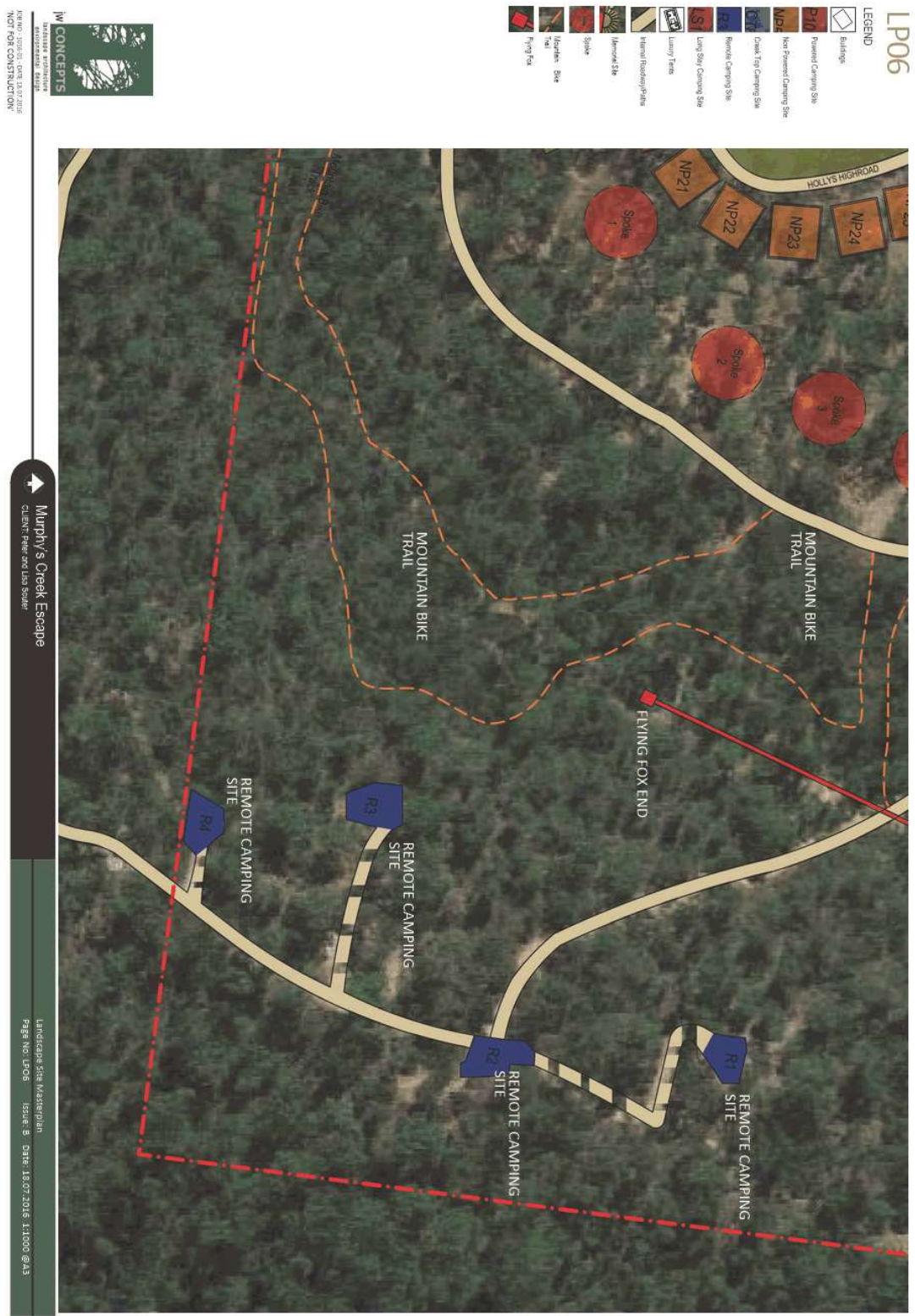
Murphy's Creek Escape
CLIENT NAME AND LOGO

Landscape Site Masterplan
Page No: LP01 Issue: 8 Date: 18.07.2016 NTS @ A3











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Cr McLean returned to the meeting, the time being 11:17am

11.4 Application for Development Permit for Material Change of Use of Premises for Eco-Tourism Facility (Campground), on Land described as Lot 12 SP184745, located at 942 Lefthand Branch Road, Lefthand Branch

Date: 01 March 2017
Author: Prudence Earle, Planning Officer
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

The application has been assessed in accordance with the requirements of the *Sustainable Planning Act 2009* and is recommended for approval on the basis of the imposition of reasonable and relevant conditions.

Officer's Recommendation:

THAT the application for Development Permit for Material Change of Use of premises for Eco-Tourism Facility (Campground) on Lot 12 SP 184745 located at 942 Lefthand Branch Road, Lefthand Branch, be approved subject to the following conditions:

- 1. Undertake the development generally in accordance with the approved plans and documents referred to below, subject to the conditions and any notations by Council on the plans:**

Drawing / Report Title	Prepared By	Date	Reference Number	Version / Issue
Site Development Plan	Clark Town Planning	Undated	156-01	C
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 6 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 7 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 8 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 9 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 10 of 30	-
On Site Sewerage Design Proposed Campsite Amenities & Dwelling Advanced Secondary HSTP to Spray Irrigation	Plumbing Solutions & Services Pty Ltd	13.12.16	1712-H01	A
Hydraulic Design Proposed	Plumbing Solutions &	13.12.16	1712-H02	A

**ORDINARY COUNCIL
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Campsite Amenities	Services Pty Ltd			
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2. Maintain the approved development (including landscaping, internal roads, and access driveways) in accordance with the approved drawings(s) and /or documents, and any relevant Council of other approval required by the conditions.

Approved Use

3. This approval is for an Eco-Tourism Facility (Campground) in accordance with the definition within the Gatton Shire Planning Scheme 2007.

4. The approval does not permit:

- (a) retail selling of food or food preparation for sale.
- (b) the use of caravans, mobile homes or the like, on site at any given time.
- (c) motor bikes, quad bikes, dirt bikes or the like, on site at any given time.
- (d) carrying out of events and gatherings attended by persons who are not occupants of the Eco-Tourism Facility (Campground).

5. The development approval is limited to maximum of:

- (a) One Hundred (100) persons/occupants per year; and
- (b) Ten (10) persons/occupants at any given time; and
- (c) eleven (11) non-powered camp sites.

6. The Eco-Tourism Facility (Campground) is for short-term (i.e. maximum length of 14 consecutive nights) accommodation only.

Use Appearance & Public Safety

7. Individually number and mark each site as described on the approved plans. The size of the numbering must be of a suitable size and able to be easily read by patrons of the Eco-Tourism Facility (Campground).

8. Ensure sanitary conveniences and ablutionary facilities are located no more than 100m from any site and not within 6m from any site.

9. Ablutionary facilities must have an external finish material and colour that is similar in character to the camp kitchen and blends with the surrounding environment.

10. Building materials and hard surfaces used are not reflective, or likely to create glare.

11. Camp Ground rules are to be submitted to Council as part a Permit under Local

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Law No. 1 (Administration) and Subordinate Local Law 1.8. The camp ground rules are to include measures that deal with management on and off site, of the following matters:

- (a) Dogs
- (b) Other animals and vaccinations (e.g. horses and donkeys)
- (c) Refuse
- (d) Noise
- (e) Natural hazards and evacuation
- (f) Motor bike use
- (g) Trespass of unfenced private properties
- (h) Disturbing stock animals on unfenced private properties.

Environmental Performance

- 12. The development must achieve the environmental values for the acoustic environment and acoustic quality objectives for sensitive receiving environments set out in the Environment Protection (Noise) Policy 2008 at all times.
- 13. The development must achieve the environmental values and air quality objectives set out in the Environmental Protection (Air) Policy 2008 at all times.
- 14. The development must not produce any odour emissions in excess of one (1) odour unit beyond the site boundaries.
- 15. The development must ensure that any vertical illumination resulting from direct, reflected or other incidental lighting emanating from the site does not exceed 8 lux when measured at any point 1.5m outside the boundary and at any level from ground level upwards.

Public Safety

- 16. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.
- 17. Lighting must be directed onto the site or buildings and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well-lit areas with intensities to satisfy the requirements of AS 1158 - Lighting for Roads and Public Spaces.

Outdoor Lighting Devices

- 18. Lighting associated with the use must be designed, sited, installed and tested to comply with Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting using a control level of 2.

Damage to Services & Assets

19. Any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken shall be met by the applicant. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being completed.
20. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
21. If the road or drainage network requires cleaning due to erosion or sediment from the development, then such works will be at the expense of the developer. These works must be undertaken immediately if there is potential hazard to pedestrians or passing traffic.

Water Supply

22. The development shall provide a suitable potable water supply for the safe and efficient operation of the Eco-Tourism Facility (Campground).
23. The development must have an independent drinking water supply. Drinking water provided to persons must comply with the Australian Drinking Water Guidelines 2011.
24. The water tanks must be constructed in accordance with Chapter 2, Part 1, and Part 8 of the Public Health Act 2005 (i.e. constructed in a way that prevents the breeding of mosquitoes).

Waste Water

25. The development must have an on-site effluent disposal system. The works must be undertaken in accordance with a Plumbing & Drainage Works approval prepared by a suitably qualified person.
26. The land owner must comply with Environmental Protection (Water) Policy 2009 during operation of normal activities and contaminated water must not be released to stormwater.
27. A plumbing and drainage permit shall be obtained prior to the commencement of the related plumbing and drainage works. The work shall be assessed and a compliance certificate issued prior to use.

Electricity & Telecommunication Services Relocation

28. Relocation of reticulated electricity and telecommunication services must be provided to the development site in accordance with the standards and requirements of the relevant service provider.

Waste Storage & Collection

29. Refuse storage, removal and collection facilities must be provided in accordance with the following:

- (a) provisions of a minimum of three general refuse and recyclable waste bins for the Eco-Tourism Facility (Campground).
- (b) collection by service vehicles external from the site no less than once per week.
- (c) provision of a communal hardstand impervious area for the permanent storage location and service collection of all bulk bins onsite, having minimum dimensions of 2.6m² and located no closer than 6m to the site frontage and 1.5m to any other boundary.
- (d) provision of a 1.8m high purpose built enclosure to the communal bin store, which is screened from the street and adjoining properties by landscaping.
- (e) provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the effluent disposal system that has a catchment area of no more than 1m².

Landscaping

30. Submit to Council for approval an application for Operational works for landscaping in accordance with Planning Scheme Policy No.11 prior to the construction of any works. The application shall be prepared by a qualified landscape consultant (e.g. landscape architect or designer) and demonstrate the following:

- (a) Details of proposed landscaping works including plan and schedules of proposed plant species;
- (b) a minimum of two (2) metre wide landscaping buffer along the road frontage and side boundaries of the subject site, exclusive of any access driveway, generally uncompromised by infrastructure items, to effectively buffer the camping sites from view at the road and adjoining properties.
- (c) The species for the landscaping buffer shall include a variety of ground covers and trees/shrubs that will grow to a minimum height of two (2) metres.
- (d) Location of refuse storage area or bins.
- (e) Landscaping to the car parking at a rate of one street tree for every four car spaces.
- (f) Include endemic species that support the vegetation to be retained on site.
- (g) Include fencing that allows adequate clearance at ground level for local macropods.
- (h) Control all declared, restricted and invasive plants under the Biosecurity Act

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2014.

- (i) Details of the Camp Kitchen structure and design, demonstrating the scale is consistent with the approved plans.

31. The design for the Camp Kitchen must demonstrate compliance with the following characteristics:

- (a) Area & Location: as demonstrated on the approved site plan
- (b) Structure Material: Tin and timber
- (c) Floor Material: Concrete or timber or like (not dirt)
- (d) Construction Type: Post and beam with simple gable or skillion roof.
- (e) Design features: Open air structure with a minimum of one wall to shield cooking facilities from wind and rain.

32. All landscape works must be established and maintained in accordance with the approved design for the life of the development.

Advertising

33. The advertising signage must be designed as follows:

- (a) as no greater than 1sq.m.
- (b) attached to an existing boundary fence or access gate.
- (c) is not illuminated from within, the device does not flash, blink, revolve or pulse.
- (d) does not mimic traffic signage and instruct traffic (i.e. directs traffic to stop or the like).

Development, Generally

34. No on-site works shall not commence until approval for operational works has been obtained from Council. This condition shall be met at all times.

35. All works, services, facilities and/or public utility alterations required by this approval or stated condition/s whether carried out by Council or otherwise, shall be at no cost to Council unless otherwise specified in subsequent development approvals or contractual arrangements between the developer and Council. This condition shall be met at all times.

36. Replace existing Council infrastructure (including but not limited to street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works. This condition shall be met at all times.

37. Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the

control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council. This condition shall be met at all times.

Natural Hazards & Access

38. The evacuation area must have:

- (a) a minimum area of 20m x 20m square flat area.
- (b) an additional cleared safety area around the square being a total 35 metres in diameter.
- (c) Visible on the ground signs or markers for the evacuation area and surrounding safety area.

39. The evacuation safety area is to be kept free of any structures, trees or vegetation less than 10m in height.

40. The evacuation path is to be kept free of:

- (a) any structures;
- (b) large trees that have continuous or overlapping canopies with other large trees;
- (c) dead branches and loose bark; and
- (d) woodpiles, combustible material storage areas, large quantities of garden mulch or any other form of stacked flammable materials.

41. The Eco-Tourism Facility (Campground) must be provided with a dedicate water supply having a minimum 22,500 litres of water for firefighting purposes and must be:

- (a) fitted with a coupling to enable connection by the rural fire brigade or a sprinkler system.
- (b) constructed of non-combustible material.
- (c) fitted with a water pump that has a back-up electricity supply separated from mains power.

42. Any cleared vegetation for safety management purposes must be either be removed from or mulched on site. Vegetation burning is prohibited.

Requirements for Operational Works Applications

43. Submit as part of an operational works application, documentation in the form of detailed plans, drawings and calculations for Council review for compliance with the approval conditions and Council's general requirements. Submission of operational works documentation will include, but is not limited to:

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(a) Construction details of access driveway, manoeuvring, loading and car parking areas;

(b) Details of stormwater management measures to ensure no adverse effects downstream of the development with regard to peak flows of overland flow from the development and non-worsening of water quality with regard to sediment or nutrient runoff. Details to be included:

- i. Management of stormwater runoff onto the subject land from upstream areas, through the development and discharging into Tenthill Creek
- ii. Calculations of likely runoff (quantity) from impervious areas;
- iii. Details of any diversion banks or drains;
- iv. Water quality management measures.

(c) Details of erosion and sediment control measures to be installed during construction phase of development;

44. Submit an RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.

45. No on-site works must commence until approval for operational works has been obtained from Council.

46. No ponding or redirection of stormwater shall occur onto adjoining land.

47. Any alterations or damage that is incurred as a result of the proposed development, either to road reserves abutting the subject land or any services on the road reserve, must be carried out or repaired at the developer's expense and with the approvals of the relevant authority (being Council or other asset owner).

Internal Roadways & Vehicle Parking

48. An operational works approval shall be obtained for all internal roadways and car parking bays prior to the construction of any works and the works shall be constructed in accordance with the development permit for operational works. This condition shall be met prior to and during the construction of the works.

49. Internal driveways, vehicle parking and manoeuvring areas must have a minimum width of three (3) metres and constructed with a minimum gravel roadbase depth of 150mm.

50. Internal driveways, vehicle parking and manoeuvring areas must be maintained to a minimum gravel roadbase standard to the satisfaction of Council. Dust suppression measures must be in place and maintained as part of a regular maintenance procedure. If the use creates a dust nuisance (as defined by the

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Environmental Protection Act,1994) through traffic entering, leaving or using the subject land, vehicular driveways, manoeuvring and parking areas must be imperviously sealed.

Road Access

51. Access from Lefthand Branch Road to the development must be constructed generally in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance Policy.
52. All driveways, car parking spaces, loading zones and manoeuvring areas must be designed in accordance with Australian Standards AS2890.1 Off-street car parking facilities and AS2890.2 Off-street commercial vehicle facilities.

Sediment & Erosion Control

53. A Sediment and Erosion Control plan must be submitted with an operational works application which demonstrates compliance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australia) [IECA] for both construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types and the implementation of a designed sediment basin.

Hours of Construction

54. Hours of construction must not exceed Monday to Saturday 6:30am to 6:30pm. Construction work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.

Environmental Performance During Construction

55. Noise generated from building works, are limited to the requirements set out in the Environmental Protection Act 1994, Chapter 8, Part 3B, Division 3, Section 440R.
56. A person must not carry out building work in a way that makes an audible noise:
 - (a) on a business day or Saturday, before 6.30a.m. or after 6.30p.m; or
 - (b) on any other day, at any time.
 - i. All plant and equipment does not result in a level greater than L_{A90} 39 dB(A) when measured at four (4)m from the most exposed façade of the nearest residential uses; and
 - ii. The contribution from all varying noise sources associated with the development during night-time hours (10pm-7am) does not exceed a level

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of L_{MAX} 50 dB(A), adjusted for tonality and impulsiveness, when measured at 4 m from the most exposed façade of the nearest residential uses; and
iii. All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded where a noise complaint is determined.

- (c) The land owner must comply with Environmental Protection (Air) Policy 2008 during construction of added facilities and during operation of normal activities such as suppression of airborne particles including dust so that the qualities of the air environment that are conducive to; health and biodiversity of ecosystems, human health and wellbeing, protecting the aesthetics of the environment, including the appearance of buildings, structures and other property, and to protecting the agricultural use of the environment.

57. The land owner must comply with Environmental Protection (Water) Policy 2009 during construction of added facilities and during operation of normal activities including:

- (a) Contaminated water must not be released to stormwater.
(b) Sediment controls must be installed where necessary to prevent the release.

58. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008. and to the satisfaction of Council's Waste Reduction and Recycling Plan, for the storage of:

- (a) papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site; and
(b) building construction and/or demolition wastes.

59. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

Public Health

60. All things, materials, disused equipment at the premises shall be stored in a way that does not:

- (a) Afford or form a potential shelter or harbourage or attraction for vermin;
(b) Hold water which may allow the breeding or harbourage of mosquitos; and
(c) Seriously detract from the visual amenity of the site by causing visual pollution.

ADVICE

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- i. In carrying out the construction activity all reasonable and practicable measures must be taken to ensure that it does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Compliance with the cultural heritage duty of care will occur if the contractor is acting in accordance with gazetted cultural heritage duty of care guidelines and the Cultural Heritage Act 2003.
- ii. The operation of an Eco-Tourism Facility (Campground) requires a permit under the Lockyer Valley Regional Council Local Laws. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.8 (Operation of Eco-Tourism Facility (Campground)) by way of making application, submitting required fees and plans for Local Law approval.
- iii. In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.
- iv. Under Queensland legislation, fire ants are a notifiable pest and suspected sightings must be reported to Biosecurity Queensland. To report suspect fire ants please complete the online form or contact Biosecurity Queensland on 13 25 23.
- v. It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Department of Agriculture, Fisheries & Forestry.
- vi. Hours of construction work shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- vii. Any noise or air pollution during construction shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- viii. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008 and to the satisfaction of Council’s Waste Reduction and Recycling Plan, for the storage of papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site and Building construction and/or demolition wastes.
- ix. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

Note: In Lockyer Valley Regional Council Local Government area Gatton Landfill

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and Laidley Transfer Station are approved to accept building construction and demolition waste.

- x. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.4 (Installation of Advertising Devices).
- xi. Under the Biosecurity Act 2014, everyone, including individuals and organisations have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants.

It is the legal obligation of the site owner or any consultant or contractor employed by the site owner to report the presence or suspicion of Fire Ants to Biosecurity Queensland on 13 25 23 or completing Biosecurity Queensland/ Department of Agriculture, Fisheries and Forestry (DAFF) online form at www.daff.qld.gov.au within 24 hours of becoming aware of the presence or suspicion.

RESOLUTION

THAT the application for Development Permit for Material Change of Use of premises for Eco-Tourism Facility (Campground) on Lot 12 SP 184745 located at 942 Lefthand Branch Road, Lefthand Branch, be approved subject to the following conditions:

1. Undertake the development generally in accordance with the approved plans and documents referred to below, subject to the conditions and any notations by Council on the plans:

Drawing / Report Title	Prepared By	Date	Reference Number	Version / Issue
Site Development Plan	Clark Town Planning	Undated	156-01	C
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 6 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 7 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 8 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 9 of 30	-
Shower Unit Plan	Hua Nan Building Materials (ShenZhen) Co. Ltd	Undated	Page 10 of 30	-
On Site Sewerage Design Proposed Campsite Amenities & Dwelling Advanced Secondary HSTP to Spray Irrigation	Plumbing Solutions & Services Pty Ltd	13.12.16	1712-H01	A



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Hydraulic Design Proposed Campsite Amenities	Plumbing Solutions & Services Pty Ltd	13.12.16	1712-H02	A
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2. Maintain the approved development (including landscaping, internal roads, and access driveways) in accordance with the approved drawings(s) and /or documents, and any relevant Council of other approval required by the conditions.

Approved Use

3. This approval is for an Eco-Tourism Facility (Campground) in accordance with the definition within the Gatton Shire Planning Scheme 2007.
4. The approval does not permit:
- (a) retail selling of food or food preparation for sale.
 - (b) the use of caravans, mobile homes or the like, on site at any given time.
 - (c) the use of motor bikes, quad bikes, dirt bikes or the like, on site at any given time.
 - (d) carrying out of events and gatherings attended by persons who are not occupants of the Eco-Tourism Facility (Campground).
5. The development approval is limited to maximum of:
- (a) One Hundred (100) persons/occupants per year; and
 - (b) Ten (10) persons/occupants at any given time; and
 - (c) eleven (11) non-powered camp sites.
6. The Eco-Tourism Facility (Campground) is for short-term (i.e. maximum length of 14 consecutive nights) accommodation only.

Use Appearance & Public Safety

7. Individually number and mark each site as described on the approved plans. The size of the numbering must be of a suitable size and able to be easily read by patrons of the Eco-Tourism Facility (Campground).
8. Ensure sanitary conveniences and ablutionary facilities are located no more than 100m from any site and not within 6m from any site.
9. Ablutionary facilities must have an external finish material and colour that is similar in character to the camp kitchen and blends with the surrounding environment.
10. Building materials and hard surfaces used are not reflective, or likely to create glare.

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11. Camp Ground rules are to be submitted to Council as part a Permit under Local Law No. 1 (Administration) and Subordinate Local Law 1.8. The camp ground rules are to include measures that deal with management on and off site, of the following matters:

- (a) Dogs
- (b) Other animals and vaccinations (e.g. horses and donkeys)
- (c) Refuse
- (d) Noise
- (e) Natural hazards and evacuation
- (f) Motor bike use
- (g) Trespass of unfenced private properties
- (h) Disturbing stock animals on unfenced private properties.

Environmental Performance

12. The development must achieve the environmental values for the acoustic environment and acoustic quality objectives for sensitive receiving environments set out in the Environment Protection (Noise) Policy 2008 at all times.

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14. The development must not produce any odour emissions in excess of one (1) odour unit beyond the site boundaries.

15. The development must ensure that any vertical illumination resulting from direct, reflected or other incidental lighting emanating from the site does not exceed 8 lux when measured at any point 1.5m outside the boundary and at any level from ground level upwards.

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16. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.

17. Lighting must be directed onto the site or buildings and away from neighbouring sites. Lighting must be designed to reduce the contrast between shadows and well-lit areas with intensities to satisfy the requirements of AS 1158 - Lighting for Roads and Public Spaces.

Outdoor Lighting Devices

18. Lighting associated with the use must be designed, sited, installed and tested to comply with Australian Standard 4282 - Control of the obtrusive effects of outdoor

lighting using a control level of 2.

Damage to Services & Assets

19. Any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken shall be met by the applicant. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being completed.
20. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
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24. The water tanks must be constructed in accordance with Chapter 2, Part 1, and Part 8 of the Public Health Act 2005 (i.e. constructed in a way that prevents the breeding of mosquitoes).

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25. The development must have an on-site effluent disposal system. The works must be undertaken in accordance with a Plumbing & Drainage Works approval prepared by a suitably qualified person.
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Electricity & Telecommunication Services Relocation

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28. Relocation of reticulated electricity and telecommunication services must be provided to the development site in accordance with the standards and requirements of the relevant service provider.

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- (b) collection by service vehicles external from the site no less than once per week.
- (c) provision of a communal hardstand impervious area for the permanent storage location and service collection of all bulk bins onsite, having minimum dimensions of 2.6m² and located no closer than 6m to the site frontage and 1.5m to any other boundary.
- (d) provision of a 1.8m high purpose built enclosure to the communal bin store, which is screened from the street and adjoining properties by landscaping.
- (e) provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the effluent disposal system that has a catchment area of no more than 1m².

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- (a) Details of proposed landscaping works including plan and schedules of proposed plant species;
- (b) a minimum of two (2) metre wide landscaping buffer along the road frontage and side boundaries of the subject site, exclusive of any access driveway, generally uncompromised by infrastructure items, to effectively buffer the camping sites from view at the road and adjoining properties.
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- (a) Area & Location: as demonstrated on the approved site plan
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37. Any alteration or relocation in connection with or arising from the development to

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any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council. This condition shall be met at all times.

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- (b) an additional cleared safety area around the square being a total 35 metres in diameter.
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- (a) any structures;
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- (c) fitted with a water pump that has a back-up electricity supply separated from mains power.

42. Any cleared vegetation for safety management purposes must be either be removed from or mulched on site. Vegetation burning is prohibited.

Requirements for Operational Works Applications

43. Submit as part of an operational works application, documentation in the form of detailed plans, drawings and calculations for Council review for compliance with the approval conditions and Council's general requirements. Submission of operational works documentation will include, but is not limited to:

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(a) Construction details of access driveway, manoeuvring, loading and car parking areas;

(b) Details of stormwater management measures to ensure no adverse effects downstream of the development with regard to peak flows of overland flow from the development and non-worsening of water quality with regard to sediment or nutrient runoff. Details to be included:

- i. Management of stormwater runoff onto the subject land from upstream areas, through the development and discharging into Tenthill Creek
- ii. Calculations of likely runoff (quantity) from impervious areas;
- iii. Details of any diversion banks or drains;
- iv. Water quality management measures.

(c) Details of erosion and sediment control measures to be installed during construction phase of development;

44. Submit an RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.

45. No on-site works must commence until approval for operational works has been obtained from Council.

46. No ponding or redirection of stormwater shall occur onto adjoining land.

47. Any alterations or damage that is incurred as a result of the proposed development, either to road reserves abutting the subject land or any services on the road reserve, must be carried out or repaired at the developer's expense and with the approvals of the relevant authority (being Council or other asset owner).

Internal Roadways & Vehicle Parking

48. An operational works approval shall be obtained for all internal roadways and car parking bays prior to the construction of any works and the works shall be constructed in accordance with the development permit for operational works. This condition shall be met prior to and during the construction of the works.

49. Internal driveways, vehicle parking and manoeuvring areas must have a minimum width of three (3) metres and constructed with a minimum gravel roadbase depth of 150mm.

50. Internal driveways, vehicle parking and manoeuvring areas must be maintained to a minimum gravel roadbase standard to the satisfaction of Council. Dust suppression measures must be in place and maintained as part of a regular

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maintenance procedure. If the use creates a dust nuisance (as defined by the Environmental Protection Act, 1994) through traffic entering, leaving or using the subject land, vehicular driveways, manoeuvring and parking areas must be imperviously sealed.

Road Access

51. Access from Lefthand Branch Road to the development must be constructed generally in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance Policy.

52. All driveways, car parking spaces, loading zones and manoeuvring areas must be designed in accordance with Australian Standards AS2890.1 Off-street car parking facilities and AS2890.2 Off-street commercial vehicle facilities.

Sediment & Erosion Control

53. A Sediment and Erosion Control plan must be submitted with an operational works application which demonstrates compliance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australia) [IECA] for both construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types and the implementation of a designed sediment basin.

Hours of Construction

54. Hours of construction must not exceed Monday to Saturday 6:30am to 6:30pm. Construction work must not be conducted from or on the premises outside the above hours or on Sundays or public holidays.

Environmental Performance During Construction

55. Noise generated from building works, are limited to the requirements set out in the Environmental Protection Act 1994, Chapter 8, Part 3B, Division 3, Section 440R.

56. A person must not carry out building work in a way that makes an audible noise:

- (a) on a business day or Saturday, before 6.30a.m. or after 6.30p.m; or
- (b) on any other day, at any time.
 - i. All plant and equipment does not result in a level greater than L_{A90} 39 dB(A) when measured at four (4)m from the most exposed façade of the nearest residential uses; and
 - ii. The contribution from all varying noise sources associated with the

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development during night-time hours (10pm-7am) does not exceed a level of L_{AMAX} 50 dB(A), adjusted for tonality and impulsiveness, when measured at 4 m from the most exposed façade of the nearest residential uses; and

iii. All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded where a noise complaint is determined.

- (c) The land owner must comply with Environmental Protection (Air) Policy 2008 during construction of added facilities and during operation of normal activities such as suppression of airborne particles including dust so that the qualities of the air environment that are conducive to; health and biodiversity of ecosystems, human health and wellbeing, protecting the aesthetics of the environment, including the appearance of buildings, structures and other property, and to protecting the agricultural use of the environment.

57. The land owner must comply with Environmental Protection (Water) Policy 2009 during construction of added facilities and during operation of normal activities including:

- (a) Contaminated water must not be released to stormwater.
(b) Sediment controls must be installed where necessary to prevent the release.

58. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008. and to the satisfaction of Council's Waste Reduction and Recycling Plan, for the storage of:

- (a) papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site; and
(b) building construction and/or demolition wastes.

59. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

Public Health

60. All things, materials, disused equipment at the premises shall be stored in a way that does not:

- (a) Afford or form a potential shelter or harbourage or attraction for vermin;
(b) Hold water which may allow the breeding or harbourage of mosquitos; and
(c) Seriously detract from the visual amenity of the site by causing visual pollution.

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ADVICE

- i. In carrying out the construction activity all reasonable and practicable measures must be taken to ensure that it does not harm Aboriginal Cultural Heritage (the “cultural heritage duty of care”). Compliance with the cultural heritage duty of care will occur if the contractor is acting in accordance with gazetted cultural heritage duty of care guidelines and the Cultural Heritage Act 2003.
- ii. The operation of an Eco-Tourism Facility (Campground) requires a permit under the Lockyer Valley Regional Council Local Laws. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.8 (Operation of Eco-Tourism Facility (Campground)) by way of making application, submitting required fees and plans for Local Law approval.
- iii. In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.
- iv. Under Queensland legislation, fire ants are a notifiable pest and suspected sightings must be reported to Biosecurity Queensland. To report suspect fire ants please complete the online form or contact Biosecurity Queensland on 13 25 23.
- v. It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Department of Agriculture, Fisheries & Forestry.
- vi. Hours of construction work shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- vii. Any noise or air pollution during construction shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- viii. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008 and to the satisfaction of Council’s Waste Reduction and Recycling Plan, for the storage of papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site and Building construction and/or demolition wastes.
- ix. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.



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include people using the Bicentennial National Trail and other members of the public that may wish to undertake camping, walking, cycling or horse riding along Left Hand Branch Road. Campers are expected to bring own equipment and food to site. It is understood that there will be no selling or provision of food with the accommodation.

The Eco-Tourism Facility will comprise of:

- Camp ground – approx. 5,590sq.m. with 11 unpowered camp sites being a minimum of 10m x 10m
- Camp kitchen - approximately 45sq.m. being 9m x 6m x 2.4m high, with water tanks.
- Fixed communal fire place
- 5 Car parking spaces near campground.
- Amenities block - two x prefabricated cubicles have a total of four toilets, hand basins and showers with water tanks.
- An on-site effluent treatment area of approximately 679sq.m.
- Emergency evacuation area
- Existing holding yards to be used for animals
- Existing house – as office and caretakers residence with vehicle parking and water tanks
- Existing vehicle access

The applicant proposes that the campground will be restricted to 100 persons per year; and ten (10) persons at any one time. The eleven camp sites will allow the applicant to rotate the camp sites used by patrons to allow grass to recover between visits to the site. The campground will allow for occasional walkers and riders using the Bicentennial National Trail, along Left Hand Branch Road or general campers on weekends. It is noted that there is no existing Council approved and regulated camp grounds along Left Hand Branch Road, or within the Lefthand Branch locality.

The proposed operational hours will be 24hrs a day 7 days a week. New visitors will be advised to arrive between the hours of 7am to 7pm. This will allow most campers to set up camp before dark. The applicant has indicated that low level lighting will be used for camp ground safety and for use of the facilities at night.

2.1 Locality Character

The site is somewhat secluded, being approximately 9.4km south of the township of Mount Sylvia. The property is one of a number of medium to large sized rural holdings in the valley. The nearest dwelling is on Lot 13 SP184745, approximately 225m to the north-west of the existing dwelling on the property (see **Attachment 1**: Plan of Closest Residences).

Lefthand Branch Road runs along a valley floor between two ridges (see **Figure 1**). The road crosses the Tenthill Creek in a number of locations. The majority of lots along Lefthand Branch Road have a mixed topography. These lots have a flat or undulating cleared land towards the road (near the valley floor) with slopes increasing 15-30% to the rear and ridge lines. The slopes are have remnant and regrowth vegetation and are used for grazing purposes. Lots are generally over 20ha in area. The topography of Lefthand Branch valley has cleared undulating flats along the valley floor creating the appearance and character of large rural residential lots as houses are generally within 100m of the road.

2.2 Subject Site

The subject land is 39.5138ha and comprises of 942 Lefthand Branch Road, Lefthand Branch (described as Lot 12 SP 184745). The site has frontage to Lefthand Branch Road, and is surrounded by rural lifestyle lots, rural land uses and adjoins Mid-Range National Park. The part of the site that is to be used for the campground is within the Rural General Zone.

The subject site currently has a dwelling house and ancillary supporting structures. The site is used primarily as residence. The existing residence is approximately 225m from the nearest structures and residence on 914 Lefthand Branch Road being the adjoining neighbour to the west. The land to the east and further along Left Hand Branch Road is primarily used for grazing cattle. The site drains from the south and from Mid-Range National Park to the north towards Tenthill Creek. The location of the subject site and overlay of the proposal is shown in the aerial image provided below. The aerial photo shows the known overland flow paths.



Figure 1: Aerial Photo of Locality and Subject site

3. Assessment

3.1 Legislative Requirements

Assessment of the development is required under the *Sustainable Planning Act 2009* (SPA). As such, the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- (a) a matter prescribed under Sustainable Planning Regulation (SPA Reg).*
- (b) a State planning regulatory provision.*
- (c) a State planning policy.*
- (d) a planning scheme.*
- (e) a temporary local planning instrument.*

It is noted that the applicant submitted the application on 12 July 2016 and it was 'properly made' on 9 August 2016. The applicant began public notification on the 7 September 2016 and completed notification on 30 September 2016. During the advertised period a total of 28 properly made submissions were received. Assessment of this application against the relevant planning instruments is provided in the following sections.

3.2 Referral Agencies

The application did not require referral to the State Assessment Referral Agency in accordance with the SPA Regulations.

3.3 South East Queensland Regional Plan 2009-2031 (SEQRP)

The subject site is located within the Regional Landscape and Rural Production area under the SEQRP. This Plan requires that Tourist Uses with a gross floor area over 5,000sq.m. on the premises requires referral to the Department of Infrastructure Local Government and Planning. As the proposed development does not exceed this requirement, no referral was required under the SEQRP. Tourism uses generally under the SEQRP are supported where they are small scale operations.

3.4 Gatton Planning Scheme 2007

As an impact assessable application, it must be assessed against the planning scheme in its entirety.

Desired Environmental Outcomes

The Desired Environmental Outcomes (DEO) are based on ecological sustainability established by the *Integrated Planning Act 1997* and are the basis for measures of a planning scheme. The DEOs relevant to this application are provided below along with an assessment of compliance.

Environment

- (a) Gatton Shires natural environment is protected so that biodiversity, ecological processes and air, land and water quality are maintained*
- (b) The disposal of wastes is effectively and sustainably managed*
- (c) Sustainable land management practices are promoted*

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(d) Places areas or sites identified as being susceptible to land degradation, including erosion, landslip and contamination are protected and further degradation minimized

A condition of approval is recommended to ensure compliance with relevant environmental standards, should an approval be granted.

Character and Landscape Quality

- a) *The rural character, significant natural features, cultural heritage and landscape values of the Shire are protected and enhanced.*

The subject site is has a split zoning between the Rural Agriculture, Rural Landscape and Rural General Zones. However, that part of the land to be used as part of the Camp Ground is within the Rural General Zone. The development is unlikely to impact on natural features, cultural heritage and landscape values; however, a more detailed assessment of the proposals impact on rural character values is assessed against the Rural Agriculture & Rural General Zones Code.

Economic Development and Natural Management

- n) *Low impact tourism activities based on the scenic and rural values of the Shire are encouraged to contribute to the economic growth of the Shire*
o) *Development is encouraged to have regard to the function and effects of existing infrastructure*

The proposed Eco-Tourism Facility (Campground) is a tourism activity that is based on the scenic and rural values of the Shire. Further assessment against the applicable planning scheme codes is necessary to determine the suitability of the size of the Eco-Tourism Facility (Campground) in order to ensure the development can be considered a low impact tourism activity and therefore comply with the above DEO's.

Applicable Planning Scheme Codes

The codes contained in the Gatton Planning Scheme that are relevant to the assessment of the application are as follows:

- Rural General Zone Codes
- Biodiversity Overlay Code
- Potential Bushfire Risk Area Overlay Code
- Steep and Unstable land Overlay Code
- Rural Development Code
- Tourism Facility Code
- Advertising Devices Code
- Building Work Code
- Landscaping Code
- Lighting Code
- Services and Infrastructure Code;
- Vehicle Access, Parking and Onsite Manoeuvring Code.

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A brief assessment of codes is provided below.

Rural General Zone Code

The proposed development is consistent with Overall Outcomes of the Rural General Zones. In addition to the Overall Outcomes for the Zone, there are six specific outcomes relevant to the proposal as follows:

- a) *Downstream water quality is protected from impacts resulting from the development*

There is no conflict with this requirement; however, conditions requiring the provision of stormwater infrastructure should be attached to any development approval.

- b) *New uses and works associated with new development are located, designed and managed to minimise adverse effects on environmental values.*

There is no conflict with this requirement. This requirement is more relevant to the establishment of a new development.

- c) *Access arrangements required to service new development are designed to accommodate the type and volume of traffic likely to be generated*

Access from the local road network can be condition to ensure it is consistent with Council's Property Access & Access Crossings: Design, Construction & Maintenance Policy.

- d) *Development achieves effective separation or buffering from existing incompatible uses or those that may establish in the future*

The proposed development is located on 942 Lefthand Branch Road. The development located within 942 Lefthand Branch Road is setback from the Tenthill Creek that traverses the southern part of the site and is buffered by some existing landforms and vegetation to neighbouring properties to the south along Lefthand Branch Road. With additional buffering to be conditioned to any approval granted that development can achieve effective separation and effective buffering.

- f) *A range of other recreational, educational or tourism related uses is supported in the zone where:*

- i. *the intensity and scale of the use does not reduce the amenity or operational effectiveness of neighbouring properties*
- ii. *there are no adverse impacts on the natural environment including:*
 - a) *Vegetation or other features identified as having significant ecological values; and*
 - b) *Downstream water quality;*
- iii. *There are no impacts on the quality of the visual landscape as uses involve only limited buildings or structures that are designed, sited and of a scale consistent with the natural environment.*
- iv. *the site is connected to the Shire road network and urban centres by roads capable of accommodating the type and volume of traffic likely to be generated; and*
- v. *the site has access to an appropriate water supply, liquid and solid waste disposal.*

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Each of the seven requirements of this specific outcome is addressed in turn below.

Item i) the proposal includes eleven non powered camp sites buffered by some existing vegetation and landforms. The intensity and scale of the development may have an impact on the amenity of neighbouring properties in terms of acoustic values. The development is of a small scale and will ensure that noise will be kept to appropriate levels. A condition for vegetation buffer along all of the adjoining property boundaries is included as a condition.

Item ii) a) & b) there is no conflict with this requirement; however, conditions requiring the provision of stormwater infrastructure should be attached to any development approval.

Item iii) the proposal includes a couple of new structures on site including camp kitchen and ablutions facilities to service campers. The camp kitchen and ablutions facilities structures are compatible with visual landscape and low scale of development consistent with an ecotourism activity. The small number of additional structures to service the proposed promotes natural visual landscape consistent with zone and locality.

Item iv) Lefthand Branch Road is winding in nature. Consultation with Infrastructure and Works Services (IWS) was undertaken for the road. IWS has advised that the proposed development does not trigger any additional requirements for upgrades to the road network.

Item v) Conditions requiring the provision of an appropriate water supply, liquid and solid waste disposal should be attached to any development approval.

k) All other defined uses and other not defined uses, not specifically identified in Table 1 are not consistent with the purpose of the zone.

The proposed use defined as an Eco-Tourism Facility (Campground) is consistent with the purpose of the zone as it is within Table 1 of the planning scheme.

Biodiversity Overlay Code

The proposed development is located outside of that part of the site identified as part of the Biodiversity Overlay. Therefore, this code is not applicable to the proposed development.

Bushfire Overlay Code

The proposed development is located outside of that part of the site identified as part of the Bushfire Overlay. Therefore, this code is not applicable to the proposed development.

Steep and Unstable land Overlay Code

The proposed development is located outside of that part of the site identified as part of the Steep and Unstable Land Overlay. Therefore, this code is not applicable to the proposed development.

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Rural Development Code

The Code provides that:

P1. The site layout takes into account on-site topography and drainage, existing vegetation and the location of dwellings and other sensitive uses in the surrounding area.

P2. Landscaping includes densely planted buffer areas to adjoining land used or likely to be used for residential, rural residential or other sensitive purposes.

The development complies with the requirements under the Rural Development Code and can be conditioned for stormwater or drainage matters. Additional conditions of approval have been included to provide buffers to adjoining properties

Tourism Facility Code

The Code provides that:

P1. Where an eco-tourism facility is proposed on a site with identified natural values, the natural and cultural values of land subject to or associated with the development are protected and incorporated into the development.

P2. All buildings and structures proposed as part of the eco-tourism facility are designed and sited to:

(a) complement the natural landscapes and topographical features of the surrounding area; and

(b) minimise visual impact from within and outside the site.

Conditions of approval have been included regarding the appearance, design height of the proposed camp kitchen and ablutions facilities. Additional conditions regarding buffers along the boundaries of the land will ensure the development maintains a low visual impact from outside the site.

Building Work Code

Specific Outcome P1 provides that:

P1. Building heights and setbacks are compatible with those existing in the zone in which the building work is proposed.

The building heights and setbacks indicate a maximum building height of 8.5 metres and minimum setbacks to the front, rear and side boundaries of 20 metres, 10 metres and 10 metres respectively. All proposed new structures are significantly below the maximum height of 8.5m and are single storey in height. Conditions of approval have been included regarding the appearance, design height of the proposed camp kitchen and ablutions facilities.

Landscaping Code

The existing native vegetation on-site will be retained. Lantana and other weeds have been cleared to make space of the camp ground. Some minor clearing of the understory may be required to reduce fuel loads and to remove further weeds species such as lantana.

Specific Outcome P1 and P2 provide that:

“P1. Landscaping associated with new development is designed, established and maintained in a manner which:

- (i) enhances the appearance of the development from the street;*
- (ii) achieves a high quality frontage appearance that positively contributes to the streetscape character;*
- (iii) is of an appropriate scale relative to both the street reserve width and to the size and nature of the development;*
- (iv) screens the views of unsightly buildings, structures, open storage and refuse areas and the like from public view;*
- (v) integrates existing site attributes into the development including natural landform, existing vegetation, site views, availability of water and drainage;*
- (vi) provides a safe environment for pedestrians and vehicles;*
- (vii) forms linkages and integrates surrounding land uses including parks, reserves and transport corridors;*
- (viii) provides for integration on-site of Advertising Devices and lighting within the landscaped garden areas where practical;*
- (ix) does not interfere with pavements, buildings or other structures or services as a result of root invasion.*
- (x) Maintains lines of sight along State-Controlled Roads.”*

P2. A landscape buffer is provided between the new development and existing or likely future incompatible/or sensitive uses on adjoining land such that the privacy and amenity of the adjoining use will be maintained and a sensitive interface provided.

Some of the existing vegetation on site meets the requirements above. Further conditions regarding landscaping have been provided including buffers to adjoining properties. A condition requiring the submission of an operational works application for approval of landscaping plans should be attached to any approval given.

Lighting Code

Specific Outcome P1 provides that:

P1. Outdoor lighting does not detrimentally affect the safety or wellbeing of any pedestrian, cyclist or motorist through inappropriate light emissions from developments, which reduce the ability of transport system users to see essential details of the route ahead, including signalling systems and Advertising Devices.

The proposed campground is set back from the surrounding properties and proposed vegetation buffers will minimise lighting impacts. The proposed low level lighting can be conditioned to have no impact on users of public roads.

Specific Outcome P2 provides that:

P2. Outdoor lighting provides a sense of security is consistent with the character of the local area and does not cause unreasonable disturbance or nuisance because of emission of light.

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A condition should be attached to any approval given that requires outdoor lighting to be provided to illuminate all internal driveways, car parking areas, pedestrian pathways and communal areas.

Specific Outcome P3 relates to the lighting of outdoor sporting fields and so is not relevant to the assessment of this application.

Services and Infrastructure Code

Specific Outcomes P1 and P2 relate to the connection of the proposed development to a water supply and that a suitable means of effluent disposal is provided. The site is not connected to the water supply network, therefore a condition is recommended to ensure adequate water supply is available on site. The development will utilize onsite effluent disposal systems and will be subject to plumbing works approval

Specific Outcome P3 requires an electricity supply to be provided. The existing dwelling house is connected to reticulated electricity supply. A condition is recommended to ensure communal facilities are connected and to exclude camp sites.

Specific Outcome P4 & P5 requires that on-site drainage does not adversely affect adjoining land or the downstream stormwater system. A condition has been recommended to address stormwater controls.

Specific Outcome P7 addresses the treatment of vehicle crossover and road frontages. Conditions have been recommended for any approval to address this requirement.

Specific Outcome P8 considers the standard of the road network available to service the needs of the development. Internal consultation was undertaken with Infrastructure Services regarding Lefthand Branch Road was sought regarding this matter. Infrastructure Services indicated that there a number of signs that need to be updated and approved along the existing road regardless of any new development. Infrastructure Services advised that road upgrades would not be required due to the low numbers of people visiting the site.

The proposal has been assessed and determined to be generally in accordance with the requirements of the Services and Infrastructure Code, and where required appropriate conditions are recommended to be included as part of any approval.

Vehicle Access, Parking and On-Site Movement Code

Specific Outcome P1 provides that:

“P1. Access driveways are located to minimize conflicts and designed to operate efficiently and safely taking into account:

- (a) the size of the parking area;*
- (b) the amount and type of vehicle traffic;*
- (c) the type of use (e.g. long-term, short-term, regular, casual);*
- (d) frontage-road traffic conditions; and*
- (e) capacity of the adjoining street system.”*

A condition is recommended to ensure compliance with the above matters.

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Specific Outcomes P2 and P3 provide that:

“P2. Right turn movements associated with the new development enable the movement of through traffic and do not reduce road safety in the vicinity of the site.

P3. Large vehicles are able to enter and exit the development without prejudicing the safety and efficiency of the road.”

The requirements of these specific outcomes have been met.

Specific Outcome P4 provides that:

“P4. Access driveways, manoeuvring, loading/unloading and parking areas are designed, constructed and maintained:

- a) at a gradient suitable for intended vehicle use;*
- b) such that it is effectively drained and sealed;*
- c) such that spaces are clearly marked and signed as appropriate; and*
- d) to be available exclusively for the intended vehicle use.”*

Conditions should be attached to any approval given requiring internal driveway to meet acceptable standards.

Specific Outcome P5 provides that:

“P5.Except where the new development is a dwelling house or a dual occupancy, all vehicles expected to use the site must be able to drive both on and off the site in forward gear.”

The requirement of this specific outcome has been met.

Specific Outcome P6 provides that:

“The on-site circulation system provides adequate and safe access to all parking, loading/unloading and manoeuvring areas, and to pedestrians and cyclists.”

The requirement of this specific outcome has been met. However, conditions of approval should be included to ensure parking is adequate and meets the Australian Standards.

Specific Outcome P7 provides that:

“Where the new development is any of the following:

(a) Eco-Tourism Facility (reception area);

(b)...

...

(k) a queuing area is provided within the site that enables vehicles to stand without obstructing the free flow of moving traffic or unduly conflicting with pedestrian movement.”

The requirement of this specific outcome has been met.

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Specific Outcome P8, P9 and P10 provide that:

“P.8 New development includes an area for vehicle parking within the site. The parking area is located where it is convenient, attractive and safe to use.

P9. Vehicle parking spaces have adequate areas and dimensions to meet user requirements.

P10. Sufficient parking spaces are provided accommodate the amount and type of vehicle traffic expected to be generated by the development.”

These requirements have been met. However, conditions of approval should be included to ensure parking is adequate and meets the Australian Standards.

Summary of Assessment

Following an assessment of the proposal against the planning scheme codes of the *Gatton Shire Council Planning Scheme 2007*, the proposal has been determined to generally comply with outcomes of the planning scheme. The development can be supported subject to appropriate conditions to address matter of concern and ensure compliance.

3.5 Public Notification

The application was subject to public notification from 7 September 2016 to 30 September 2016. During the notification period, 28 properly made submissions were received. Matters raised in the submissions and responses are provided below.

Issue	Response
Traffic/Safety Concerns have been raised regarding the existing safety and increased volume of traffic along Lefthand Branch Road. Submitters raised concerns that the road is an inappropriate quality/design to handle the volume of existing traffic users let alone an additional 100 cars a year. Concerns were also raised that if caravans and other heavy vehicles are in appropriate for the road.	The campsite is not for caravans or other heavy moveable homes. The campground is intended for walkers, bicycle and horse riders. Internal consultation was undertaken with Infrastructure Works & Services (IWS) regarding Lefthand Branch Road. Comments from IWS indicate that, despite this proposal, between Mt Sylvia Road and the site access there are approximately 15 floodways that currently require signage upgrades for Give Way signage. At the beginning of Lefthand Branch, signage that states people are to drive to the conditions of the road also needs to be improved. There is also an existing a need for additional guideposts at some locations and some curve warning signs for the current road users. IWS has advised that the proposed development does not trigger any additional requirements for upgrades (e.g. road widening) to the road network.
Safety/crime/trespass of unfenced properties	The development will be conditioned to be contained wholly within the subject allotments.

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Issue	Response
<p>Concern is raised regarding the security/crime risk posed by customers of the proposed development, including potential trespassing on neighbouring properties that are unfenced including dogs threatening neighbours domestic stock and other potential criminal behaviour.</p>	<p>Council can condition through Local Law 1.6 Operation of Camping Grounds 2011 that campground rules be approved prior to operation. Under the Camping Grounds, council can require that matters address some of these issues.</p> <p>Conditions are recommended for any approval granted that will ensure compliance with Council Local Laws in relation to the patrons' use of Lefthand Branch Road.</p> <p>Any issues relating to crime are a police matter and are not a matter to be considered under the Gatton Planning Scheme.</p>
<p>Amenity Concern is raised regarding the decrease in local amenity and rural lifestyle that the proposed development would cause (including neighbours privacy, increased road disturbance) in particular motor bike usage. Concern is related to potential trespassing on neighbouring properties where there are unfenced cattle properties further south of the subject site.</p>	<p>The concerns raised with respect to amenity have been further addressed as part of the assessment against the relevant codes that the development may have some impacts on amenity and appropriate conditions have been recommended for inclusion on any development approval.</p> <p>Conditions are recommended for the provision of vegetated buffers along the boundaries of the land and Low level lighting to assist in minimising visual amenity impacts and provide privacy for campers will ensure compliance with the planning scheme</p>
<p>Noise/operating hours Issues were raised regarding noise disturbance and its mitigation, caused by social events and vehicle movement (during the day and night) within the proposed development.</p>	<p>As discussed further in the assessment of the codes, the issue of noise is a matter that is to be addressed by recommended conditions and restrictions on the scale and intensity of the proposed Eco-Tourism Facility (Campground). The development application is for an Eco-Tourism Facility (Campground) only and caravan, mobile homes and the uses of motor bikes should not be permitted on-site in an approval.</p> <p>The applicant has advised that the campers will be advised that arrival time is between 7am and 7pm to ensure that they have sufficient time to make camp before dark.</p> <p>Conditions are recommended for any approval granted that will ensure compliance with Council Local Laws in relation to the noise and operating hours on site.</p>
<p>Natural Hazards Concern is raised regarding the proposed developments ability to manage the risk</p>	<p>The site of the proposed development is not mapped as a bushfire hazard risk. The applicant has stated that onsite bushfire</p>

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Issue	Response
<p>posed by natural hazards (including bush fires and flooding), and the safe evacuation of the site.</p>	<p>management procedures can be put in place to mitigate and manage bushfire hazard areas.</p> <p>In 2013, the Valley of Lefthand Branch experiences an extreme flood event. This event meant that many of the residents of the valley were flooded in and or had to be evacuated. As part of the response to the submitters, the applicant has included an evacuation area on higher ground for storms and floods for any patrons. However, it is likely anyone that is camping on the site could be flooded in by any of the existing causeways along Lefthand Branch Road. It is in the Applicants interest to advice patrons to leave at the best times to ensure that they are not flooded in by any storm events and is best managed as part of the campground operations.</p> <p>Furthermore, the applicant has advised in such extreme conditions, or in the case of a medical emergency, a helicopter can land in the house paddock to air lift people to hospital.</p> <p>Conditions are recommended for any approval granted that will ensure compliance with Council Local Laws in relation to the Natural Hazards and evacuation procedures on site.</p>
<p>Littering/Waste management Concern has been raise concerning the increased likelihood of littering and potential waste management issues within the proposed development (including sewerage disposal).</p>	<p>Standard conditions of approval are recommended as well as further conditions to ensure compliance with Council Local Laws in relation to the waste management procedures on site.</p>
<p>Extent of Use/Operations not Viable/Duration of Stay Concerns were raised regarding the financial viability of the development to rely solely on users of the Bicentennial National Trail network and the potential disruption cause by potential other users of the camp coming into Lefthand Branch.</p>	<p>The proposed development is for an Eco-Tourism Facility (Campground). The applicant has advised that the campground is for unpowered campsites and will not cater to caravan or motorhomes. The applicant has also advised that they do not intend to run dirt bikes over the property.</p> <p>There is no other Council approved and regulated campground along the Bicentennial National Trail within Lefthand Branch. The Applicant recognises that existing users of the trail will be a small proportion of the overall likely patrons of the campground.</p> <p>A condition limiting the stays to no more than 14 consecutive nights has been recommended for inclusion in any approval given.</p>

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Issue	Response
Bio-Security Hendra Virus Concern has been raised about horse coming into the Valley not being vaccinated for Hendra virus and potentially spreading Hendra throughout Lefthand Branch.	All horse owners are bound by the requirements of the Stock Act with respect to bio-security issues. Conditions are recommended for any approval granted that will ensure compliance with Council Local Laws in relation to the horse vaccination certification before coming to site.
Water Access Concerns were raised regarding water services for the development.	Conditions are recommended for any approval for minimum storage tanks for water and that they are to comply with potable water standards.

3.6 Further Approvals Required

The proposed development is subject to further permits:

- Operational Works (Earthworks, access and car parking, stormwater and landscaping)
- Building Works
- Plumbing and Drainage Works

3.7 Adopted Infrastructure Charges Resolution No.1/2016

Ecotourism is not allocated an infrastructure charge under Schedule 2, of Councils current Adopted Infrastructure Charges Resolution No.1; therefore, no charge is applicable.

4. Policy and Legal Implications

There are no policy and legal implications arising from the recommendation provided in this report.

5. Financial and Resource Implications

There will be no financial or resource implications arising from the recommendation provided in this report.

6. Delegations/Authorizations

There are no implications for delegations or authorizations arising from the recommendation provided in this report.

7. Communication and Engagement

The decision of Council will be formally communicated to the applicant and all persons who made a properly made submission in accordance with the requirements of the *Sustainable Planning Act 2009*.

8. Conclusion

The proposed development of scale that is compatible with the requirements of the Gatton Planning Scheme. Conditions have been recommended to address concerns raised by submitters and to ensure that the development manages potential amenity concerns. The

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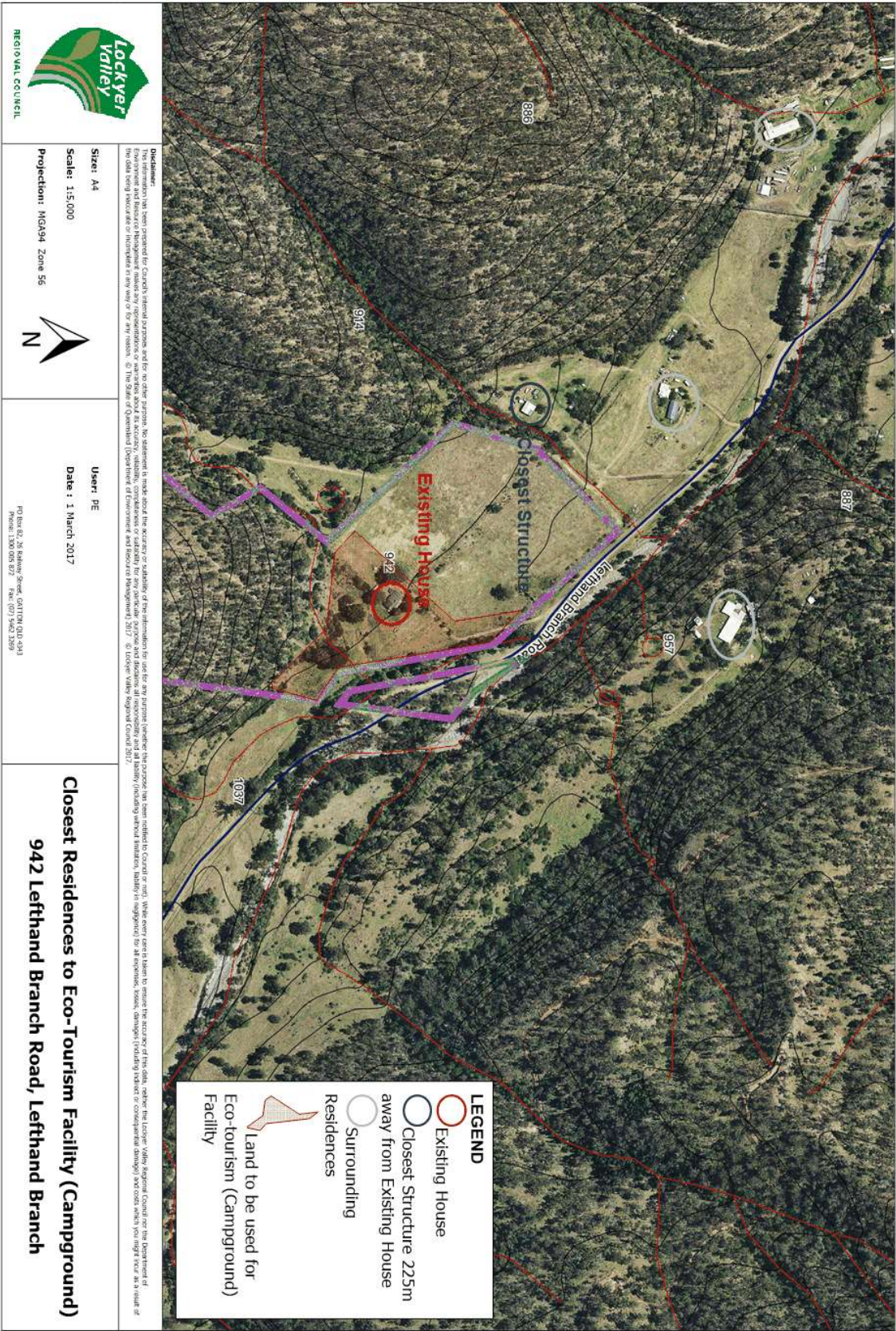
application is recommended for approval subject to the conditions provided in the Officer's Recommendation.

9. Action/s

That the application be approved in accordance with the Officers Recommendation.

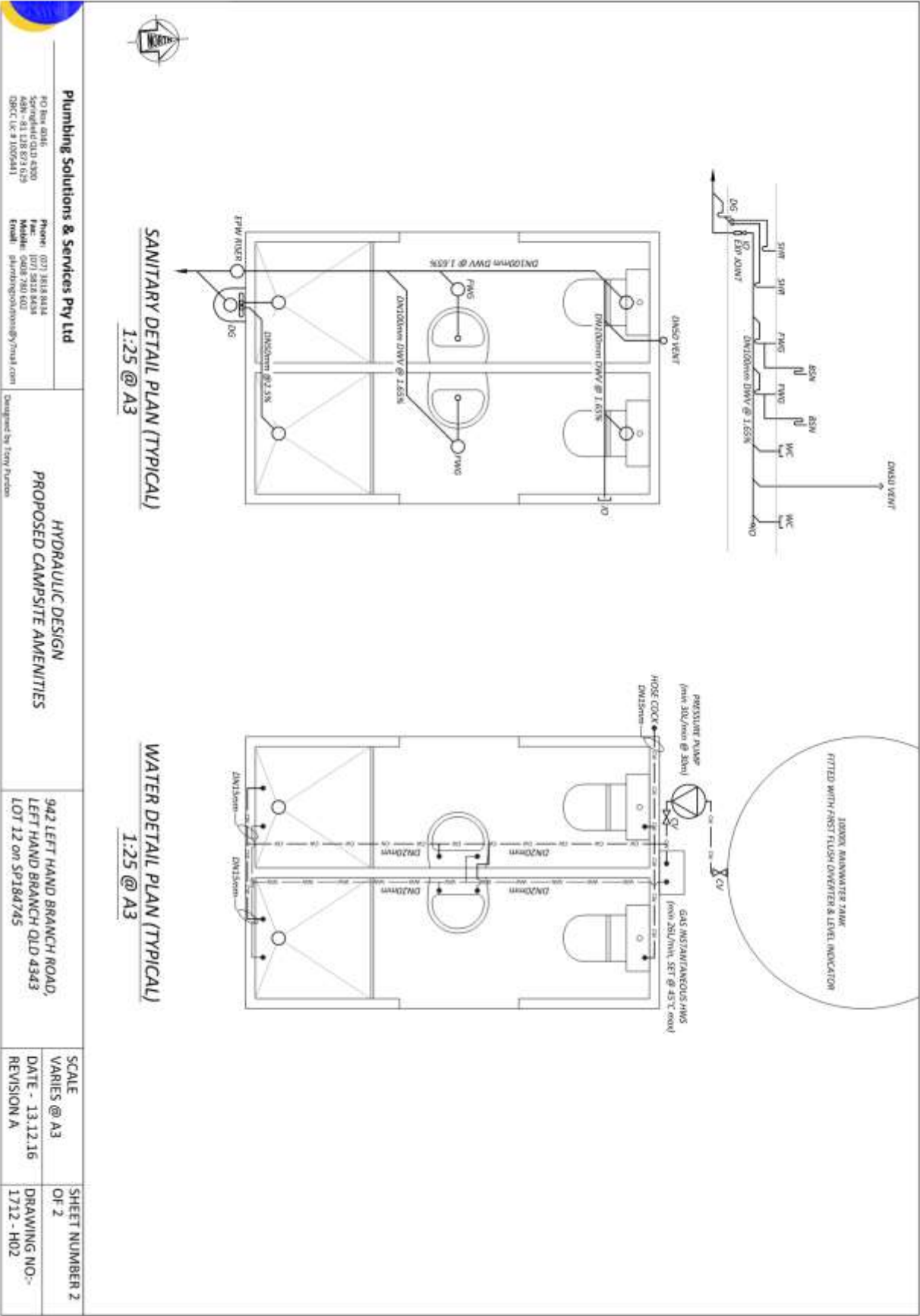
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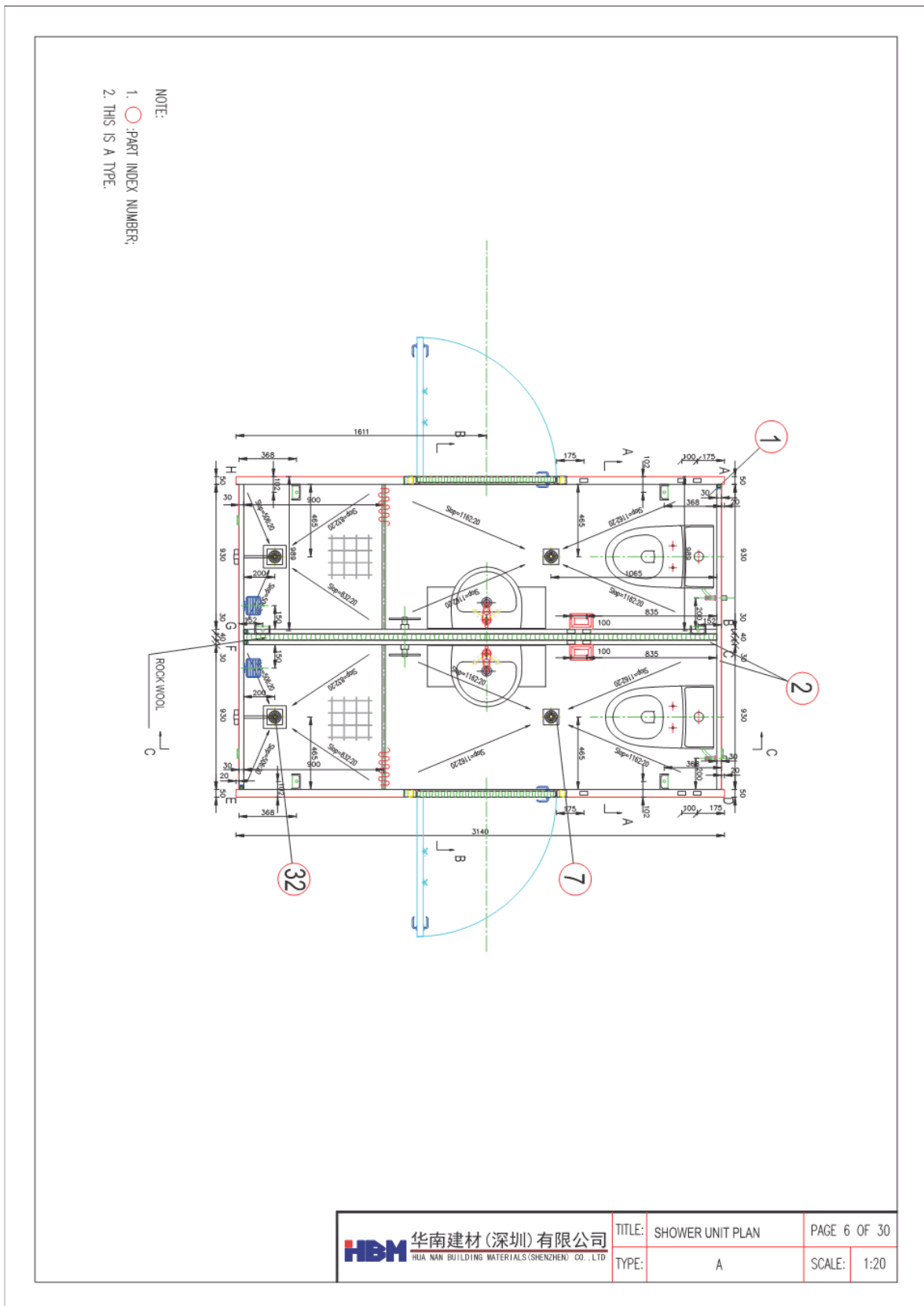
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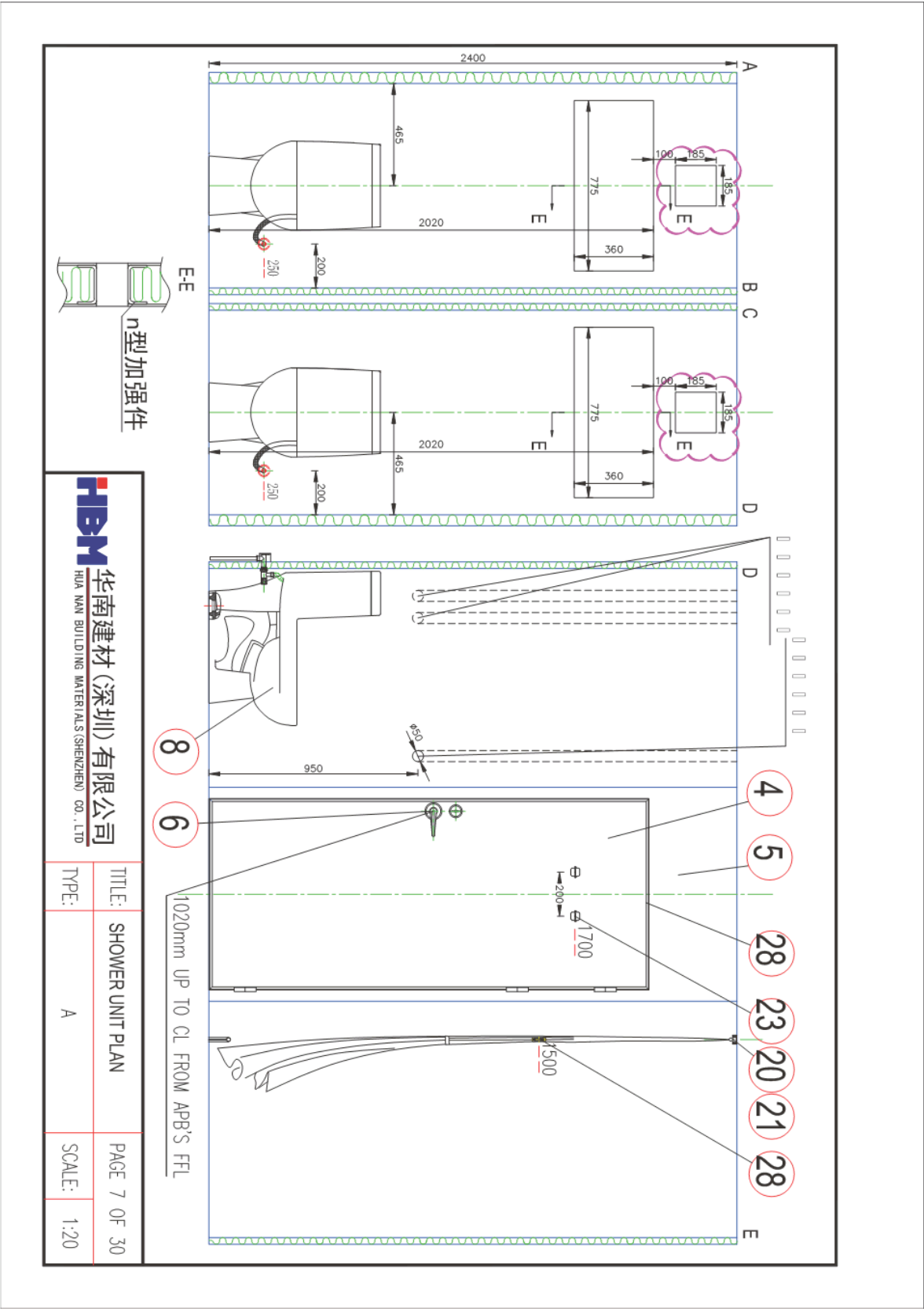


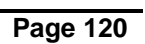


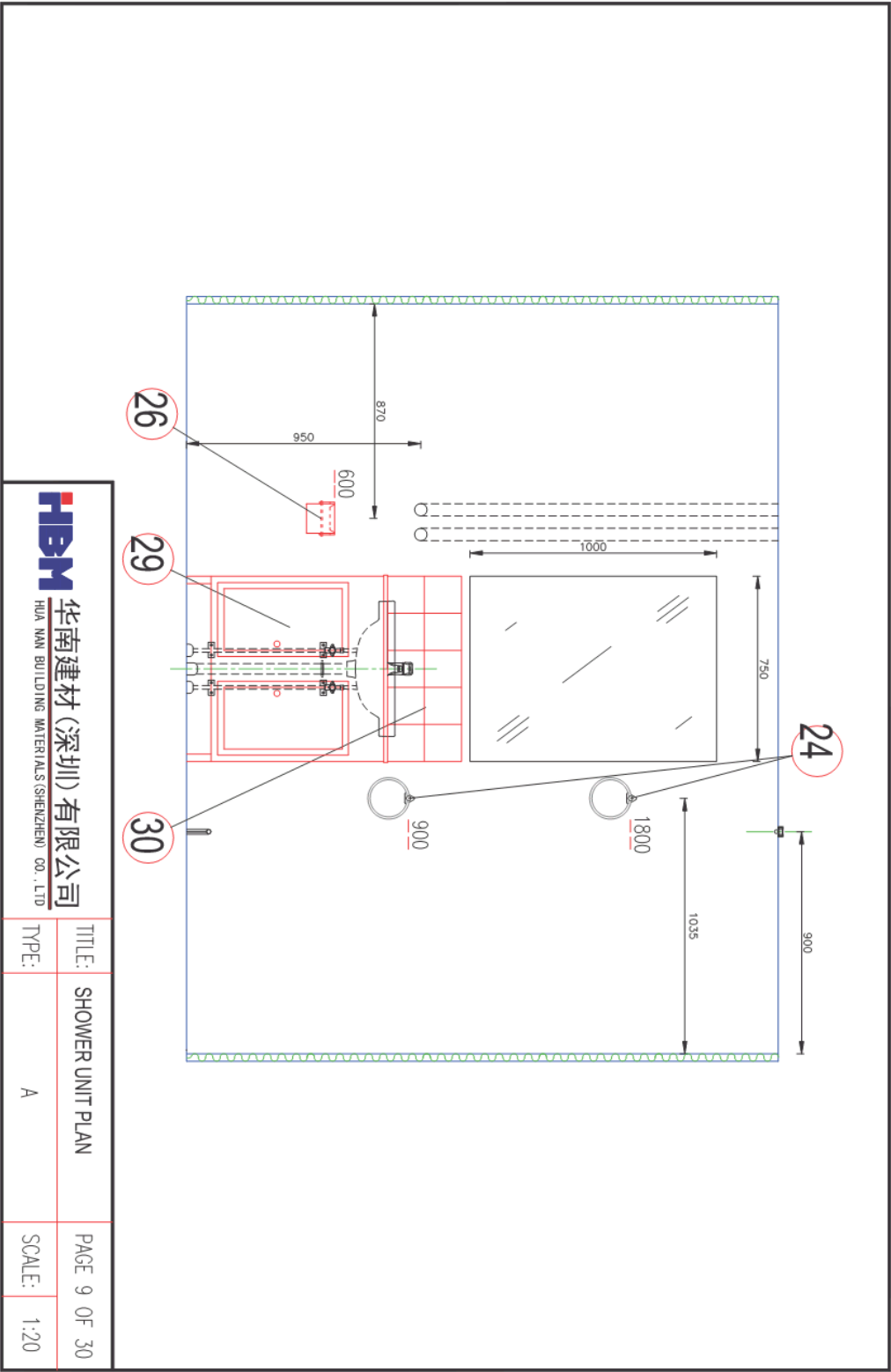


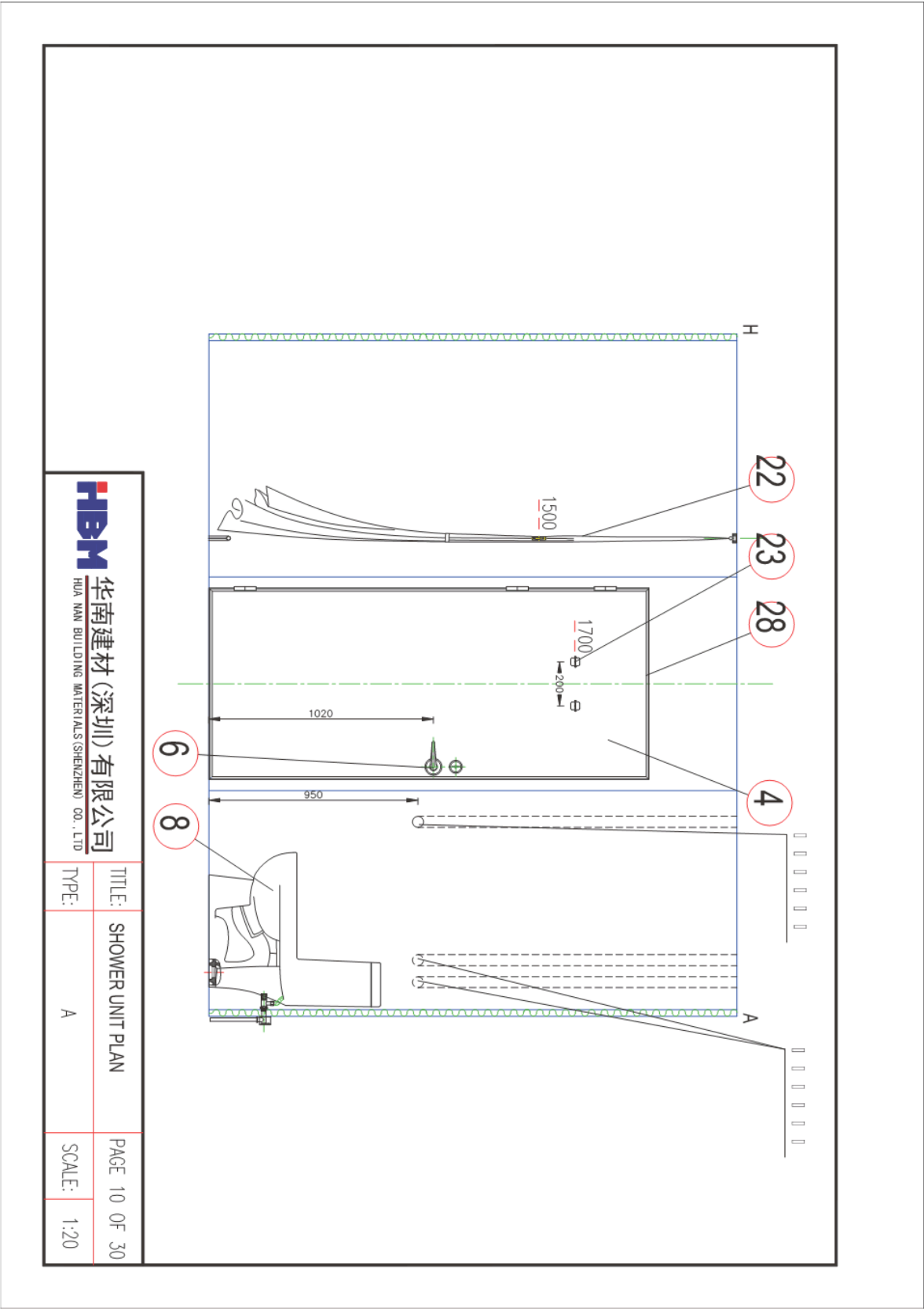














**Application for Development Permit for Material Change of Use of
Premises for Rural Service Industry, located at 88 Carpendale
Road, Carpendale described as Lot 18 SP 230861**

Date: 01 March 2017
Author: Prudence Earle, Planning Officer
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

The application has been assessed in accordance with the requirements of the *Sustainable Planning Act 2009* and is recommended for approval on the basis of the imposition of reasonable and relevant conditions.

THAT the application for Development Permit for Material Change of Use of premises for Rural Service Industry on Lot 18 SP 230861 located at 88 Carpendale Road, Carpendale described as Lot 18 SP 230861, be approved subject to the following conditions:

- 1. Undertake the development generally in accordance with the approved plans and documents referred to below, subject to the conditions and any notations by Council on the plans:**

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2. Maintain the approved development (including landscaping, roads, access driveways) in accordance with the approved drawings(s) and /or documents, and any relevant Council of other approval required by the conditions.
3. All conditions are to be completed as part of Stage 1 works unless otherwise specified by any other timeframe in the conditions of approval or plans of development.

Nature and Extent of Approved Use

4. The approved use must not operate outside the hours of 6am to 6pm.

Use Appearance

5. The street address of the development must be clearly visible and discernible from the frontage of the site by the provision of a street number.

Liquid Wastes and Contaminants

6. No discharge of waste occurs to stormwater systems, local waterways (including dry waterways) or wetlands.
7. Areas where potentially contaminating substances are stored or used must be roofed.
8. Provision must be made for spills to be bunded and retained on-site for removal and disposal by an approved means.

Environmental Performance

9. The development must achieve the environmental values for the acoustic environment and acoustic quality objectives for sensitive receiving environments set out in the Environment Protection (Noise) Policy 2008 at all times.
10. The development must achieve the environmental values and air quality objectives set out in the Environmental Protection (Air) Policy 2008 at all times.
11. The development must not produce any odour emissions in excess of one (1) odour unit beyond the site boundaries.
12. The development must ensure that any vertical illumination resulting from direct, reflected or other incidental lighting emanating from the site does not exceed 8 lux when measured at any point 1.5m outside the boundary and at any level from ground level upwards.

Public Safety

13. Signs must be provided and located to direct people to entries and exits and to parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.

Outdoor Lighting Devices

14. Lighting associated with the use must be designed, sited, installed and tested to comply with Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting using a control level of 2.

Damage to Services & Assets

15. Any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken shall be met by the applicant. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being completed.
16. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
17. If the road or drainage network requires cleaning due to erosion or sediment from the development, then such works will be at the expense of the developer. These works must be undertaken immediately if there is potential hazard to pedestrians or passing traffic.

Water Supply

18. The development shall provide a suitable potable water supply for the safe and efficient operation of the Rural Service Industry.
19. The development must have an independent drinking water supply. Drinking water provided to persons must comply with the Australian Drinking Water Guidelines 2011.
20. The water tanks must be constructed in accordance with Chapter 2, Part 1, and Part 8 of the Public Health Act 2005 (i.e. constructed in a way that prevents the breeding of mosquitoes).

Waste Water

21. The development must have an on-site effluent disposal system. The works

must be undertaken in accordance with a Plumbing & Drainage Works approval prepared by a suitably qualified person.

22. The land owner must comply with Environmental Protection (Water) Policy 2009 during operation of normal activities and contaminated water must not be released to stormwater.

Electricity & Telecommunication Services Relocation

23. Relocation of reticulated electricity and telecommunication services must be provided to the development site in accordance with the standards and requirements of the relevant service provider.

Waste Storage & Collection

24. Refuse storage, removal and collection facilities must be provided in accordance with the following:

- (a) collection by service vehicles external from the site no less than once per week.
- (b) provision of a communal hardstand impervious area for the permanent storage location and service collection of all bulk bins onsite, being located no closer than 20m to the site frontage and 10m to any other boundary.
- (c) provision of a 1.8m high purpose built enclosure to the communal bin store, which is screened from the street or adjoining properties.
- (d) provision of a wash-down area in the vicinity of the permanent storage location fitted with a hosecock and a drain connected to the effluent disposal system that has a catchment area of no more than 1m².

Landscaping Works

25. The development site must be landscape in accordance with the approved plans and as follows:

- (a) For Planting setout plan LD CD601, the landscape buffer immediately adjoining Carpendale Road is to have plant spacing as follows:
 - tree species 1 tree per 10m of frontage.
 - shrub species 1 plant per 1sq.m.
 - grass species of 1 plant per ½sq.m.
- (b) Control and remove all declared, restricted and invasive plants under the Biosecurity Act 2014.

26. All landscape works must be established and maintained in accordance with the approved design for the life of the development.

Advertising

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27. The existing advertising sign on the site is approved in the following form:

- (a) Is no greater than 3sq.m. and
- (b) attached to an existing boundary fence or access gate.

28. Any additional signage must obtain an Operational Works Permit for Advertising Device in accordance with the planning scheme and local laws current at application.

Development, Generally

29. All works, services, facilities and/or public utility alterations required by this approval or stated condition/s whether carried out by Council or otherwise, shall be at no cost to Council unless otherwise specified in subsequent development approvals or contractual arrangements between the developer and Council. This condition shall be met at all times.

30. Replace existing Council infrastructure (including but not limited to street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works. This condition shall be met at all times.

31. Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council. This condition shall be met at all times.

Requirements for Operational Works Applications

32. Submit as part of an Operational Works application, documentation in the form of detailed plans, drawings and calculations for Council review for compliance with the approval conditions and Council's general requirements. Submission of operational works documentation will include, but is not limited to:

- (a) Construction details of access driveway, manoeuvring, loading and car parking areas;
- (b) Details of stormwater management measures to ensure no adverse effects downstream of the development with regard to peak flows of overland flow from the development and non-worsening of water quality with regard to sediment or nutrient runoff. Details to be included:
 - i. Management of stormwater runoff onto the subject land from upstream areas, through the development and discharging into the dam
 - ii. Calculations of likely runoff (quantity) from impervious areas;
 - iii. Details of any diversion banks or drains;

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- iv. Water quality management measures.
- v. Details of any civil earthworks including changes in level of greater than one (1) metre from natural surface level;
- (c) Details of erosion and sediment control measures to be installed during construction phase of development.

33. Submit an RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.

34. All drawings must be checked, approved and signed by a current RPEQ with their registration number.

35. No on-site works must not commence until approval for operational works has been obtained from Council.

Internal Roadways & Vehicle Parking

36. A minimum of 61 car parking spaces must be provided and marked on the site, Car parking spaces must be available and accessible at all times while the use is open for business. A minimum of one disabled parking space must be provided within the total.

37. Internal driveways, vehicle parking and manoeuvring areas must have a minimum width of three (3) metres and constructed with a minimum gravel roadbase depth of 150mm.

38. Internal driveways, vehicle parking and manoeuvring areas must be maintained to a minimum gravel roadbase standard to the satisfaction of Council. Dust suppression measures must be in place and maintained as part of a regular maintenance procedure. If the use creates a dust nuisance (as defined by the Environmental Protection Act, 1994) through traffic entering, leaving or using the subject land, vehicular driveways, manoeuvring and parking areas must be imperviously sealed.

39. An operational works approval shall be obtained for all internal roadways and car parking bays prior to the construction of any works and the works shall be constructed in accordance with the development permit for operational works. This condition shall be met prior to and during the construction of the works.

Access

40. Access from Carpendale Road to the subject land must be constructed in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance Policy.

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41. All driveways, car parking spaces, loading zones and manoeuvring areas must be designed in accordance with Australian Standards AS2890.1 Off-street car parking facilities and AS2890.2 Off-street commercial vehicle facilities. and kept in a tidy and safe condition at all times.

Stormwater Drainage

42. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed in accordance with Queensland Urban Drainage Manual 2013 (QUDM) and Council's planning scheme such that the overall drainage system caters for a storm event with a 10% AEP.
43. Overland flow paths must be suitably designed to cater for the water from a storm event with a 10% AEP. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for the volume that represents the difference between the predicted volume from the storm event with a 10% AEP and the capacity of the pipe system, noting the requirements of QUDM.
44. All unlined open drains must be designed to provide mitigation measures against scouring and erosion in accordance with QUDM 2013 Table 9.5.2.
45. No ponding or redirection of stormwater shall occur onto adjoining land.

Sediment & Erosion Control

46. A Sediment and Erosion Control plan must be submitted with an operational works application which demonstrates compliance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australia) [IECA] for both construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types and the implementation of a designed sediment basin.

ADVICE

- i. In carrying out the construction activity all reasonable and practicable measures must be taken to ensure that it does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Compliance with the cultural heritage duty of care will occur if the contractor is acting in accordance with gazetted cultural heritage duty of care guidelines and the Cultural Heritage Act 2003.
- ii. The operation of a Rural Service Industry requires a permit under the Lockyer

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Valley Regional Council Local Laws. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.8 (Operation of Rural Service Industry by way of making application, submitting required fees and plans for Local Law approval.

- iii. In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.
- iv. Under Queensland legislation, fire ants are a notifiable pest and suspected sightings must be reported to Biosecurity Queensland. To report suspect fire ants please complete the online form or contact Biosecurity Queensland on 13 25 23.
- v. It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Department of Agriculture, Fisheries & Forestry.
- vi. Hours of construction work shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- vii. Any noise or air pollution during construction shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- viii. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008 and to the satisfaction of Council's Waste Reduction and Recycling Plan, for the storage of papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site and Building construction and/or demolition wastes.
- ix. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

Note: In Lockyer Valley Regional Council Local Government area, Gatton Landfill and Laidley Transfer Station are approved to accept building construction and demolition waste.

- x. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.4 (Installation of Advertising Devices).
- xi. Under the Biosecurity Act 2014, everyone, including individuals and organisations have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants.

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It is the legal obligation of the site owner or any consultant or contractor employed by the site owner to report the presence or suspicion of Fire Ants to Biosecurity Queensland on 13 25 23 or completing Biosecurity Queensland/ Department of Agriculture, Fisheries and Forestry (DAFF) online form at www.daff.qld.gov.au within 24 hours of becoming aware of the presence or suspicion.

RESOLUTION

THAT the application for Development Permit for Material Change of Use of premises for Rural Service Industry on Lot 18 SP 230861 located at 88 Carpendale Road, Carpendale described as Lot 18 SP 230861, be approved subject to the following conditions:

1. Undertake the development generally in accordance with the approved plans and documents referred to below, subject to the conditions and any notations by Council on the plans:

Drawing / Report Title	Prepared By	Date	Reference Number	Version / Issue
Site Plan – Pedestrian Access	Harrison Infrastructure Group	Nov 16	TWB-118A-02	A
South Elevation – Existing Building and Proposed Extension	Harrison Infrastructure Group	4/11/16	TWB-118A-04	A
East and West Elevation – Existing Shed and Stage 2 Shed	Harrison Infrastructure Group	4/11/16	TWB-118A-05	A
North Elevation – Existing Building and Extensions	Harrison Infrastructure Group	4/11/16	TWB-118A-06	A
Final Building Floor Plan – Existing Building	Harrison Infrastructure Group	11/4/16	TWB-118A-07	A
Final Building Floor Plan – Stage 1 Building	Harrison Infrastructure Group	4/11/16	TWB-118A-08	A
Final Building Floor Plan – Stage 2 Building	Harrison Infrastructure Group	4/11/16	TWB-118A-09	A
Stormwater Management Plan	Harrison Infrastructure Group	25/10/2016	TWB-118A	A
Title Sheet	Verde Design Group	09/11/2016	LD-CD000	A
Master Legends & Schedules	Verde Design Group	09/11/2016	LD-CD001	A
Planting Plan	Verde Design Group	09/11/2016	LD-CD500	A
Planting Plan	Verde Design Group	09/11/2016	LD-CD501	A
Planting Setout Plan	Verde Design Group	09/11/2016	LD-CD600	A
Planting Setout Plan	Verde Design Group	09/11/2016	LD-CD601	A
Landscape Details	Verde Design Group	09/11/16	LD-CD900	A
Landscape Details	Verde Design	09/11/16	LD-CD901	A

2. Maintain the approved development (including landscaping, roads, access driveways) in accordance with the approved drawings(s) and /or documents, and any relevant Council of other approval required by the conditions.

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3. All conditions are to be completed as part of Stage 1 works unless otherwise specified by any other timeframe in the conditions of approval or plans of development.

Nature and Extent of Approved Use

4. The approved use must not operate outside the hours of 6am to 6pm.

Use Appearance

5. The street address of the development must be clearly visible and discernible from the frontage of the site by the provision of a street number.

Liquid Wastes and Contaminants

6. No discharge of waste occurs to stormwater systems, local waterways (including dry waterways) or wetlands.
7. Areas where potentially contaminating substances are stored or used must be roofed.
8. Provision must be made for spills to be bunded and retained on-site for removal and disposal by an approved means.

Environmental Performance

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10. The development must achieve the environmental values and air quality objectives set out in the Environmental Protection (Air) Policy 2008 at all times.
11. The development must not produce any odour emissions in excess of one (1) odour unit beyond the site boundaries.
12. The development must ensure that any vertical illumination resulting from direct, reflected or other incidental lighting emanating from the site does not exceed 8 lux when measured at any point 1.5m outside the boundary and at any level from ground level upwards.

Public Safety

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parking spaces within the site. Public parking areas must be clearly designated as such and have clearly defined access points.

Outdoor Lighting Devices

14. Lighting associated with the use must be designed, sited, installed and tested to comply with Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting using a control level of 2.

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16. Where damage occurs to any Council asset as a result of the development works, it must be repaired immediately where it creates a hazard that presents risk to person or property. Other damage must be repaired prior to completion of works.
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Water Supply

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19. The development must have an independent drinking water supply. Drinking water provided to persons must comply with the Australian Drinking Water Guidelines 2011.
20. The water tanks must be constructed in accordance with Chapter 2, Part 1, and Part 8 of the Public Health Act 2005 (i.e. constructed in a way that prevents the breeding of mosquitoes).

Waste Water

21. The development must have an on-site effluent disposal system. The works must be undertaken in accordance with a Plumbing & Drainage Works approval prepared by a suitably qualified person.
22. The land owner must comply with Environmental Protection (Water) Policy 2009

during operation of normal activities and contaminated water must not be released to stormwater.

Electricity & Telecommunication Services Relocation

23. Relocation of reticulated electricity and telecommunication services must be provided to the development site in accordance with the standards and requirements of the relevant service provider.

Waste Storage & Collection

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 - grass species of 1 plant per ½sq.m.
 - (b) Control and remove all declared, restricted and invasive plants under the Biosecurity Act 2014.
26. All landscape works must be established and maintained in accordance with the approved design for the life of the development.

Advertising

27. The existing advertising sign on the site is approved in the following form:
- (a) Is no greater than 3sq.m. and
 - (b) attached to an existing boundary fence or access gate.

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28. Any additional signage must obtain an Operational Works Permit for Advertising Device in accordance with the planning scheme and local laws current at application.

Development, Generally

29. All works, services, facilities and/or public utility alterations required by this approval or stated condition/s whether carried out by Council or otherwise, shall be at no cost to Council unless otherwise specified in subsequent development approvals or contractual arrangements between the developer and Council. This condition shall be met at all times.
30. Replace existing Council infrastructure (including but not limited to street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works. This condition shall be met at all times.
31. Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council. This condition shall be met at all times.

Requirements for Operational Works Applications

32. Submit as part of an Operational Works application, documentation in the form of detailed plans, drawings and calculations for Council review for compliance with the approval conditions and Council's general requirements. Submission of operational works documentation will include, but is not limited to:
- (a) Construction details of access driveway, manoeuvring, loading and car parking areas;
 - (b) Details of stormwater management measures to ensure no adverse effects downstream of the development with regard to peak flows of overland flow from the development and non-worsening of water quality with regard to sediment or nutrient runoff. Details to be included:
 - i. Management of stormwater runoff onto the subject land from upstream areas, through the development and discharging into the dam
 - ii. Calculations of likely runoff (quantity) from impervious areas;
 - iii. Details of any diversion banks or drains;
 - iv. Water quality management measures.
 - v. Details of any civil earthworks including changes in level of greater than one (1) metre from natural surface level;
 - (c) Details of erosion and sediment control measures to be installed during

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construction phase of development.

33. Submit an RPEQ design certification(s) stating that all civil and associated works have been designed in accordance with Council's specifications, infrastructure design standards and this approval.
34. All drawings must be checked, approved and signed by a current RPEQ with their registration number.
35. No on-site works must not commence until approval for operational works has been obtained from Council.

Internal Roadways & Vehicle Parking

36. A minimum of 61 car parking spaces must be provided and marked on the site, Car parking spaces must be available and accessible at all times while the use is open for business. A minimum of one disabled parking space must be provided within the total.
37. Internal driveways, vehicle parking and manoeuvring areas must have a minimum width of three (3) metres and constructed with a minimum gravel roadbase depth of 150mm.
38. Internal driveways, vehicle parking and manoeuvring areas must be maintained to a minimum gravel roadbase standard to the satisfaction of Council. Dust suppression measures must be in place and maintained as part of a regular maintenance procedure. If the use creates a dust nuisance (as defined by the Environmental Protection Act, 1994) through traffic entering, leaving or using the subject land, vehicular driveways, manoeuvring and parking areas must be imperviously sealed.
39. An operational works approval shall be obtained for all internal roadways and car parking bays prior to the construction of any works and the works shall be constructed in accordance with the development permit for operational works. This condition shall be met prior to and during the construction of the works.

Access

40. Access from Carpendale Road to the subject land must be constructed in accordance with Council's Property Access & Access Crossings: Design, Construction & Maintenance Policy.
41. All driveways, car parking spaces, loading zones and manoeuvring areas must be designed in accordance with Australian Standards AS2890.1 Off-street car parking facilities and AS2890.2 Off-street commercial vehicle facilities. and kept in a tidy and safe condition at all times.

Stormwater Drainage

42. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed in accordance with Queensland Urban Drainage Manual 2013 (QUDM) and Council's planning scheme such that the overall drainage system caters for a storm event with a 10% AEP.
43. Overland flow paths must be suitably designed to cater for the water from a storm event with a 10% AEP. In the case where the piped system is carrying part of the flow, the overland flow paths must be designed to cater for the volume that represents the difference between the predicted volume from the storm event with a 10% AEP and the capacity of the pipe system, noting the requirements of QUDM.
44. All unlined open drains must be designed to provide mitigation measures against scouring and erosion in accordance with QUDM 2013 Table 9.5.2.
45. No ponding or redirection of stormwater shall occur onto adjoining land.

Sediment & Erosion Control

46. A Sediment and Erosion Control plan must be submitted with an operational works application which demonstrates compliance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australia) [IECA] for both construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types and the implementation of a designed sediment basin.

ADVICE

- i. In carrying out the construction activity all reasonable and practicable measures must be taken to ensure that it does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Compliance with the cultural heritage duty of care will occur if the contractor is acting in accordance with gazetted cultural heritage duty of care guidelines and the Cultural Heritage Act 2003.
- ii. The operation of a Rural Service Industry requires a permit under the Lockyer Valley Regional Council Local Laws. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.8 (Operation of Rural Service Industry by way of making application, submitting required fees and plans for Local Law approval).

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- iii. In accordance with the Plant Protection Act 1989 and the Plant Protection Regulation 1990, a quarantine notice has been issued for the State of Queensland to prevent the spread of the Red Imported Fire Ant (ant species *Solenopsis invicta*) and to eradicate it from the State.
- iv. Under Queensland legislation, fire ants are a notifiable pest and suspected sightings must be reported to Biosecurity Queensland. To report suspect fire ants please complete the online form or contact Biosecurity Queensland on 13 25 23.
- v. It should be noted that the movement of Fire Ants is prohibited, unless under the conditions of an Inspectors Approval. More information can be obtained from the Department of Agriculture, Fisheries & Forestry.
- vi. Hours of construction work shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- vii. Any noise or air pollution during construction shall be strictly in accordance with all relevant State legislation and policies in force at the time of the construction work.
- viii. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with the Environmental Protection Regulation 2008 and to the satisfaction of Council's Waste Reduction and Recycling Plan, for the storage of papers, plastics, cardboard, food scraps, used food containers and like wastes generated by workers on the site and Building construction and/or demolition wastes.
- ix. All waste collected/stored on site during construction shall be taken to an approved Waste Disposal Facility for disposal in accordance with current acceptance criteria and relevant fees and charges.

Note: In Lockyer Valley Regional Council Local Government area, Gatton Landfill and Laidley Transfer Station are approved to accept building construction and demolition waste.

- x. The landowner must comply with Local Law No. 1 (Administration) and Subordinate Local Law 1.4 (Installation of Advertising Devices).
- xi. Under the Biosecurity Act 2014, everyone, including individuals and organisations have a general biosecurity obligation to take all reasonable steps to ensure they do not spread fire ants.

It is the legal obligation of the site owner or any consultant or contractor employed by the site owner to report the presence or suspicion of Fire Ants to Biosecurity Queensland on 13 25 23 or completing Biosecurity Queensland/



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Department of Agriculture, Fisheries and Forestry (DAFF) online form at www.daff.qld.gov.au within 24 hours of becoming aware of the presence or suspicion.

Moved By: Cr McDonald Seconded By: Cr Cook
Resolution Number: 16-20/0401

**CARRIED
7/0**

Report

1. Introduction

The application seeks a Development Permit for Material Change of Use of premises for a Rural Service Industry at 88 Carpendale Road, Carpendale described as Lot 18 SP 230861. The subject site is in the Rural Agricultural Zone under the Gatton Planning Scheme. An application for Rural Service Industry requires impact assessment against the planning scheme where greater than 500sq.m. This report provides a summary of the assessment undertaken for the proposal and considers all relevant facts and circumstances in recommending approval for the development application.

2. Subject Land

The subject land is 10.6081ha and comprises of 88 Carpendale Road, Carpendale, described as Lot 18 SP 230861. The subject site is 10.6081Ha in area, within the locality of Carpendale. The site is approximately 3.5km southeast of the township of Helidon and 5km south-west of the township of Grantham. The subject site has a frontage to Carpendale Road, and adjoins Flagstone Creek on its western boundary. The site is surrounded by large rural properties undertaking a mix of agricultural uses.

The existing packaging and cold storage facility is located toward the northern and eastern boundaries of the property, set back approximately 31m off the Carpendale Road reserve. A large dam is located in the north eastern corner of the property, while the majority of the subject land is vacant land.



Figure 1: Aerial Photo of subject site

2.1 Proposed Development

The application seeks a Development Permit for a Material Change of Use of premises for Rural Service Industry in two stages (being a total of 2,980sq.m.). The proposed facility will process, package and store (cold storage) fresh fruit, vegetable and salad produce from the local area for retail food businesses and grocery chains across Australia. The proposed development will expand on an existing building 1,361sq.m. in size by an additional 1,619sq.m. resulting in a total gross floor area of 2,485.50sq.m.

The proposed development will occur within two stages. Stage One will include the construction of:

- Reuse of existing building (not approved for a Rural Service Industry)
- Roofed loading dock
- Cold rooms
- Lunch room
- Toilet Block
- Offices
- Covered walkway
- Gravel driveway, car park and manoeuvring area
- Fire firefighting system
- Water and waste water disposal systems

Stage Two will include the construction of an additional packing building, landscaping and sealing of the gravel driveway, car park and manoeuvring area.

The proposed operating hours of the facility are 6am to 6pm, Monday to Saturday. During March to August these hours may be reduced, as the facility is dependent on farm labourers working during daylight hours. Deliveries of produce will occur between 7:30am and 2pm with

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most trucks entering and exiting the site between 10am and 2pm. It is estimate that there will be two to four trucks per day from March to August and six to eight trucks per day from September to February. Trucks will travel towards Brisbane or towards Toowoomba using existing heavy vehicle routes.

The proposed development will enable the growth of the business and employ 30-40 employees.

3. Assessment

3.1 Legislative Requirements

Assessment of the development is required under the *Sustainable Planning Act 2009* (SPA). As such, the application must be assessed against each of the following statutory planning instruments to the extent they are relevant to the development:

- (a) a matter prescribed under *Sustainable Planning Regulation* (SPA Reg).
- (b) a State planning regulatory provision.
- (c) a State planning policy.
- (d) a planning scheme.
- (e) a temporary local planning instrument.

It is noted that the applicant submitted the application and it was 'properly made' on 1 September 2016. An information request was issued on the 29 September 2016 and the applicant responded to the request on 24 November 2016. The applicant began public notification on the 11 January 2017 and completed notification on 6 February 2017. During the advertised period one properly made submission was received. Assessment of this application against the relevant planning instruments is provided in the following sections.

3.2 Referral Agencies

The application did not require referral to the State Assessment Referral Agency in accordance with the SPA Regulations.

3.3 South East Queensland Regional Plan 2009-2031 (SEQRP)

The subject site is located within the Regional Landscape and Rural Production area under the SEQRP. This Plan does not require referral assessment for rural uses as they are supported in the Regional Landscape and Rural Production area.

3.4 Gatton Planning Scheme 2007

As an impact assessable application, it must be assessed against the planning scheme in its entirety.

Desired Environmental Outcomes

The Desired Environmental Outcomes (DEO) are based on ecological sustainability established by the *Integrated Planning Act 1997* and are the basis for measures of a planning scheme. The DEOs relevant to this application are provided below along with an assessment of compliance.

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Environment

- (a) Gatton Shires natural environment is protected so that biodiversity, ecological processes and air, land and water quality are maintained*
- (b) The disposal of wastes is effectively and sustainably managed*
- (c) Sustainable land management practices are promoted*
- (d) Places areas or sites identified as being susceptible to land degradation, including erosion, landslip and contamination are protected and further degradation minimized*

A condition of approval is recommended to ensure compliance with environmental standards, should an approval be granted.

Character and Landscape Quality

- (e) The rural character, significant natural features, cultural heritage and landscape values of the Shire are protected and enhanced.*

The subject site is located within the Rural Agriculture Zone. The surrounding locality consists of large rural allotments with large rural sheds and open farm paddocks. The predominate features of the topography is the undulating and flat expanse. Conditions of approval for landscape buffers around the development will assist in minimising its appearance in the open landscape. The development is unlikely to impact on natural features, cultural heritage and landscape values of the site.

Economic Development and Natural Management

- (f) A strong and diverse economic base is promoted that builds upon the Shire's established rural strengths, its natural resources, its landscape character, and its location on strategic transport routes; and provides a broad range of employment opportunities.*
- (m) Sustainable industrial development is promoted with the concentration of industry activities encouraged in the centres of Gatton and Withcott achieving benefits of colocation, infrastructure availability and protection from inappropriate development.*

The proposed Rural Service Industry complies with the above outcomes where it is ideally located within close proximity to:

- the produce to be packed;
- of existing transport routes
- employee housing (the townships of Helidon and Grantham are within 5km).

The proposal will further promote the existing economic base and established agricultural strengths of the region.

Applicable Planning Scheme Codes

The codes contained in the Gatton Planning Scheme that are relevant to the assessment of the application are as follows:

- Rural Agricultural Zone Code
- Biodiversity Overlay Code
- Rural Development Code
- Rural Service Industry Code
- Rural Agriculture Zone Code
- Advertising Device Code

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- Building Work Code
- Earthworks Code
- Landscaping Code
- Lighting Code
- Services and Infrastructure Code
- Vehicle Access, Parking and On-Site Movement Code

The above codes have been addressed below.

Rural Agriculture Zone Code

The specific outcomes the Rural Agriculture zone are the following:

- (a) *Non-agricultural uses and related development occurs in the zone only where such uses:*
- (i) are allied to agricultural activities and/or could not be effectively located elsewhere;*
 - (ii) are sited and operated to minimise any loss of agricultural land or potential disruption to agricultural activities, including provision of adequate buffering;*
 - (iii) are consistent with the intent and provisions of State Planning Policy 1/92 and the supporting guidelines;*
 - (iv) cause no adverse impact on the natural environment, including the retention of any vegetation or other feature identified as biodiversity areas; prevention of erosion and the protection of down stream water quality;*
 - (v) are connected to the Shire road network and urban centres by roads capable of accommodating the type and volume of traffic likely to be generated; and*
 - (vi) are provided with water supply, liquid and solid waste disposal systems and electricity supply adequate for all on-site purposes.*

The proposed development is consistent with Overall Outcomes of the Rural Agriculture Zone where:

- the proposed developments core operations are dependent on the agricultural produce grown in the surrounding locality.
- the proposed development is within close proximity of existing transport routes and an employee base
- the proposed development can be conditioned to have:
 - services such as water, onsite effluent disposal, electricity and telecommunication.
 - landscape buffers to minimise its appearance in the open landscape.
 - environmental standards to manage environmental impact.

Biodiversity Overlay Code

The proposed development is located outside of that part of the site identified as part of the biodiversity overlay. Therefore this code is not applicable to the proposed development.

Rural Development Code

Specific Outcome P1 and P2 provide that:

"P1. The site layout takes into account on-site topography and drainage, existing vegetation and the location of dwellings and other sensitive uses in the surrounding area.

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P2. Landscaping includes densely planted buffer areas to adjoining land used or likely to be used for residential, rural residential or other sensitive purposes."

The subject site does not have any landscaping or vegetation as it was previously used as a paddock. Screen landscaping is proposed to reduce the visual impact of the development and to ensure consistency with other rural service industries in the Carpendale locality.

Rural Service Industry Code

The specific outcomes of the Rural Service Industry Code seek to ensure rural service industries do cause environmental impacts:

P1. Rural service industries are established in accordance with best management practices so as to:

- (a) prevent salinity;*
- (b) maintain water quality;*
- (c) prevent soil erosion and land slip;*
- (d) prevent infestation by declared and/or woody weeds; and*
- (e) avoid other adverse impacts on the site or the surrounding area*

P2. The scale of the development is consistent with the infrastructure available in the local area.

P3. Rural service industries provide for environmentally sustainable disposal of onsite wastes so as to ensure there are no significant adverse impacts on the quality of any surface water or ground water resource.

P4. Rural service industries are designed, sited and managed to:

- (a) avoid loss of or encroachment on good quality agricultural land; and*
- (b) minimise conflict with agriculture uses*

The proposed development is consistent with Specific Outcomes of the Rural Service Industry Code where conditions of approval can be applied to the development for disposal of onsite wastes, soil erosion control, weed management and other environmental impacts. Overall the development is consistent with size and scale of other rural shed and rural service industries in the locality of Carpendale.

Advertising Device Code

The site has an existing free standing advertising sign that is approximately 3sq.m. in area. The existing signage has been conditioned to be approved. This will allow the applicant to continue to use the existing sign and will not have to seek a further operational works approval for an advertising device unless they require additional signage.

Building Work Code

Specific Outcome P1 provides that:

"P1. Building heights and setbacks are compatible with those existing in the zone in which the building work is proposed."

The building heights and setbacks indicate a maximum building height of 8.5 metres and minimum setbacks to the front, rear and side boundaries of 20 metres, 10 metres and 10

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metres respectively. The existing building and all proposed new structures are compliant with these requirements. A condition is recommended to ensure compliance for any approval issued.

Landscaping Code

The site has been previously used for agriculture purposes and has limited landscaping. Specific Outcome P1 and P2 provide that:

“P1. Landscaping associated with new development is designed, established and maintained in a manner which:

- (i) enhances the appearance of the development from the street;*
- (ii) achieves a high quality frontage appearance that positively contributes to the streetscape character;*
- (iii) is of an appropriate scale relative to both the street reserve width and to the size and nature of the development;*
- (iv) screens the views of unsightly buildings, structures, open storage and refuse areas and the like from public view;*
- (v) integrates existing site attributes into the development including natural landform, existing vegetation, site views, availability of water and drainage;*
- (vi) provides a safe environment for pedestrians and vehicles;*
- (vii) forms linkages and integrates surrounding land uses including parks, reserves and transport corridors;*
- (viii) provides for integration on-site of Advertising Devices and lighting within the landscaped garden areas where practical;*
- (ix) does not interfere with pavements, buildings or other structures or services as a result of root invasion.*
- (x) Maintains lines of sight along State-Controlled Roads.”*

P2. A landscape buffer is provided between the new development and existing or likely future incompatible/or sensitive uses on adjoining land such that the privacy and amenity of the adjoining use will be maintained and a sensitive interface provided.

The landscaping plans provided as part of the application will assist in achieving the above outcomes. Minor changes to the landscaping plans have been conditioned to ensure that screening along the frontage is achieved. This will allow the Applicant to begin works on the landscaping without the need to seek a further operational works approval for landscaping.

Lighting Code

Specific Outcome of the lighting code state that:

“P1. Outdoor lighting does not detrimentally affect the safety or wellbeing of any pedestrian, cyclist or motorist through inappropriate light emissions from developments which reduce the ability of transport system users to see essential details of the route ahead, including signalling systems and Advertising Devices.”

“P2. Outdoor lighting provides a sense of security is consistent with the character of the local area and does not cause unreasonable disturbance or nuisance because of emission of light.”

The proposed Rural Service Industry is set back from the surrounding properties and proposed vegetation buffers will minimise lighting impacts. No external lighting is proposed for the development as operations are dependent on daylight hours. A condition should be

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attached to any approval given that requires outdoor lighting to be provided to illuminate all internal driveways, car parking areas, pedestrian pathways and communal areas.

Specific Outcome P3 relates to the lighting of outdoor sporting fields and so is not relevant to the assessment of this application.

Services and Infrastructure Code

Specific Outcomes P1 and P2 relate to the connection of the proposed development to a water supply and that a suitable means of effluent disposal is provided. The site is not connected to the water supply network, therefore a condition is recommended to ensure adequate water supply is available on site. The development will utilize onsite effluent disposal systems and will be subject to plumbing works approval

Specific Outcome P3 requires an electricity supply to be provided. The existing building is connected to reticulated electricity supply. A condition is recommended to ensure an independent supply is provided for firefighting purposes.

Specific Outcome P4 & P5 requires that on-site drainage does not adversely affect adjoining land or the downstream stormwater system. A condition has been recommended to address stormwater be directed to the existing dam onsite.

Specific Outcome P7 addresses the treatment of vehicle crossover and road frontages. Conditions have been recommended for any approval to address this requirement.

Specific Outcome P8 considers the standard of the road network available to service the needs of the development.

The proposal has been assessed and determined to be generally in accordance with the requirements of the Services and Infrastructure Code, and where required appropriate conditions are recommended to be included as part of any approval.

Vehicle Access, Parking and On-Site Movement Code

The Specific Outcomes include:

"Access driveways are located to minimize conflicts and designed to operate efficiently and safely taking into account:

- (a) the size of the parking area;*
- (b) the amount and type of vehicle traffic;*
- (c) the type of use (e.g. long-term, short-term, regular, casual);*
- (d) frontage-road traffic conditions; and*
- (e) capacity of the adjoining street system."*

P2. Right turn movements associated with the new development enable the movement of through traffic and do not reduce road safety in the vicinity of the site.

P3. Large vehicles are able to enter and exit the development without prejudicing the safety and efficiency of the road.

"P4. Access driveways, manoeuvring, loading/unloading and parking areas are designed, constructed and maintained:

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- a) at a gradient suitable for intended vehicle use;
- b) such that it is effectively drained and sealed;
- c) such that spaces are clearly marked and signed as appropriate; and
- d) to be available exclusively for the intended vehicle use."

"P5. Except where the new development is a building or a dual occupancy, all vehicles expected to use the site must be able to drive both on and off the site in forward gear."

"P6. The on-site circulation system provides adequate and safe access to all parking, loading/unloading and manoeuvring areas, and to pedestrians and cyclists."

"P7. Where the new development is any of the following:

- (a) Rural Service Industry (reception area);
- (b)...

...

(k) a queuing area is provided within the site that enables vehicles to stand without obstructing the free flow of moving traffic or unduly conflicting with pedestrian movement."

"P8. New development includes an area for vehicle parking within the site. The parking area is located where it is convenient, attractive and safe to use.

P9. Vehicle parking spaces have adequate areas and dimensions to meet user requirements.

P10. Sufficient parking spaces are provided accommodate the amount and type of vehicle traffic expected to be generated by the development."

The plans of development demonstrate compliance with the above requirements. However, conditions of approval should be included to ensure Vehicle Access, Parking and On-Site Movement is constructed and meets the Australian Standards.

Summary of Assessment

Following an assessment of the proposal against the planning scheme codes of the *Gatton Shire Council Planning Scheme 2007*, the proposal has been determined to generally comply with outcomes of the planning scheme. The development can be supported subject to appropriate conditions to address matter of concern and ensure compliance.

3.5 Temporary Local Planning Instrument (TLPI) 01/2016 – Flood

Part of the site is identified in the flood overlay. The existing building and proposed extensions will be outside of the area considered to be flood affected. In addition, the TLPI is not applicable to commercial and industrial development and therefore no further assessment is required.

3.6 Public Notification

The applicant began public notification on the 11 January 2017 and completed notification on 6 February 2017. During the advertised period one properly made submission was received that included four petitioners. Matters raised in the submission include:

- Locale of heavy vehicle route
- Noise from heavy vehicle route
- Operating hours

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The concern raised is regarding the routes heavy vehicles take to service the proposed development and the hours heavy vehicles pass residential properties. The submitter has indicated that the heavy vehicles route that passes through Veradilla and Grantham causes excessive noise disturbance to residents. Of particular concern is that the noise from vehicles during the early morning and late evening when residents are sleeping. The submitters suggested that this existing issue will be exacerbated by the proposal.

The Applicant is proposing to operate 6am to 6pm, Monday to Saturday. During winter these hours may be reduced as the facility is dependent on farm labours working during daylight hours. Deliveries to and from the facility will be generally between 7:30am and 2pm. While the proposed development may add to the traffic impacts generally, it is anticipated that the greater concern of noise during the evening and early morning is in part addressed by the operational hours.

3.7 Further Approvals Required

The proposed development is subject to further permits:

- Operational Works (Earthworks, access and car parking, stormwater, and drainage)
- Building Works (Stage 1 & Stage 2)
- Plumbing and Drainage Works

3.8 Adopted Infrastructure Charges Resolution No.1/2016

Infrastructure charges are payable in accordance with the following table:

LOCKYER VALLEY REGIONAL COUNCIL				
Charge Type	Description	Demand Units	Rate	TOTAL
PROPOSED DEMAND				
Charge	Stage 1 – High impact rural	2,485.50	\$10	\$24,855.00
	Stage 2 – High impact rural	681.50	\$10	\$6,815.00
TOTAL PROPOSED DEMAND				\$31,670.00
EXISTING DEMAND				
Credit	Existing Allotment	1	-\$12,500.00	-\$12,500.00
TOTAL EXISTING DEMAND CREDIT				-\$12,000.00
TOTAL PAYABLE				\$19,170.00

Under the Development Incentives – Infrastructure Charges Policy a 50% discount is applicable to the proposed development. The applicable Infrastructure charge under the policy can be amended as follows:

Stage 1 Calculated Charge minus Credit:	\$12,355.00
Minus 50% of Calculated Charge:	\$6,177.50
Discounted Infrastructure Charge:	\$6,177.50



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Stage 2 Calculated Charge:	\$6,815.00
Minus 50% of Calculated Charge:	\$3,407.50
Discounted Infrastructure Charge:	\$3,407.50

4. Policy and Legal Implications

There are no policy and legal implications arising from the recommendation provided in this report.

5. Financial and Resource Implications

There will be no financial or resource implications arising from the recommendation provided in this report.

6. Delegations/Authorizations

There are no implications for delegations or authorizations arising from the recommendation provided in this report.

7. Communication and Engagement

The decision of Council will be formally communicated to the applicant and all persons who made a properly made submission in accordance with the requirements of the *Sustainable Planning Act 2009*.

8. Conclusion

The application is recommended for approval subject to the conditions provided in the Officer's Recommendation.

9. Action/s

That the application be approved in accordance with the Officers Recommendation.

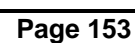
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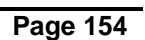
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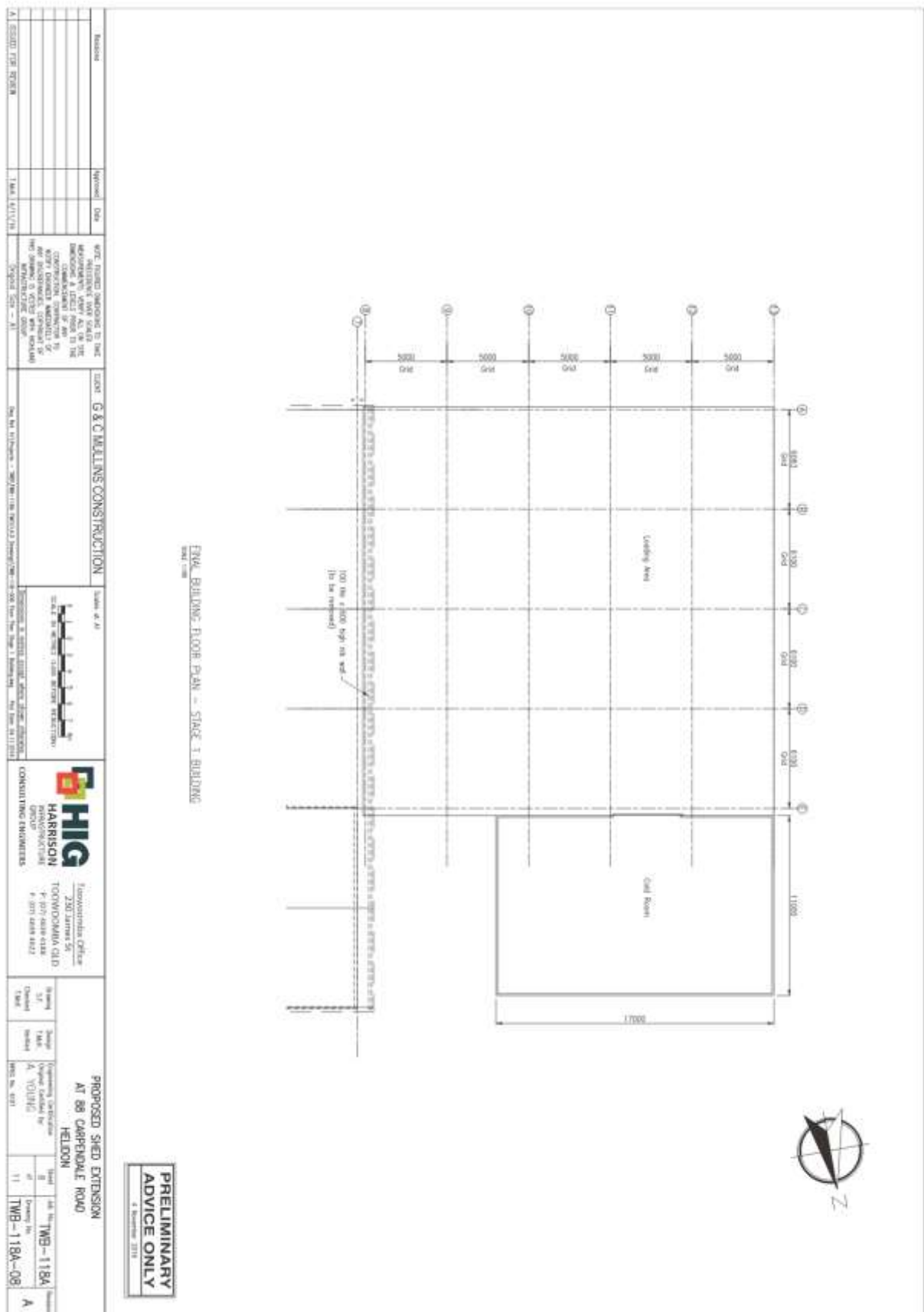


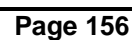
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**PRELIMINARY
ADVICE ONLY**
4 November 2015











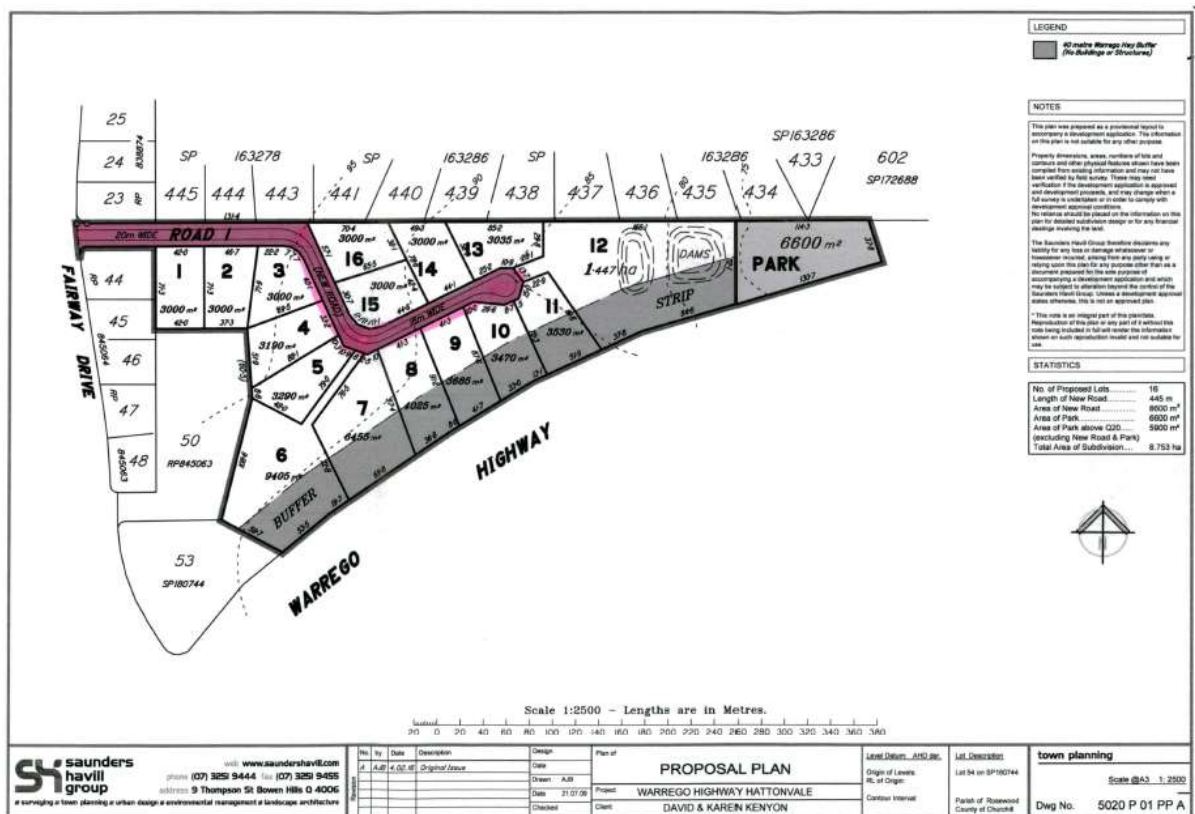
Date: 28 February 2017
Author: Fiona Tallon, Business Support Coordinator
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

THAT Council approve the naming of Road 1 as “*Pemberton Place*”, Hatton Vale.

ORDINARY COUNCIL MEETING MINUTES 8 MARCH 2017

3. Report

A search of roads and streets within the Lockyer Valley Regional Council area provides that the preferences are not pre-existing and where they are similar or existing, this is noted.



4. Policy and Legal Implications

The suggested name provides a clear identification for the road and does not contravene either the Australian standard or Councils Road Naming Policies.

5. Financial and Resource Implications

Budget implications will continue to be addressed through existing allocations.

6. Delegations/Authorisations

Council officers do not have delegated authority to rename roads.

7. Communication

Council will notify the applicant of the outcome.

8. Conclusion

Council officers have assessed the request and believe it to be acceptable.

**ORDINARY COUNCIL
MEETING MINUTES
8 MARCH 2017**

9. Action/s

That Council adopts the resolution set out in the officer's recommendation.



Date: 28 February 2017
Author: Fiona Tallon, Business Support Coordinator
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

THAT Council approve the naming of Road 1 as “*Bottle Tree Court*”, Withcott.

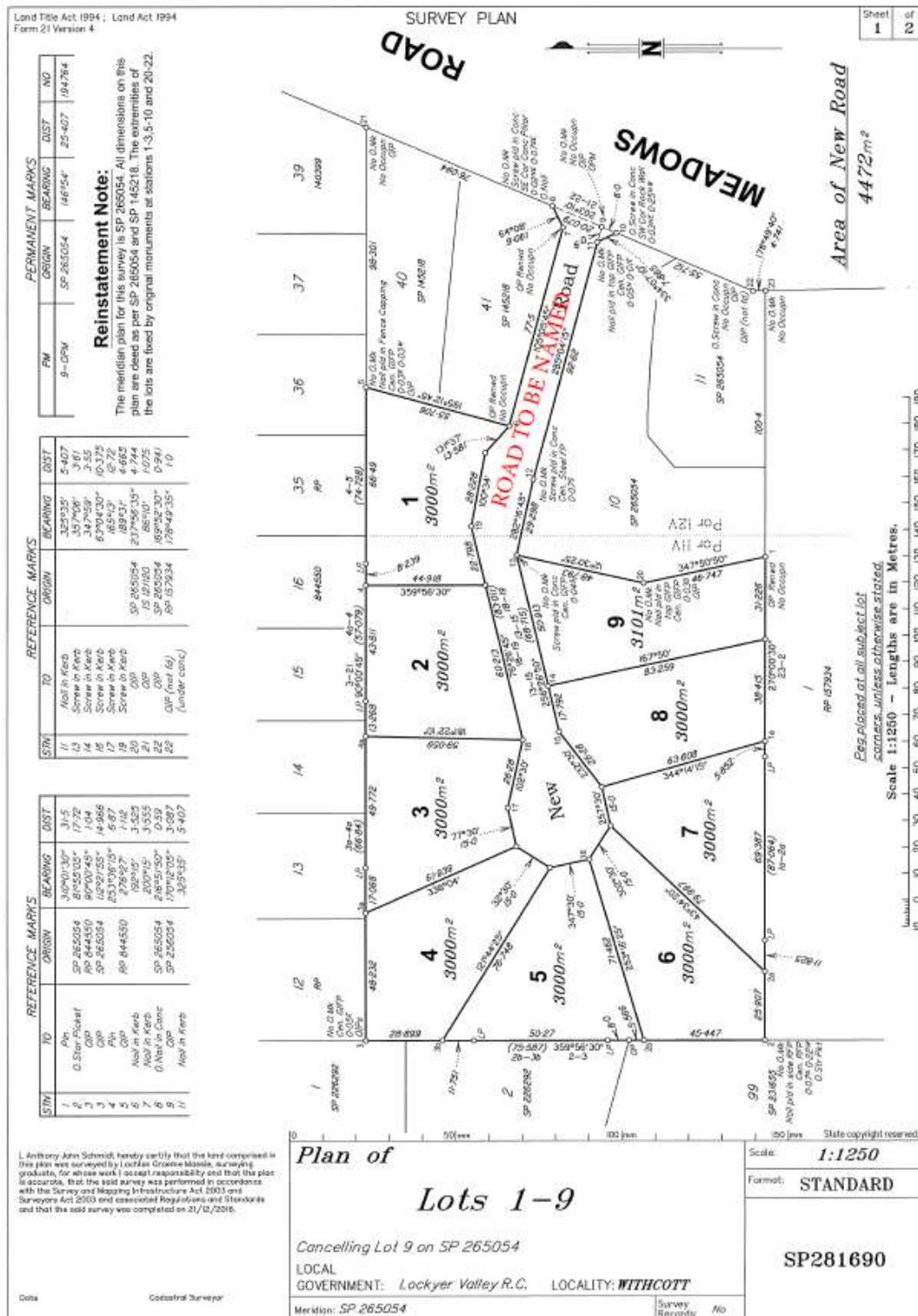
Resolution Number: 16-20/0403

Road 1	
1. Bottle tree Court	No other instances of this name in Lockyer Valley
2. Nicola Court	No other instances of this name in Lockyer Valley
3. Monique Court	No other instances of this name in Lockyer Valley

ORDINARY COUNCIL MEETING MINUTES 8 MARCH 2017

3. Report

A search of roads and streets within the Lockyer Valley Regional Council area provides that the preferences are not pre-existing and where they are similar or existing, this is noted.



4. Policy and Legal Implications

The suggested name provides a clear identification for the road and does not contravene either the Australian standard or Councils Road Naming Policies.

5. Financial and Resource Implications

Budget implications will continue to be addressed through existing allocations.

6. Delegations/Authorisations

Council officers do not have delegated authority to rename roads.

7. Communication

Council will notify the applicant of the outcome.

8. Conclusion

Council officers have assessed the request and believe it to be acceptable.

9. Action/s

That Council adopts the resolution set out in the officer's recommendation.



Date: 28 February 2017
Author: Fiona Tallon, Business Support Coordinator
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning



2. Background

The Department of Transport and Main Roads is delivering the Toowoomba Second Range crossing which will sever the existing Postmans Ridge Road to the west of Murphys Creek Road intersection to the (yet to be built) cul-de-sac.

As a result of the Second Range Crossing, seven property owners (10 land parcels) located at the western end of Postmans Ridge Road will be affected. The section severed by the second range crossing needs to be renamed and readdressed to avoid confusion.

On 9 December 2016, Council consulted with affected residents via letter asking if they would like to submit their suggestions for a new road name. Four responses were received. Three out of the four residents selected Brookside Place and Rocky Creek Place.

The name Brookside, is first preference and has historic significance linked to Brookside Homestead which was built by early settlers, the William's family in 1886. It is featured in the history book of Withcott and the Upper Lockyer by Don Talbot. The name is relevant to all parties as all affected properties have Rocky Creek running through their properties. The residence was named Brookside Homestead as the property had a creek with permanent water running through the front portion. (Synonym: brook). Residents advised in return correspondence that the current owners of the property are honoured to think the historical reference would be remembered.

The name Rocky Creek was second choice. Rocky Creek traverses through all of the properties affected.

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Road 1	
1. Brookside Place	No other instances of this name in Lockyer Valley
2. Rocky Creek Place	No other instances of this name in Lockyer Valley

3. Report

A search of roads and streets within the Lockyer Valley Regional Council area provides that the two common preferences are not pre-existing.

4. Policy and Legal Implications

The suggested names provide a clear identification for the road and do not contravene either the Australian standard or Councils Road Naming Policies.

5. Financial and Resource Implications

Budget implications will continue to be addressed through existing allocations.

6. Delegations/Authorisations

Council officers do not have delegated authority to rename roads.

7. Communication

Council wrote to seven affected landholders on 9 December 2016 inviting residents to submit two new road names for Councils consideration.

Four responses were received. Three out of the four residents selected Brookside Place as their first preference with Rocky Creek Place as second or third preference.

8. Conclusion

Council officer has assessed the request and believes it to be acceptable.

9. Action/s

That Council adopts the resolution set out in the officer's recommendation.



Date: 01 March 2017
Author: Dan McPherson, Executive Manager Organisational Development & Planning
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

This report is to update Council on key issues currently being actioned within the Organisational Development and Planning group.

RESOLUTION
THAT Council receive and note the Executive Manager Organisational Development and Planning Monthly Update.

RESOLUTION
THAT Council receive and note the Executive Manager Organisational Development and Planning's Monthly Report.

Moved By: Cr McDonald Seconded By: Cr Wilson
Resolution Number: 16-20/0405

CARRIED
7/0

1. Introduction

This report provides an update on key matters arising and being addressed since the last report.

2. Background

The previous reports provide the background information to date and only progress is being reported during February 2017.

3. Report

ORGANISATIONAL DEVELOPMENT

Workforce

Council's establishment FTE number for February 2017 is 302. This figure also reflects casual hours calculated as FTE's.

Learning & Development

Courses Held Since the Last Report

- Corporate Induction

Upcoming Training

- Corporate Induction
- Drug & Alcohol Awareness (for new staff)
- Code of Conduct (Catch Up)

Currently Planning

- Adult Digital Literacy Program
- De-escalating Aggressive Behaviour
- Workplace Mediation Skills (Managers & ELT)
- Difficult Conversations Training for Field Staff
- Basic Supervisor Training
- Workplace Bullying, Harassment and Discrimination
- Asbestos Awareness
- Microsoft Office Suite

Work Health & Safety

Injuries/Incidents

There have been four (4) injuries reported during this period:

- 01/02/2017 - An employee performing cleaning duties pushed the mop bucket backwards and fell, ending up with their foot in the bucket of hot water.
- 09/02/2017 - Employee sustained an injury to their hand whilst cleaning out culvert with a shovel, the employees hand knocked up against the culvert.
- 13/02/2017 - Employee sustained a hit to the head when closing a vehicle rear tailgate.
- 14/02/2017 - Employee experienced chest pains and was transported to hospital for tests, non-work related.

Plant Vehicle incidents

There have been six (6) plant vehicle / property damage incidents reported during this period:

- 9/02/2017 - Road sweeper broom damaged caused by impact with a guardrail.

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- 13/02/2017 - Private vehicle travelling on the wrong side of the road through a worksite left the road due to gravel and came to a stop in the drain.
- 14/02/2017 - Employee caused damage to a vehicle switch when they accidentally hit the switch.
- 16/02/2017 - The tailgate of a tip truck swung open whilst in transit, no damage occurred.
- 17/02/2017 Employees council vehicle sustained damage from debris bouncing along the road on which the vehicle was travelling.
- 20/02/2017 - Telstra conduit was damaged by a rock during works.

Near Miss Incidents

There has been one (1) near miss incident reported during this period:

- 21/02/2017 - Employee slipped on a patch of soft bitumen when walking.

Workers Compensation Claims / Injury Management LTI

- There are four (4) approved, active workers compensation claims.
- There are two (2) pending workers compensation claims.

SPORT AND RECREATION

On 28 February a grant writing workshop was held, this was a joint partnership between Community Development and Engagement Officer and the Sports, Recreation and Community Grants Officer. This workshop was a successful event with 21 community members attending. All participants were very grateful for having a grant writing workshop, which could help to assist their group.

The annual “Come and Try” sports day was held on 4 February at the Laidley Recreation Reserve. The event is tailored at attracting the community to try a different sport that they may not have known existed in the Lockyer Valley, and helping existing clubs to attract new members for the season. All the clubs involved in the day had good numbers sign on with Laidley Touch looking at starting up a junior touch competition as there was a large amount of interest. As always the QLD Firebird players Romelda Aiken and Laura Clemesha along with Kevin Walters was a major attraction for all who attended.

PLANNING & ENVIRONMENT

Development Assessment

Refer to the attached table, which indicates all development applications and requests as at 24 February 2017.

Planning and Environment Court Appeal – Drywound Pty Ltd v Lockyer Valley Regional Council & Ors.

On 28 February 2017 the Planning and Environment handed down its decision on costs applications for the appeal against Council’s refusal of the development application for the motocross training facility at Adare. The Court dismissed the appellant’s claim for costs against Council and ordered the appellant to pay Council’s costs of responding to his unsuccessful costs application, some of the legal costs incurred by Council in defending the

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appeal and some of the costs incurred by the co-respondents (i.e. the submitters) in the appeal.

The Court decided that Council could claim its costs from 26 September 2016 which is a week after Council's solicitors put the developer on notice that he had no prospects of success as he could not satisfy the noise requirements. Therefore the court took the view that the developer's decision to continue the appeal after this occurred with knowledge that all parties were incurring costs that could've been avoided.

This follows on from the appeal being dismissed on the day the hearing was to resume on 23 January 2017 on the basis that the appellant no longer wished to prosecute the appeal as he had no prospects of success.

The outcome has been welcomed by the co-respondents who joined in the appeal to protect the amenity of the area where they live and other residents of the area who opposed the proposed development. It also confirms that the decision of Council to refuse the application in May 2015 was the correct one and the reasoning behind the officers recommendation to Council that the application be refused was sound.

Strategic Land Use Planning

Two separate consultancies for the finalisation of the Lockyer Valley Planning Scheme were released for these, these being: Structure and Text content and Mapping Review. Submissions are due by 7 March 2017 and will be reviewed by an evaluation panel of 3 persons between 7-9 March 2017.

Environmental Planning

The Senior Environmental Planner, along with the Procurement Coordinator and Special Projects Trade and Investment Coordinator, evaluated tenders received for the consultancy services required for the National Water Infrastructure Development Fund grant. Four consultants were invited to quote, two responded, and the quality of both responses was high. Cardno was selected as the preferred consultant.

The Coordinator Environmental Planning presented a report to Council recommending that a consultant should be engaged to consider the causes and possible cure of the cloudiness of the water in Lakes Freeman and Apex. The recommendation was accepted unanimously. A request to quote is presently being prepared and is expected to go to the market later this week.

The Coordinator Environmental Planning attended the Regional Bushfire Sub-committee meeting and provided advice on the progress of nominating Council owned or managed land to be included in the cool burn plan for this winter. Another three properties are yet to be assessed before consideration.

The Coordinator Environmental Planning met with Kristy Gooding from the LGAQ and a representative from the National Flying-fox Forum to discuss the development of a National Flying-fox Strategy following a resolution of Council.

A letter-box drop was undertaken at households close to the flying-fox roosts at Gatton and Laidley on Friday 10 February 2017. The information advised of a possible mass mortality

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event likely to occur on the following weekend and included information on what to do with dead flying-foxes that might be found. This followed a series of phone calls to residents local to the flying-fox roosts that have expressed concern in the past. This included the 'Free Range Kids Child-Care Centre' in Patrick Street, Laidley. Council was placed on stand-by for an anticipated clean-up and briefings and inductions were provided.

The Coordinator Environmental Planning and the Senior Environmental Planner commenced the clean-up of dead flying-foxes. 140 kilos of dead animals were taken to the Gatton landfill on Monday 13 February 2017. The clean-up of dead flying-foxes continued over the following days with the Coordinator Environmental Planning and IWS staff. In total over 320 kilos of dead animals were taken to the Gatton landfill. Dead flying-foxes were also removed from a tree at the 'Free Range Kids Child-Care Centre', Laidley. The mass mortality event triggered a significant number of customer requests. The Environmental Planning team have subsequently de-briefed their response and met with Disaster Management Coordinator to review the Flying Fox Heat Response Plan and discuss options for improving coordination of response activities. The Environmental Planning team will make a presentation to the ELT on the recommendations from the debrief will be made on 13 March 2017.

The Senior Environmental Planner gave a 30 minute presentation to a meeting of Floodplain Management Australia on the Resilient Rivers Initiative and Lockyer Catchment Action Plan.

The Senior Environmental Planner, along with the CEO, Manager Regional Development, Special Projects Trade and Investment Coordinator and Major Projects Officer, gave a presentation to the Board of Queensland Urban Utilities, to showcase the region and future collaborative opportunities.

The Coordinator Environmental Planning met with the Mayor, CEO and Cr Hagan and representatives from the Lockyer Water Users Forum to discuss their concerns regarding the proposed water allocations for the Central Lockyer area and the possibility for additional irrigation water to be supplied to Lakes Dyer and Atkinson from Wivenhoe. Subsequently, the Coordinator Environmental Planning, together with the Mayor, CEO, Councillor Hagan and the Special Projects – Trade and Investment Officer met with officers from the Department of Natural Resources and Mines to discuss the process of developing water allocations for the Central Lockyer area.

Senior Environmental Planner met with officers from Healthy Catchments and Waterways to review mapping which is being developed to identify sites for priority on-ground works projects in the Lockyer Catchment Action Plan.

PLUMBING AND BUILDING SERVICES

This is a new section of the report providing an update on the Plumbing and Building Services unit. As seen in the table below, the month of February has seen an increase in Plumbing and Building Applications by 18 % above normal revenue.

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DESCRIPTION (FEBRUARY 2017)	TOTAL
Plumbing Applications Lodged	36
Building Applications Lodged	7
Private Certified Applications Lodged	78
Bushfire/Pool Safety Certificates Lodged	2
Siting Variations Lodged/Preliminary Applications	6
Form 19's Lodged	27
Inspections Undertaken	288
OSSF Dockets Updated for January	775



12.1 Remote Static Water Tank Review

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The tanks have been problematic on three main fronts, being theft of water by local residents, vandalism, cracked, and leaking concrete tanks.

A listing of the remote static water tanks within the Lockyer Valley Region is given in Attachment 1.

3. Report

Following a Bushfire Sub Committee meeting held in October 2016, the Area Director RFSQ West Moreton Region indicated that the custodianship and ongoing management and maintenance of the tanks may be better suited to RFSQ. Accordingly and under the guidance of the Regional Director, the local Brigades set about carrying out a review of all water tanks within the Lockyer Valley area to ascertain the overall status of the tanks. The final report of the review has not been finalised at the time of writing of this report.

Even though the review undertaken by RFSQ is not yet complete, it does show that some of the static tanks could be discarded and replaced with polyethylene tanks located at some of the local brigade stations.

Conversations between Council's Disaster Management Coordinator and the RFSQ Regional Director have taken place to discuss the finer details of how this arrangement might take effect in the field.

To further augment the water capacity and fire-fighting capability of the RFSQ, Council could assist by refilling RFSQ fire appliances in the field by utilising its water tanker fleet, which consists of 7 vehicles ranging in capacity from 7,000 litres to 15,000 litres. This option also provides a more flexible approach by providing refills directly to the RFSQ appliance on, or close to the fire area.

There are two options to consider when deciding on the future direction of the management and maintenance of the remote static water tanks as follows:

1. Council transfer ownership of the static water tanks, including maintenance and upkeep of the tanks, to the RFSQ while still maintaining the arrangement to refill the tanks when required if they have been used for fire-fighting purposes; or
2. Council continues to maintain ownership, maintenance and upkeep of the tanks.

The first option is recommended by Council officers.

4. Policy and Legal Implications

Policy and legal implications will be addressed in future on matters that arise before Council.

5. Financial and Resource Implications

Budget implications will continue to be addressed through existing allocations.

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6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Services will manage the requirements in line with existing delegations.

7. Communication and Engagement

The Area Director RFSQ West Moreton Region be formally advised of Council's resolution in relation to static water tanks located in the Lockyer valley Region.

8. Conclusion

Council should transfer ownership of remote static water tanks located within the Lockyer Valley Region, including the maintenance and upkeep of the tanks, to the RFSQ while still maintaining the arrangement to refill the tanks when required as the custodianship and ongoing management and maintenance of the tanks is better suited to RFSQ.

9. Action/s

The Area Director RFSQ West Moreton Region be formally advised of Council's resolution in relation to remote static water tanks located in the Lockyer valley Region

Attachments

1 [View](#) Remote Static Water Tanks 1 Page

Tank Locations

<i>Rural Water Tank Location</i>	
<i>Tank No</i>	<i>Rural Address</i>
1	215 Ropely Rockside Road
2	2 Olm Road
3	1329 Mt Sylvia Road
4	82 Cole Gully Road
5	619 Preston Boundary Road
6	2 East Egypt Road
7	2085 Gatton-Clifton Road
8	2061 Gatton-Clifton Road
9	2275 Mt Sylvia Road
10	377 Stockyard Creek Road
11	951 Preston Boundary Road
12	642 Gatton-Esk Road
13	1 Walkers Road
14	831 Seventeen Mile Road
15	54 Walkers Road
16	1 Dobel Drive
17	59 Paradise Creek Road
18	1 Kunkels Road
19	176 Penderests Road
20	2215 Murphys Creek Road
21	100 Upper Flagstone Creek Road
22	361 Silver Pinch Road
23	20 Derrymore Road
24	1 Qualischefskis Road
25	591 Back Flagston Creek Road
26	308 Koreelah Street
27	19 Milora Street
28	423 Steven Road
29	30 Murphys Creek School Road
30	538 Sandy Creek Road

Examples of concrete tank and polyurethane tank





Regional Arts Development Fund Applications

Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

A further recommendation of the RADF Committee is that Council consider applying for RADF Grant funding to assist with a public art project to enhance the new parklands that will feature next to the newly renovated Laidley Library and Customer Service Centre, which is due for completion in May/June 2017.

1. approve the recommendations made by the RADF Committee at its meeting held on 28 February 2017; and support the three RADF applications received under the current funding offer;
2. undertake another RADF funded public arts project; and
3. prepare and issue a media release in consultation with Arts Queensland once the successful applicants have been notified.

1. approve the recommendations made by the RADF Committee at its meeting held on 28 February 2017; and support the three RADF applications received under the current funding offer, as attached to these Minutes;
2. undertake another RADF funded public arts project; and
3. prepare and issue a media release in consultation with Arts Queensland once the successful applicants have been notified.

Resolution Number: 16-20/0407

7/0

Report

1. Introduction

The Regional Arts Development Fund (RADF) is a partnership between the Queensland Government and Queensland local councils in regional arts and cultural development, which support and promote the professional development and employment of artists and arts workers in regional Queensland.

2. Background

The RADF Committee has reviewed three applications received for RADF grant funding under the current funding offer for the 2016-2017 financial year. All applicants were deemed suitable to receive RADF funding.

3. Report

The recommendations of the RADF Committee in relation to the three applications follow.

a) Lockyer Valley Art Group

That the application by Lockyer Valley Art Group for funds to assist with the costs of hiring professional artist Todd Whisson to provide a workshop in oil painting for up to 12 artists be approved to the value of \$1,335, being 65% of the total costs of the project.

b) The Stables Art Studio

That the application by a local artist for funds to assist with the costs of identifying and registering interest from local arts workers to participate in a Lockyer Valley Arts Trail / Open Studio event be approved to the value of \$5,000, being less than 65% of the total costs of the project.

c) Fordsdale School of Arts

That the application by Fordsdale School of Arts for funds to assist with the running of two art workshops (for up to 10 adults, and up to 40 children) in calligraphy and printmaking be approved to the value of \$2,100, being less than 65% of the total costs of the project.

4. Policy and Legal Implications

Under Lockyer Valley Regional Council's Arts and Cultural Policy, Council recognises the importance of the development of arts and culture within the community and the role it plays in supporting individual and group initiatives while providing infrastructure support and leadership to allow people to enjoy opportunities for artistic expression and to explore their culture and heritage while promoting the diversity of the community.

5. Financial and Resource Implications

In Council's 2016/2017 Budget, a provision of \$37,000 was made available for RADF funding. The three recommended applications total \$8,435.00, leaving a balance of \$28,565.00 for

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further funding rounds in the Arts Queensland financial year, which runs from September to September.

6. Delegations/Authorisations

Responsibility for the processing the RADF paperwork lies with the Regional Library Coordinator. No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Services will manage any further requirements in line with existing delegations.

7. Communication and Engagement

Once the recommendation has been approved by Council, the applicants will be notified by mail and a media release will be organised through Council's Communications Team subsequent to approval by the Queensland Government.

8. Conclusion

It is recommended that Council approve the recommendations made by the RADF Committee at its meeting held on 28 February 2017, support the three RADF applications received under the current funding offer, and undertake another RADF funded public arts project.

The recommendation of this report facilitates the development of arts and culture within the community in line with Council's Arts and Cultural Policies and Plans.

9. Action/s

1. The successful applicants will be notified by mail as a priority.
2. A media release will be organised through Council's Corporate Communications staff subsequent to its approval by the Queensland Government.



Date: 01 March 2017
Author: David Lewis, Executive Manager Corporate & Community Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

THAT the Executive Manager Corporate and Community Services Monthly Update be received and noted.

THAT Council receive and note the Executive Manager Corporate and Community Services Monthly Report.

Moved By: Cr McLean **Seconded By:** Cr McDonald
Resolution Number: 16-20/0408

CARRIED
7/0

This report provides Council with a brief summary of key operational activities undertaken by Corporate and Community Services during February 2017.

Council should be aware of group activities to guide future decision making.

A brief summary of the key outcomes for Corporate and Community Services during February by functional grouping follows.



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FINANCE AND CUSTOMER SERVICES

Finance

There have been no problems with the issue of the second levy of the 2016/17 rates. Collections are on par with previous years.

The Sale of Land for Unpaid Rates Auction did not proceed as all arrears were collected prior to auction date. Through this process around \$302,000 in overdue rates were also recovered.

Preparations are now underway for the development of the 2017/18 Budget with the release of the budget packs to the Management Team scheduled for early March. Dates for Council and Executive Team workshops are being confirmed with a view to budget adoption on or before 30 June.

Customer Services

This section of the report breaks down February 2017 activity within the Customer Services Branch by service type.

Service Requests

Details of February customer service requests and recent trends in relation to same are detailed in the two attachments to this report.

Councillor requests

During February there were 33 new Councillor requests with 125 Councillor requests remaining open at 28 February.

Telephones

2,945 telephone calls attempted to connect with Council's telephone exchange in February 2017. During the month, Council's service level had an increase to 83.7% against a service level target of 80%.

During the month, Council's "call back" function increased, with 48 calls logged; there was a very minor decrease with 32 live chats were also performed during the month.

QGAP

There were 618 QGAP transactions processed by Council during February.

COMMUNITY FACILITIES AND SERVICES

Facilities

- Council opened to the Gatton & Laidley pools public free of charge to the public over the weekend 11 - 12 February due to the extreme heatwave conditions. A total of 1,835 individuals attended the Lockyer Valley Sports and Aquatic Centre (LVSAC) with a further

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691 individuals attending the Laidley pool over the two days. These numbers represent a 643% increase for the LVSAC and a 243% increase for Laidley on the average weekend.

- To ensure that we had adequate capacity over the weekend, Council also paid for free entry to the University of Queensland Gatton campus pool with a further 210 individuals taking up this opportunity.
- Management of Withcott Sports Centre, Withcott CWA Hall & Helidon Hall was handed over by Council to bring the hire process in line with all other halls and facilities. Applications for bookings and the calendar of scheduled events will now be managed by the Customer Services unit.

Laidley Recreation Reserve Lighting Replacement

- A prestart meeting with the successful tenderer was held on 28 February 2017.

Laidley Library and Customer Service Centre

- This project remains on track from completion in April 2017. Initial discussions are now underway on the finalisation of a design for the newly created park with a view to a joint opening before 30 June 2017.

RV Park

- Works are expected to start in May 2017 with expected completion prior to the end of the financial year.

Libraries

During February, 204 new members joined our service with 9,776 items being issued.

Childcare

Average occupancy rates for the month of February were Gatton 72.5% and Kensington Grove 53%.

HEALTH, WASTE & REGULATORY SERVICES

Health, Waste & Regulatory Services

Officers are working with the owner of 549 Gatton Esk Road to clean up the property given that the Public Health Order and Remedial Notice have expired. It is estimated the works should be completed by end of March 2017.

A joint interagency meeting occurred on 24 February 2017 in relation to the Helidon Spa Caravan Park. Water samples were taken and results are pending interpretation before a forward strategy is considered.

Food premises inspections have been prioritised by Environmental Health Officers in order to ensure Corporate Objectives are achieved.

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An inspection of 11 Lorikeet Road, Regency Downs (Rural Residential) was undertaken due to a noise nuisance resulting from the cleaning of meat hooks in a cement mixer. Verbal instructions were given to the owner to mitigate noise levels. The complainant has been requested to complete a noise diary to advise the level and frequency of the noise.

A further letter has been issued to 7 Currey Street, Gatton to complete outstanding cleaning works.

An information notice was issued on 8 February 2017 to the old Laidley Hotel (Old Britannia) regarding food construction details. Ongoing inspections are scheduled to continue to ensure compliance as the premises is reconstructed.

Ongoing inspections continue for 11 Fielding Road College View and the owner continues to move progressively forward to compliance. A fence is now being constructed along the boundary.

The state of 5 Herbert Street Laidley is still in a poor condition. The owner is in residence at a care facility. Officers are working with care workers; however, in order for definitive action to be taken, the process will need to proceed to QCAT for consideration.

Dog attack results for 1 – 28 Feb 2017:

14 Dog attacks of which 5 were attacks on a person were reported to Council during the February. The dogs involved in one of the attacks on a person were surrendered to Council and subsequently euthanised.

The Dog Registration Survey recommenced 6 February 2017. A Portion of the Gatton area was surveyed between 6 - 26 February. The survey then moved to a portion of the Laidley area with the following outcomes noted - 64 unregistered dogs, 5 outstanding registration dog detected, 22 warning notices and 22 infringements relating to dog registration issued.

From 28 February 2017 an additional officer has been engaged to assist with the completion of the survey program. The overall summary of the impact of the dog registration survey to date is that 6,039 dogs have now been registered for the 2016/2017 year. This is an increase of 856 registrations compared to a total of 5183 registrations for the 2015-2016 year.

Officers have agreed with the Animal Welfare League Qld to re-house unclaimed dogs and cats with that agency; this should decrease the rate of euthanasia by Council. This additional service will supplement the current rehousing arrangements in place with the RSPCA.

A statement on the clean-up actions taken by Council (occurred as required by Council resolution) for property at 12 Howard Court, Plainland was released to the media for public information. Subsequent to the release officers received a phone call from EHP Ipswich seeking confirmation on the location and correct disposal of the 3,000 truck tyres that were moved off the property by the regulated transporter.

An incident occurred at the Weighbridge Gatton on 25 February where the owner of 12 Howard Court, Plainland confronted the contractor staff seeking access to the landfill cell in search of his "submarine". The submarine had been disposed to landfill the weeks prior as part of the clean-up process. This incident was report to the Queensland Police Service.

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The new Gatton landfill (Cell 4) & Sedimentation Dam is on track for completion around the end of March 2017 (weather permitting).

A tender specification for the design of an alternative power source for the Withcott Transfer Station has been awarded to GEM Energy. A prestart meeting is scheduled for 1 March 2017. Design drawings will now be developed for inclusion into a tender specification for construction.

An RFQ specification for storage compounds at Council's waste facilities was released through Vendor Panel which closed on 24 February 2017. It is expected the tender will be awarded on 3 March 2017.

Discussions were held with JJ Richards over some discrepancies with proposed collection run changes (which have been proposed to improve efficiencies). Those that have been discussed in the field have now been satisfactorily resolved with Council officers giving some approval and others resulting in the contractor undertaking some bin collections themselves. In liaison with council officers, the contractor will now also undertake notifications to residents via contract obligations to inform the affected residents of collection changes. The changes proposed will include recycling week changes and route changes which will alter collection service times.

INFORMATION SERVICES

- Internet Link - On Tuesday 21 February Council received advice from our current main internet link provider (UQSchoolsNet) that they are changing their core supplier and as a result our service would be closed at the end of April. Due to this we are currently in discussions with alternate providers to replace the service. It generally takes six to eight weeks to provision a new service of this significance; therefore there is a risk that we will not have a major internet link implemented in time. We are currently investigating our options and hope to make a decision by 3 March.
- Digital Signatures – Council currently utilizes CoSign to sign and stamp documents (mainly in the Building & Plumbing area). Council have been advised that CoSign has been purchased by a competitor and the licensing costs have increased dramatically in order to encourage users to move to the alternate solution the new company owners provide. This has triggered Council to go to market to determine the best solution to adopt moving forward. If Council decides to move to a new solution it will need to be in place by end of June.

CCTV

- View only access has been provided to both Laidley and Gatton Police. Reports from both stations have been positive on the ability to view footage as required.
- The CCTV Procedure has been completed.
- The McNulty Park camera will remain out of service until the new Laidley building is complete.

Hardware Replacement

- The roll out of new desktops, notebooks and monitors continues to be on track.

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Technology One

- Ci Enforcement – Local Law - Draft workflow provided by WH&R. Next step is for Business Services to work through these workflows with WH&R to clarify intent and scope. Ci Licences & Permits – commenced during enforcement work as these two modules link closely together.
- Ci Enable lodgement of forms through Online Services - Project will review forms available on Council website and method to upload these forms by customer via Online Services. Attachment Types have been configured and tested for file type/size limits.
- CRM Review – work is progressing on the implementation of service standards, escalation and system configurations as required.
- CiA – BI Analytics Dashboard - TechOne have accepted Council as an early adopter for this module. Sessions are ongoing in relation to the installation of finance and workforce metrics.

DISASTER MANAGEMENT

- The Local Disaster Management Plan is in the middle stages of being reviewed and renewed. Disaster Management and the consultant have been working on various drafts. Once the final draft has been produced it will be presented to the Mayor for her perusal and comment, then distributed to LDMG members via a flying minute for their endorsement. The plan will then be presented to Council for final endorsement.
- A presentation has been finalised for the Nepal delegation visit in March. Itinerary has been completed and distributed to relevant stakeholders.
- Disaster Management acted on request from RFSQ to provide earthmoving equipment to upgrade fire break to allow firefighting to take place at 17 Mile. Contractors were utilized to carry out the work which was successful.

BUSINESS IMPROVEMENTS

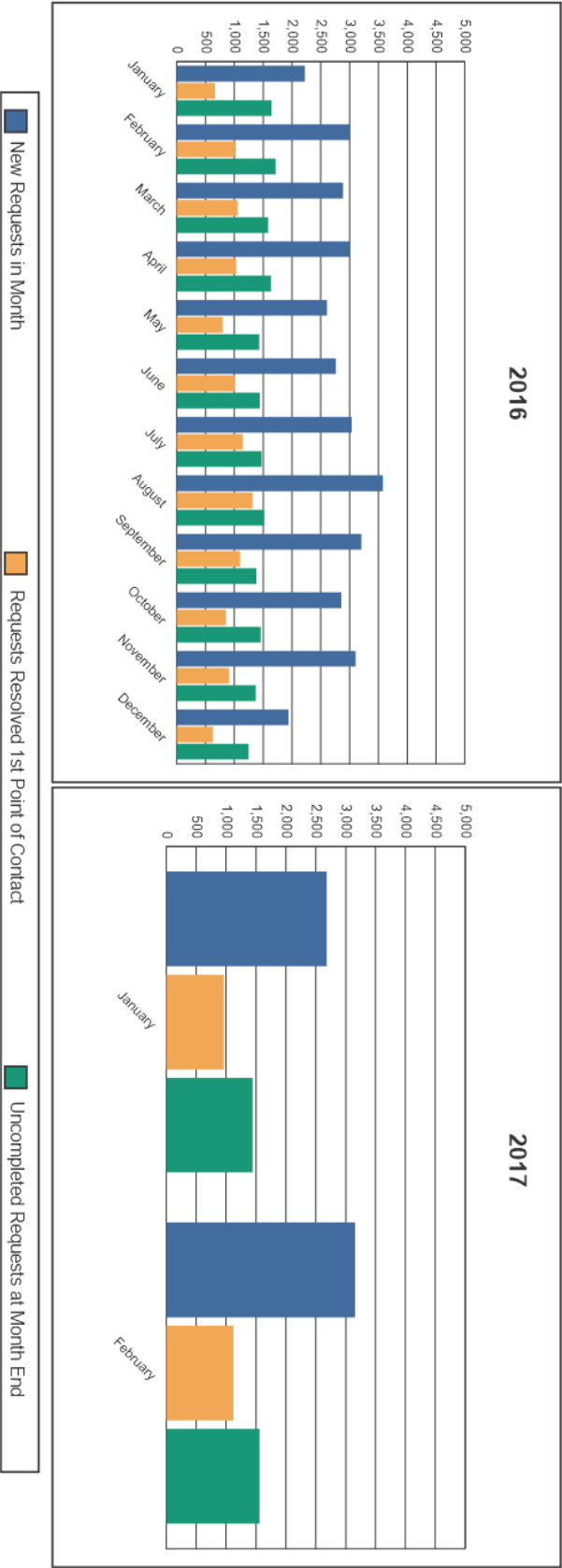
- Business Continuity
 - Continued on the re-development of the Business Continuity Plan in line with templates developed by LGAQ “best practice”.
 - Fraud Allegation and Incident Register and Asset Loss Register
- Updated Loss Register
 - Council has two items on its loss register, which are reportable.
 - Sent correspondence to Minister and Auditor-General to advise on reportable losses.
 - Further development of the loss register.
 - The fraud investigation guideline has been finalised.
 - Strategic Planning (including Operational Plan)
- Second quarter report collated, consultation with ELT and presented to Council on 8 February 2017.

Attachments

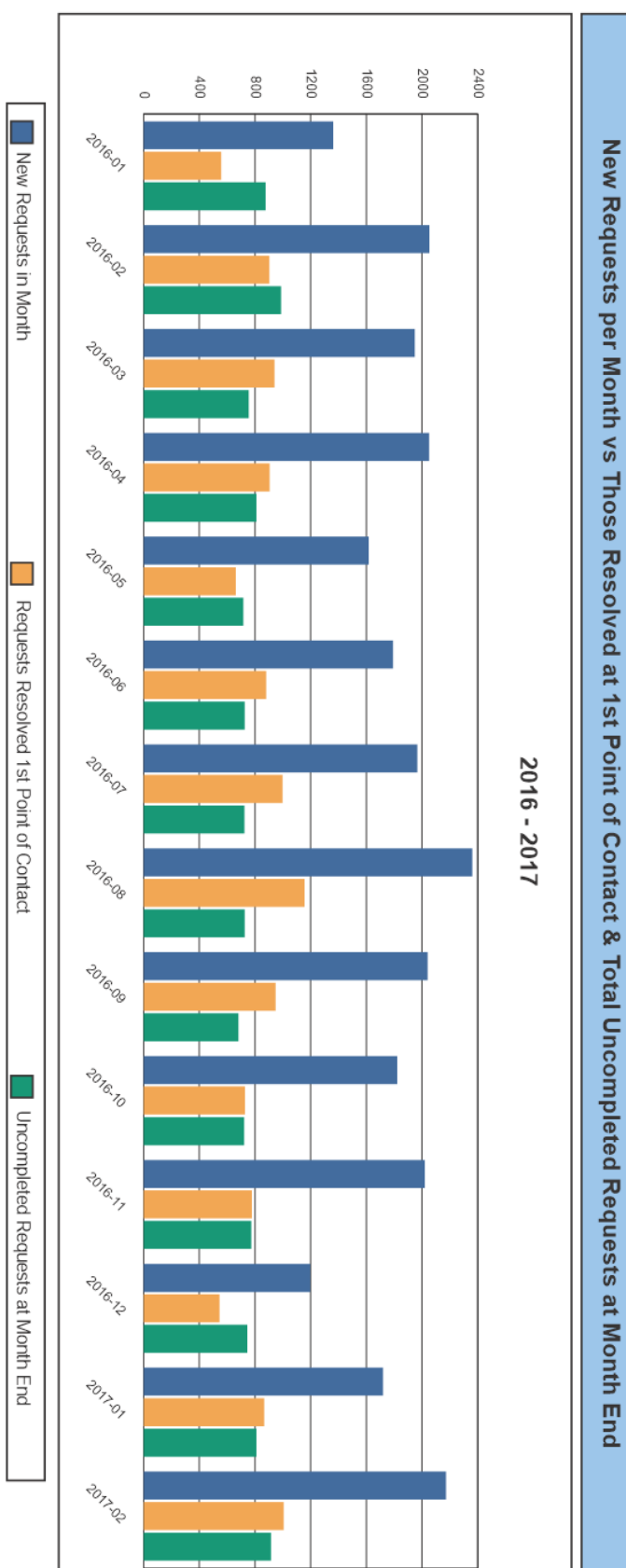
1View	Statistics - Whole of Council - 201702	1 Page
2View	Statistics - CCS - Customer Requests - 201702	1 Page
3View	Statistics - CCS - Top Ten Requests - 201702	1 Page

Customer Requests Whole of Council
Month Ending :February 2017

New Requests per Month vs Those Resolved at 1st Point of Contact & Total Uncompleted Requests at Month End



Customer Requests For Executive Group - Corporate & Community Services Month Ending :February 2017



Customer Requests Statistics -Executive Group:

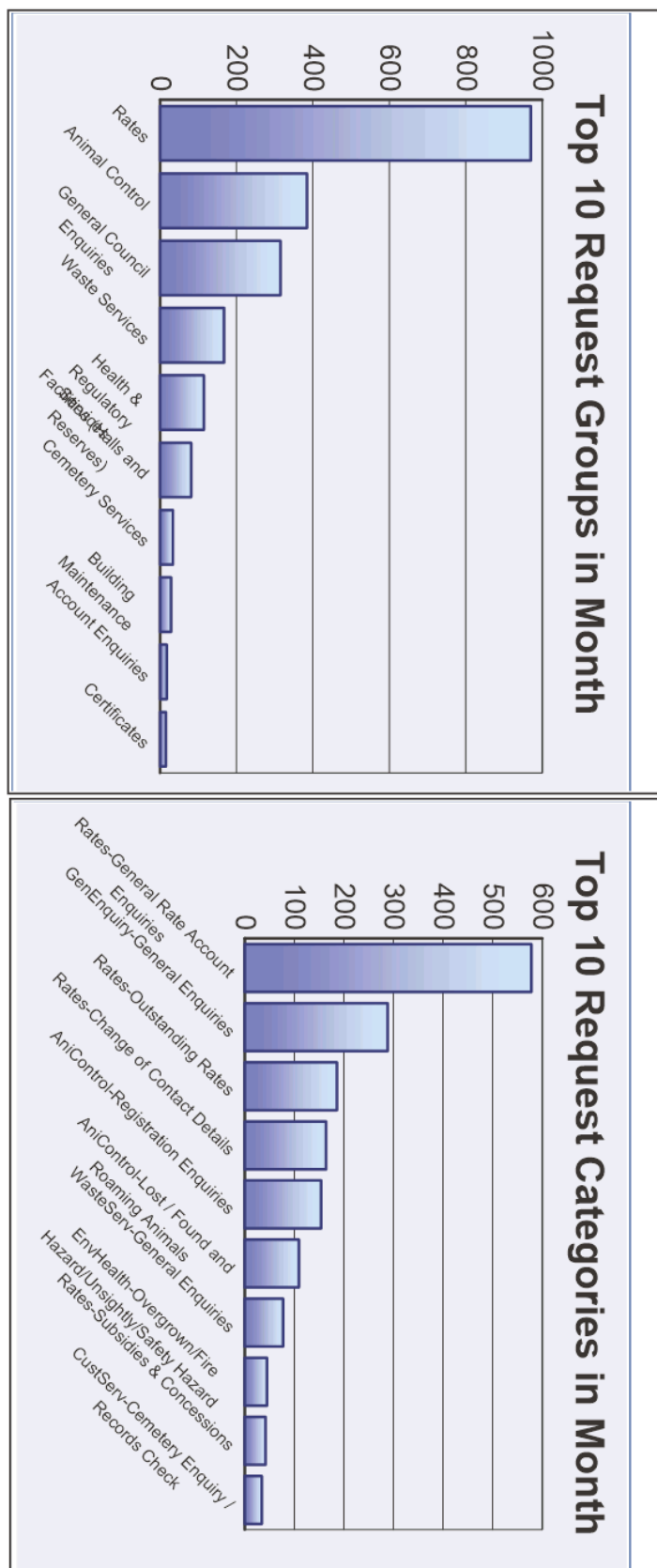
Corporate & Community Services

Month Ending : 28/02/2017

Page 1 of 7

Customer Requests For Executive Group - Corporate & Community Services
Month Ending :February 2017

Top 10 Requests



Customer Requests Statistics -Executive Group:

Corporate & Community Services

Month Ending : 28/02/2017

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**ORDINARY COUNCIL
MEETING MINUTES
8 MARCH 2017**

13.0 INFRASTRUCTURE WORKS AND SERVICES REPORTS

13.1 Executive Manager Infrastructure Works and Services Monthly Report

Date: 02 March 2017

Author: Myles Fairbairn, Executive Manager Infrastructure Works & Services

Responsible Officer: Myles Fairbairn, Executive Manager Infrastructure Works & Services

Summary:

This report is to update Council on the emerging matters arising since Council last met in regards to the Infrastructure Works and Services Group.

Officer's Recommendation:

THAT Council receive and note the Executive Manager Infrastructure Works and Services Monthly Report.

RESOLUTION

THAT Council receive and note the Executive Manager Infrastructure Works and Services Monthly Report.

Moved By: Cr Holstein

Seconded By: Cr Cook

Resolution Number: 16-20/0409

CARRIED

7/0

Report

1. Introduction

This report is to provide an update to Council on activities and issues for the Infrastructure Works and Services Group since Council's meeting of 08 February 2017.

2. Background

The previous Infrastructure Works and Services report to Council as described above. Activities undertaken and issues arising are described in the body of this report.

3. Report

PARKS, GARDENS AND CEMETERIES (PGC) UNIT

- Mowing of Grantham, Helidon, Withcott Gatton, Forest Hill, Laidley parks roadsides and drains

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- Laidley Recreation Reserve mowing and line marking continuing, events of note include the Ipswich Jets trial game and the touch football trials
- Rubbish bin run continuing across the region at the park and street bins
- Mowing of sports fields at Helidon, Forest Hill and Glenore Grove for cricket season
- Gatton cemetery mowing,
- Gatton kindergarten sandpit renewal with new sand
- Removal of flying foxes from Laidley Child Care Centre
- Repairs to Lake Apex exercise equipment, installation of replacement rockers for playground at Johnston Drive.
- Installation of seats and table at Wilks park
- Installation of plaque at Walter Brunner Park, Preston
- Installation of replacement swing seats at various locations across the region
- Status of 2016-17 projects:
 - Gatton Cemetery tree clearing works – Completed (grass establishment now). At early stages of masterplanning for layout to suit the next 30-40 years.
 - Lockrose former dip site testing – Soil test results received from consultant and now to be discussed with councillors.
- Event assistance – Event assistance Gatton race day, tourism trailer to UQ markets
- Considering changes to the business model for managing LVRC resources for maintaining Laidley Recreation Reserve.

ROADS AND DRAINAGE UNIT

- Capital works projects:
 - Lakeview Accommodation Precinct Civil Works
 - All works complete except for some drainage works on the southern side of Gatton-Helidon Road (currently underway).
 - Footpath work to be completed once sewer works finalised
 - Lake Apex Carpark
 - New carpark substantially complete (it's open) – Stairway and railings to be completed.
 - Crescent Street, Gatton
 - Asphalt programmed for early March.
 - Airforce Road, Helidon
 - Final seal and linemarking pending (most works complete)
 - Advance Court, Kensington Grove
 - Works substantially complete. Catchpit being designed to deal with 'on property' drainage - with owners for review
 - Gate and fence works complete
 - Gehrke Road, Plainland – shoulder widening works
 - Completed
 - Forest Hill Flood Mitigation project
 - Completed in December 2016
 - Woodlands Road
 - Shoulder widening in progress
 - Lake Clarendon State School
 - Works substantially complete.
 - Minor works remaining including handrails, seal and linemarking
 - Lake Clarendon Way pavement rehabilitation (near school) has commenced

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- Road reseal program
 - Underway
- Culvert tender
 - Works programmed to commence in March
- Crowley Vale Road
 - Reconstruction works in progress
- Maintenance works:
 - Gravel road grading works being done at:
 - Blanchview
 - Ingoldsby
 - Mount Whitestone
 - Roadside spraying
 - Undertaking spraying for road safety and declared weed pests at various locations along roads (not on private property)
 - Pavement repairs
 - Laidley
 - Woodlands
 - Vegetation control and slashing
 - Flagstone Creek
 - Helidon Spa
 - Thornton
 - Adare
 - Drainage works
 - Gatton
 - Helidon Spa
 - Patching works
 - Laidley South
 - Lilydale
 - Lockyer Waters
 - Winwill
 - Signs and lines
 - CRM Briefing Notes

PLANNING AND DESIGN UNIT

- Inland Rail (Gowrie to Calvert section) corridor study
 - The Australian Rail Track Corporation (ARTC) is currently investigating the Inland Rail Corridor
 - A corridor study report, by ARTC, is being finalised for government consideration.
- Toowoomba Second Range Crossing
 - Nexus meetings continuing
 - Non-objection provided to Nexus for the Morleys/McNamaras Roads IFA Stage 6 Council report (the 2 outstanding items (non-lighting of Morleys and McNamaras underpasses, and steep grades) now closed.
 - Monitoring impact on local roads and community
 - Nexus has commenced condition survey of council roads in the maintenance management plan (MMP)
 - Council has relayed concerns to Nexus regarding their use of Gittins Road, Morleys Road and McNamaras Road

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- Road safety concerns regarding Jones Road (narrow) have also been on forwarded to Nexus.

- Black Spot projects for construction in 2016-17

Project	Status	Comments
Old Laidley Forest Hill Road, Forest Hill – shoulder widening, road markings and traffic signage	Completed	
North Street and William Street, Gatton – intersection improvements	Concept design	Community consultation done
Tenthill Creek Road and Winwill Connection Road, Lower Tenthill – intersection improvements	Concept design	Scoping for internal design
Markai Road and Nangara Road, Lockyer Waters – intersection improvements	Design	Design complete
East Street and Crescent Street, Gatton – intersection improvements	Concept design	Community consultation done
Lake Clarendon Way and Main Greenswamp Road, Lake Clarendon – intersection improvement	Design	Progressing to detail design, however some budget concerns to address
Gehrke Road, Regency Downs – shoulder widening and signage improvements	Design complete	Civil works completed
Australia II Drive, Kensington Grove – replace missing guardrails and hazard markers	Design complete	On site for construction mid-March 2017
Railway Street, Laidley – intersection improvements	Concept design	To go for external consultant options and design
Thallon Road, Kensington Grove – rehabilitation and widening	Scoped	
William Street and Orton Street, Laidley – traffic island, signage and marking improvement	Construction	Civil works completed. Lighting pending.

- TIDS projects 2016-17

Project	Status	Comments
Hatton Vale State School - parking	Construction	Civil works completed
Lake Clarendon State School - parking	Construction	Civil works nearing completion
Woodlands Road	Construction	Shoulder widening in progress
Airforce Road, Helidon	Construction	Final seal and linemarking pending.

- Lake Apex BBQ and Dry Creek Bed Foreshore (Stage 1)
 - Works at the footpath crossing postponed until after summer
- Gatton Revitalisation Project
 - CBD street lighting – GHD have submitted draft report for review. Senior Engineer discussing issues with the consultant.
- Bridges and structures
 - Continuing on with Stage 4 of the LVRC bridge review, which will include:
 - Signage of Mahon Bridge load limit to 35tonne installed at bridge.

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- Awaiting feedback from TMR on further signage at Gatton-Helidon Road
- Assessment of various options to manage Mahon Bridge into the future.
- Review of Shirley Pitt Bridge at Laidley
 - Consultant engaged to undertake review – report complete
 - Bridge is fit-for-purpose.

ASSET MANAGEMENT UNIT

- General
 - *Transport Infrastructure Asset Management Plan* completed
 - *Parks, Gardens and Cemeteries Asset Management Plan* completed
 - *Fleet Asset Management Plan* completed
- GPS monitoring of plant and vehicles
 - Trial ongoing
- Plant rationalisation
 - Design of plant trailer has been received and trailer build has commenced.
- Gatton stormwater investigations
 - CCTV investigations have been completed. Investigation report is currently under review.

PLANT AND FLEET UNIT

- General
 - Internal plant hire recoveries are behind budget at present.
 - Fleet maintenance budget is tracking under budget at this stage of the year.
 - Depot maintenance budget has been amended to allow for pavement repairs and other maintenance issues to be rectified.
- Fleet Disposals
 - FL000089 2001 Isuzu NPR 300 Crew Cab Truck
 - FL000090 2004 Isuzu NPR400 Crew Cab Truck
 - FL000091 2004 Isuzu NPR400 Crew Cab Truck
 - FL000095 2004 Isuzu NPR400 Crew Cab Truck
- 2016-17 Fleet Capital Purchases

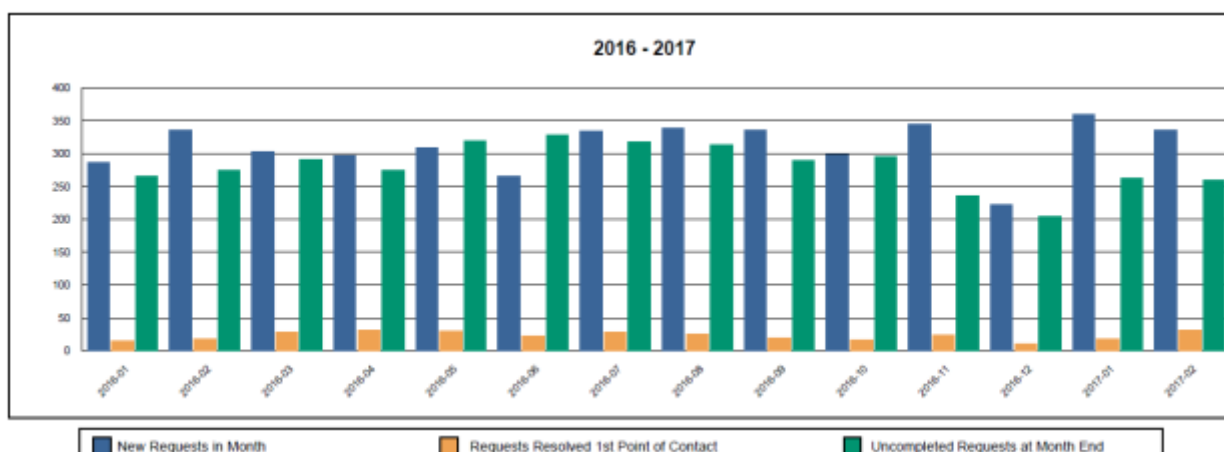
Tender Number	Description	Status
LVRC 16-28	1x Nissan Navara RX Dual Cab 4WD tray back utility	Delivered
LVRC 16-34	1x Caterpillar 239D HF Compact Crawler Loader (Tracked Skid Steer)	Delivered
LVRC 16-33	1 x Kobelco SK55SRX 5 tonne excavator	Delivered
LVRC 16-30	1x Isuzu NQR 80-190 Crew Cab/Chassis fitted with TWE tipper body	Delivered
LVRC 16-31	3 x Isuzu NQR 80-190 Crew Cab/Chassis fitted with TWE tray body	Delivered
LVRC 16-42	Hitachi ZX160LC-5 Excavator. Class 15 excavator (16 tonne)	Delivered
LVRC 16-51	CCF Class 4 wheel loader	Delivery in April

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FUNDING APPLICATIONS

- Building Better Regions (Australian Govt) application for Amos Road Upgrade, Withcott was submitted on 28th February 2017. This would upgrade the eastern access into Jubilee Park.
- Building Our Regions (State Govt) expression of interest (EOI) for Forest Hill Flood Mitigation Stage 2 was submitted to DILGP on 24th February 2017.
- 2017-18 Cycle Network Local Government Grants Program
 - Two applications submitted on 27 January 2017. Awaiting decision.
 - Spencer Street Upgrade of shared pathway, Gatton
 - Lake Apex Drive (Denis Minson Drive to Hawck Street) on-road cycle facility, Gatton
- *Black Spot* road safety submissions for 2017-18 (submitted June 2016):
 - 18 projects were submitted. Awaiting decision.
- Forest Hill Stage 1B flood mitigation works
 - Works have been completed in December 2016.
- Laidley Flood Mitigation Project (*Community Resilience Fund* (State Government, DILGP)).
 - Cardno progressing with hydraulic modelling
 - Community consultation took place on 17 January 2017 as well as further stakeholder meetings with Department of Transport and Main Roads and Queensland Rail.
 - Design being finalised
- Department of Infrastructure, Local Government and Planning 2016-17 Grants and Subsidies Programs.
 - Stormwater Catchment Modelling, Planning and Design for Gatton Sub-catchments – Successful. 60% subsidy approved equalling \$150,000.
 - Lockyer Valley Flood Information System Upgrade – successful
- UQ to Gatton Active Transport Link (*Queensland Tourism Demand Driver Infrastructure Fund 2017-18*)
 - Application submitted on 05 December 2016 seeking \$300,000 funding from Queensland Government for the \$900,000 project. Awaiting decision.

CUSTOMER SERVICE REQUESTS – MONTHLY MONITORING



**ORDINARY COUNCIL
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14.0 ITEMS FOR INFORMATION

GENERAL BUSINESS

**THAT Council receive and note the following reports for Council's information only.
(Refer 14.1 – 14.3)**

1. **14.1 "2016 LGAQ Annual Conference – Responses to LVRC Motions"**
2. **14.2 "Chief Executive Officer Probationary Performance Review"**
3. **14.3 "Queensland Urban Utilities (QUU) Progress Report – February 2017"**

Moved By: Cr Hagan

Seconded By: Cr Wilson

Resolution Number: 16-20/0410

CARRIED

7/0

14.1 2016 LGAQ Annual Conference - Responses to LVRC Motions

Date: 28 February 2017

Author: Stephen Hart, Manager Executive Business Services

Responsible Officer: Ian Church, Chief Executive Officer

Summary:

This report provides feedback from the Local Government Association of Queensland on Motions proposed by Council to the 2016 LGAQ conference.

This document is for Council's information only.

RESOLUTION

This document is for Council's information only.

Report

1. Introduction

Lockyer Valley Regional Council made a number of motions at the Local Government Association of Queensland (LGAQ) 2016 annual conference. The purpose of this report is to update Council with the responses received from the LGAQ on those motions.

2. Background

In August 2016, Council resolved a number of motions be proposed at the LGAQ Annual Conference.

Motion 1:

That the LGAQ lobby the Federal Government to support the sustainability of the Queensland Agricultural Industry and amend the "backpacker" tax in its current form to ensure industry has access to a sustainable pool of employees.

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Motion 2

That LGAQ advocate for the Electoral Commission of Queensland to investigate options to conduct elections electronically at State and local Government levels.

Motion 3

That LGAQ advocates on behalf of affected local government areas seeking to ensure that any detailed route alignment of the proposed Inland Rail Project avoids, wherever possible, existing communities to take into account the serious negative environmental, amenity and social impacts.

Motion 4

That LGAQ advocate for an amendment to the legislation to provide Local Governments with discretion to conduct Local Government Elections.

3. Report

These motions were made at the LGAQ conference, supported and carried successfully. The LGAQ have now responded to the Mayor providing feedback on two of the motions submitted by LVRC and as amended.

Firstly, the Back packer Tax motion was amended to:

That the LGAQ lobby the Federal Government to further investigate the income tax to be applied to itinerant workers due to the potential adverse impacts on the viability of farming industries, including determining how funds collected from the tax can be distributed back to rural communities.

Attached to this report for Councillors information is the response from the Treasurer the Hon Scott Morrison MP on that matter.

Motion 3 was unamended:

That LGAQ advocates on behalf of affected local government areas seeking to ensure that any detailed route alignment of the proposed Inland Rail Project avoids, wherever possible, existing communities to take into account the serious negative environmental, amenity and social impacts.

Attached to this report for Councillors information is the response on this matter from the Minister for Infrastructure and Transport, the Hon Darren Chester MP. Also attached is the response from the Acting Director-General of the Queensland Department of Transport and Main Roads.

Also attached for Councillors information are copies of the relevant sections from the LGAQ website responding to Councils other two motions.

Attachments

- 1 [View](#) Attach 1 15 Pages
2 [View](#) Attach 2 3 Pages



**ORDINARY COUNCIL
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8 MARCH 2017**



6 February 2017

Cr Tanya Milligan
Mayor
Lockyer Valley Regional Council
PO Box 82
GATTON QLD 4343
Email: tmilligan@lvrc.qld.gov.au / mayor@lvrc.qld.gov.au

Dear Cr Milligan

2016 LGAQ Annual Conference – Resolutions 43 and 50

The Local Government Association of Queensland (LGAQ) held its successful 120th Annual Conference on the Gold Coast from 18 – 20 October 2016, with over 400 delegates attending from across the state.

A total of 87 motions were presented, 83 were carried at last year's Annual Conference including Resolution 43 and 50 submitted by Lockyer Valley Regional Council.

Resolution 43: Rail Transport – Corridor Identification – Consideration of Impacts on Affected Communities. (Attachment 1)

Enclosed are formal responses to this resolution plus others from

- the Honourable Stirling Hinchliffe MP, Minister for Transport and the Commonwealth Games, dated 23 November 2016; and (Attachment 2)
- the Honourable Darren Chester MP, Minister for Infrastructure and Transport dated 20 December 2016. (Attachment 3)

Resolution 50: Taxation – Review of “Backpacker Tax”. (Attachment 4)

As amended: That the Local Government Association of Queensland lobby the Federal Government further investigate the income tax to be applied to itinerant workers due to the potential adverse impacts on the viability of farming industries, including determining how funds collected from the tax can be distributed back to rural communities.

Enclosed is the formal response to this resolution plus one other from the Honourable Scott Morrison MP, Treasurer, dated 14 December 2016. (Attachment 5)

Please let me know if you would like the LGAQ to take any further action on these matters.

Yours sincerely,


Sarah Buckler
GENERAL MANAGER – ADVOCACY

cc: Chief Executive Officer, Mr Ian Church MLGMA
Email: ichurch@lvrc.qld.gov.au

NB: All received responses to LGAQ Annual Conference resolutions can be found at:

http://www.lgaq.asn.au/group/quest/motions-database?p_p_id=101_INSTANCE_8BOgroUS3ipA&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-4&p_p_col_pos=2&p_p_col_count=3&r_p_564233524_tag=ac2016

P 1300 542 700
F 07 3252 4473
W www.lgaq.asn.au

Local Government House
25 Evelyn Street
Newstead Qld 4006

PO Box 2230
Fortitude Valley BC
Qld 4006

Local Government Association of Queensland Ltd
ABN 11 010 883 293 ACN 142 783 917



Gold Coast Convention & Exhibition Centre
2684-2690 Gold Coast Highway, Broadbeach

18 - 20 October 2016

#LGAQ2016

Submitting council / organisation Lockyer Valley Regional Council	
Date of council / organisation resolution 10 August 2016	LGAQ Policy Executive district District 2 - South East
Number and title of motion	43 - Rail Transport - Corridor Identification - Consideration of Impacts on Affected Communities
Motion	That the Local Government Association of Queensland lobby relevant State and Federal agencies to ensure that detailed route alignment of any proposed rail projects in Queensland take into account any serious negative environmental, amenity and social impacts.
Background	<p>The Australian Rail Track Corporation (ARTC) is currently undertaking the refinement of the route alignment for the proposed Inland Rail Project. This project is for a new 1700km freight rail line route from Melbourne to Acacia Ridge in Brisbane. The project seeks a solution to the Nation's freight challenge and also seeks a road competitive service that will transport freight reliably between these destinations in less than 24 hours.</p> <p>The specifications for the project indicate rolling stock that is 1800 metres in length (potentially up to 3600 metres) traveling at speeds of up to 115kph with capacity to carry double stacked containers or substantial volumes of coal or other bulk products.</p> <p>While there are clearly potential benefits at a State or national level, there are serious concerns about the impacts of construction and operation at a local or community level. The cost to local communities will be significant in terms of loss of amenity (noise, dust, vibration, and visual) substantial community severance and significant social impacts. These impacts will be substantial both during construction and operations. This will be exacerbated if the detailed route alignment traverses existing residential communities and does not take into account impacts on these communities.</p>
What is the desired outcome sought?	That the ARTC, when undertaking their detailed route alignment of the Inland Rail proposal, further engage with local governments and communities to take into account the substantial impacts.
What are the impacts (positive or negative) on local government?	If the environmental, amenity and social impact of the construction and operation are not taken into account there will be substantial negative impacts on local governments and their communities.

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Gold Coast Convention & Exhibition Centre
2684-2690 Gold Coast Highway, Broadbeach
18 - 20 October 2016

#LGAQ2016

<p>LGAQ comment</p>	<p>In a media release pertaining to the appointment of the "consultants for the Inland Rail Alignment Study", the ARTC stated that "Given the level of interest in the study, the ARTC will undertake thorough consultations with all stakeholders, including state governments, industry, local government and major rail customers".</p> <p>Further, according to the ARTC's website, "Landowners and communities can expect to be consulted during the environmental and planning assessment phase about the final alignment for the project (in greenfield areas), the management of impacts during construction and the mitigation measures that will be taken to reduce potential impacts during operations. We will work with landowners in both brownfield and greenfield areas to determine how we can reasonably reduce any impacts from Inland Rail and also to talk about any opportunities that might arise from the project".</p> <p>LGAQ understands the Inland Rail Project has a significant community engagement program attached to its development, including:</p> <ul style="list-style-type: none"> • regular community information sessions in each local government area; • newsletters and other forms of communication channels; • local Community Consultative Committees; and • the opportunity to submit formal submissions on the planning applications that the ARTC will lodge with each State Planning Authority. <p>Key aspects of the Project will have dedicated Community Engagement Teams established in local areas along the route and the ARTC has developed "Land Access Guidelines" to guide how the ARTC will work collaboratively with local landholders.</p> <p>In addition, it is known that this an emerging issue in other areas of Queensland, for example the Carmichael Mine in central Queensland and the Townsville East Access Rail Corridor.</p>
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Office of the
Director-General

Department of
Transport and Main Roads

Our ref: MC93169

23 NOV 2016

Mr Greg Hallam PSM
Chief Executive Officer
Local Government Association of Queensland
PO Box 2230
FORTITUDE VALLEY BC QLD 4006

Dear Mr Hallam

I refer to your letter of 4 November 2016 to the Honourable Stirling Hinchliffe MP, Minister for Transport and the Commonwealth Games, about the 2016 Local Government Association of Queensland's annual conference resolutions. The Minister has asked that I respond on his behalf.

Responses from the Department of Transport and Main Roads (TMR) on the four related resolutions and in the format you have requested, are enclosed.

As requested by you, a copy of this response and the enclosure are also being emailed to motions@lgaq.asn.au.

Should you require further information, please contact Ms Michelle Connolly, Director (Government Partnerships), TMR by email at michelle.m.connolly@tmr.qld.gov.au or telephone on 3066 7144.

I thank you for bringing these matters to the Minister's attention and I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Stapleton'.

Mike Stapleton
Acting Director-General
Department of Transport and Main Roads

Enc (1)

1 William Street Brisbane
GPO Box 1549 Brisbane
Queensland 4001 Australia

Telephone +61 7 3066 7316
Facsimile +61 7 3066 7122
Website www.tmr.qld.gov.au
ABN 39 407 690 291

Local Government Association of Queensland (LGAQ) 2016 Annual Conference
Resolutions - Responses to Department of Transport and Main Roads (TMR) related
Resolutions

Resolution 37 – Road Use Management – Improvements to the National Heavy Vehicle
Regulator (NHVR) Processes

(South Burnett Regional Council, North Burnett Regional Council, Wide Bay Burnett Regional
Organisation of Councils)

- TMR is committed to working with the NHVR and all stakeholders to progress improvements to heavy vehicle access and NHVR processes, so that expected benefits of the Heavy Vehicle National Law (HVNL) can be realised. At present, TMR is working with NHVR to develop a single route assessment guideline to simplify route assessments.
- TMR is proactively assisting NHVR to achieve its goal of increased penetration by freight-efficient vehicles. For example, TMR is proactively assessing key road freight routes to determine what additional road infrastructure investment is required to open up these routes to more freight-efficient vehicles.
- TMR will continue to work with the LGAQ on these matters through forums such as the Queensland Ministerial Freight Council and the Operational Industry Sub-Committee.
- Regarding resolution 37.6 (North Burnett Regional Council), the National Transport Commission (NTC) is responsible for review and amendment of the HVNL. TMR encourages councils to raise this matter with the NTC for consideration through the HVNL Maintenance program.

Resolution 38 – State-Controlled Road Corridors – B-double and Multi-Combination Vehicle
Routes

(Tablelands Regional Council)

- Over 20,000 kilometres of the state-controlled road network are already approved for use by B-doubles and other multi-combination vehicles.
- The surface on these roads varies considerably and includes gravel formations, narrow seals with gravel shoulders and fully sealed road formations.
- While multi-combination vehicles can operate on all these surfaces with an acceptable level of safety, providing sealed surfaces with widths of eight metres or more does improve the level of safety on these roads. It also reduces freight transport costs, freight damage, vehicle wear, pavement wear and environmental impacts (such as dust).
- TMR has been progressively sealing gravel roads and widening narrow seals on a priority basis. The current Queensland Transport and Road Investment Program includes a number of road projects which either fully seal existing gravel roads or extends the width of the existing narrow sealed sections.

Resolution 43 – Rail Transport – Corridor Identification – Consideration of Impacts on Affected Communities

(Lockyer Valley Regional Council)

- The Australian Rail Track Corporation is leading the development of the Inland Rail Project on behalf of the Australian Government. TMR is working closely with the project team to ensure Queensland's interests, including the mitigation of environment and social impacts, are adequately addressed.
- TMR acknowledges the concerns of local communities and has already met with some local government representatives in relation to the project.
- Queensland's *State Development and Public Works Organisation Act 1971* defines a well-established process for the environmental assessment of major projects. The process is co-ordinated by the Office of the Coordinator General (OCG) and it is proposed that the Inland Rail project will be subjected to the Coordinated Project Environmental Impact Statement requirements. TMR is also working with OCG in relation to this process.

Resolution 44 – Airline Services – Policy to Permit a Regular Transport Passenger (RPT) Service to Operate Within 100 Kilometres of an Existing Service

(Carpentaria Shire Council)

The Queensland Government regulates seven air routes across regional Queensland to provide transport to disadvantaged communities with access to RPT air services, including the Gulf route (Cairns – Normanton – Mornington Island – Burketown – Doomadgee – Mount Isa).

- TMR manages the Air Service contracts to ensure communities have reliable air transport services and airlines continue to remain financially viable, and consults the *Queensland Airports and Regulated Air Transport Plan 2002* (QARATP) in determining which communities will receive RPT air services. Air route regulation only exists in transport disadvantaged communities, where a commercial air service cannot be sustained.
- TMR does not have, or intend to develop, a policy that precludes RPT air services being provided to communities within 100 kilometres access of other transport options. Rather, QARATP details a number of factors to be considered when determining which communities will receive RPT air services, including criteria for identifying transport disadvantaged communities and for regulation and/or subsidising air services.

Criteria for identifying transport disadvantaged communities:

- Remoteness and lack of access to essential services.
- Quality and reliability of road, rail and marine access:
 - where a community is unaffected by seasonal weather patterns, an air service is provided within a 200 kilometre drive of an identified transport-disadvantaged community or
 - where a community is affected by seasonal weather patterns, an air service is provided at key regional population centres.
- Existence of economic cycles that affect travel demand and ability of the market to carry services during depressed economic periods.

- Impact of intervention on commercial competitors, including competing modes of transport.

Criteria for regulating and/or subsidising air services:

- In the event that a standard of regular air services cannot be provided to targeted communities on a commercial basis, regulation (restriction of operators) and/or possibly subsidisation (provision of financial assistance to operators) of specific routes may be considered and will be dependent upon the following criteria:
 - relative effectiveness over alternatives in meeting community needs
 - reliability of access provided under market conditions, including access afforded by competing modes of transport
 - availability of and distance to essential services at the nearest regional centre.
- Karumba does not receive RPT air services (outside weather affected periods) because of the proximity of this community to Normanton (c.70 kilometres), a community which does receive RPT air services. However, the Karumba airport was successfully used as an alternative airport during the Normanton runway repairs (25 April 2016 to 31 May 2016), with no passenger or airline operational issues being reported during this time.
- At a Community Consultative Forum in Normanton on 7 September 2016 seeking feedback of air services provided on the Gulf route, Carpentaria Shire Council requested that RPT services be provided to Karumba throughout the year - under the contract, REX Airlines are only required to operate services to Karumba twice per week when road access is not possible between Normanton and Karumba.
- Carpentaria Shire Council was advised to present a submission to TMR requesting air services to Karumba. Correspondence regarding the request has been ongoing, however a submission has not yet been received.
- On 14 September 2016, the Honourable Stirling Hinchliffe MP, Minister for Transport and the Commonwealth Games, announced in parliament that TMR will commence a refresh of the 2013 Long Distance Passenger Services Review. The review will investigate market conditions, assess whether service levels are still set correctly for regional Queensland and if regulated routes require expansion or rework. All remote areas of the state will be looked at as part of this refresh and the outcome of the review is expected to be announced by mid-2017.
- In the meantime, TransLink will consider if RPT air services could be run to Karumba throughout the year (not just during weather events) on a trial basis. This could establish demand for services in this community, which would direct a decision regarding any permanency of this arrangement.



The Hon Darren Chester MP
Minister for Infrastructure and Transport
Deputy Leader of the House
Member for Gippsland

20 DEC 2016

PDR ID: MC16-005695

Mr Greg Hallam PSM
Chief Executive Officer
Local Government Association of Queensland
PO Box 2230
FORTITUDE VALLEY BC QLD 4006

Dear Mr Hallam

Thank you for your letter of 4 November 2016 regarding the 2016 Local Government Association of Queensland (LGAQ) Annual Conference Resolutions.

In relation to *Resolution 37 - Road Use Management – Improvements in the National Heavy Vehicle Regulator Process*, I am generally supportive of efforts to improve regulatory processes and oversight, particularly where such changes will lead to better productivity and safety outcomes. As such, I welcome the recommendation for better coordination across government, and note recent efforts by the National Heavy Vehicle Regulator (NHVR) in the development of new access management systems to engage closely with local governments to build a mechanism that facilitates easier access to the road network, while still ensuring public safety.

Noting the recommendation regarding the change in wording to the Heavy Vehicle National Law (HVNL), I would invite you to contact the National Transport Commission directly to discuss the HVNL maintenance programme (Mr Jeremy Wolter, Manager of National Law at jwolter@ntc.gov.au). That said, and recognising the recent declining road safety performance, I am not inclined to support any measure that seeks to reduce or shift the collective responsibility for heavy vehicle safety.

I acknowledge the ongoing fiscal pressures faced by local governments in undertaking road manager functions, which is why I welcome the NHVR undertaking an ongoing programme of engagement with local governments, and working collaboratively with the LGAQ to ensure Queensland councils are provided with sufficient information and assistance to fulfil their duties under the HVNL. I appreciate the LGAQ's active participation in this process.

Parliament House Canberra ACT 2600 Telephone: (02) 6277 7680

The Australian Government has budgeted over \$450 million in 2016-17 for local governments in Queensland under the Financial Assistance Grant Programme. This funding contributes to the capacity of local councils to deliver services and build community infrastructure, as needed. Local councils also receive the benefits of a number of additional administered funding programmes from the Department of Infrastructure and Regional Development. I encourage your organisation to consider the potential for resource-sharing arrangements between similar councils, when specialist advice is called for.

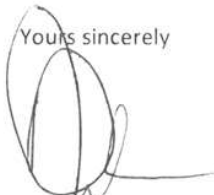
In relation to *Resolution 43 - Rail Transport – Corridor Identification - Consideration of impacts on affected communities*, I agree that the detailed route alignment for the Melbourne to Brisbane Inland Rail project, and indeed any project, needs to take into account environmental, amenity and social impacts.

Inland Rail pre-construction works are ongoing, but significant work remains. The next stage of work will involve detailed, on-the-ground geotechnical and hydrological studies to refine the alignment corridor. Such work will be done in consultation with local landholders to gain their feedback and use their local knowledge.

There are alternative alignments proposed for the Inland Rail corridor between the Queensland border and Toowoomba. Preconstruction works on this section have been put on hold while these alternative alignments are independently examined and the impacted communities informed as part of those studies.

Thank you again for taking the time to write and inform me of your concerns on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darren Chester', with a stylized, looping initial 'D'.

DARREN CHESTER



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Submitting council / organisation Lockyer Valley Regional Council/ North Burnett Regional Council	
Date of council / organisation resolution 10 August 2016	LGAQ Policy Executive district District 2 - South East District 3 - Wide Bay
Number and title of motion	50 - Taxation - Review of "Backpacker Tax"
Motion	That the Local Government Association of Queensland lobby the Federal Government for removal or amendment of the proposed 32.5% income tax on international itinerant workers because of the adverse impact it will have on the availability of these workers and the viability of many industries.
Background	<p>Lockyer Valley Regional Council Agricultural production is a key industry for Queensland and is the lifeblood of many regional local government areas. One of the important inputs to that production is casual labour - particularly in those areas and industries with seasonal production that is labour intensive. A significant proportion of that labour comes from those on working holiday visas for seasonal and casual work.</p> <p>The so called "backpacker tax" is based on changes made to tax rules in the May 2016 budget. In the 2015-16 Federal Budget the government announced that it will change the tax residency rules for most people who are temporarily in Australia for a working holiday. These people will be treated as non-residents for tax purposes, regardless of how long they are here. They will not be able to access the tax-free threshold and will be taxed at the second marginal rate (currently 32.5%) from their first dollar of income up to \$80,000.</p> <p>Such an approach would have serious consequences for the region's agricultural production through either a loss of labour or additional labour costs rendering our product less competitive to the market. The impacts of these tax changes on sustainable regional agricultural production have not been properly evaluated.</p> <p>There has been discussion around removing this tax, and its implementation has been deferred to January 2017. However, the taxation of temporary residents needs a thorough review to assess and mitigate the impacts on industry and regional Australia.</p> <p>North Burnett Regional Council In the 2015-16 Budget the Government proposes to change the tax status of temporary working holiday makers from that of resident, to that of non-resident, from 1 July 2016.</p> <p>Currently, to work legally as a working holiday maker an individual has to obtain an Australian Tax File Number (TFN). These numbers are available to non-residents who have the required working visas. Examples of common valid working visa types are:</p> <ul style="list-style-type: none"> • Working holiday makers (subclass 417) • Entertainment (subclass 420) • Sport (subclass 421) and • Work and holiday makers (subclass 462) [4]

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	<p>At this stage it is not clear whether the proposed measure will extend to holders of all of these visa types. It is understood that back packers will now all pay 32.5% in income tax from the first dollar earned.</p> <p>In May 2016 the Federal Government announced that it would forgo \$40 million in revenue by delaying the introduction of its backpacker tax by six months. The Government will postpone changes to backpacker tax until January 2017.</p> <p>Assistant Treasurer Kelly O'Dwyer announced at the time that the Government would conduct a review of working holiday visas and postpone any changes to the current system until January 2017. If implemented, the 32.5 per cent backpacker tax would have saved government coffers \$540 million over the next three years.</p>
<p>What is the desired outcome sought?</p> <p>What are the impacts (positive or negative) on local government?</p>	<p>Lockyer Valley Regional Council A review of the Backpacker Tax to ensure a more balanced approach and to mitigate the impacts on regional Australian Industries.</p> <p>North Burnett Regional Council The reinstatement of the tax free threshold or a reduction in the 32.5% rate.</p> <p>Lockyer Valley Regional Council A reduction in the backpacker tax would remove an impediment to the engagement of casual labour and enable more sustainable agricultural production in our regions and in turn more sustainable local government</p> <p>North Burnett Regional Council Proposed changes may:</p> <ul style="list-style-type: none"> Remove a valuable seasonal labour force from rural communities; Impact negatively on tourism in Queensland.
LGAQ comment	<p>The 2015-16 Budget measure to change the tax treatment of temporary working holiday visa holders, that was to come into effect from 1 July 2016, was the subject of a review process and a decision is expected to be announced by January 2017.</p> <p>In a media release dated 16 March 2016, Senator the Hon Richard Colbeck, Minister for Tourism and International Education, and Minister Assisting the Minister for Trade and Investment, announced that the proposed change would be reviewed.</p> <p>A similar announcement was made to the media by Assistant Treasurer Kelly O'Dwyer on 17 May 2016, which indicated that a Ministerial review would be led by the Deputy Prime Minister and Minister for Agriculture and Water Resources, Hon Barnaby Joyce.</p> <p>A media release dated 15 August 2016 from the Deputy Prime Minister's Office, clarified that the review would be headed by Assistant Minister Luke Hartsuyker, with Deloitte Touche Tohmatsu commissioned to lead the public engagement process.</p> <p>The terms of reference for the review were focused around five key themes:</p> <ul style="list-style-type: none"> relative international competitiveness visa labour needs of the agricultural and tourism sectors

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	<ul style="list-style-type: none">• relevant unemployment policies• tax treatments for visa holders• protections for vulnerable workers. <p>Public submissions were invited via the website http://www.agriculture.gov.au/ag-farm-food/working-holiday-maker-review and officially closed on 2 September 2016.</p> <p>The National Farmers' Federation submission reported in media has proposed a taxation rate of 19% (instead of the earlier government proposal of 32.5%) from the first dollar earned and an extension of the upper limit of the working visa age range from 30 to 35 years of age.</p> <p>The review findings are to be released as a Government announcement in advance of any changes coming into effect from 1 January 2017.</p>
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TREASURER

Ref: MC16-019973

Mr Greg Hallam PSM
Chief Executive Officer
Local Government Association of Queensland
PO Box 2230
FORTITUDE VALLEY BC QLD 4006

Dear Mr Hallam

Thank you for your correspondence of 4 November 2016 concerning the Local Government Association of Queensland's (LGAQ) 120th Annual Conference Resolutions.

You noted that the LGAQ had passed resolutions in relation to working holiday makers and the remote area zone tax offset. My responses to the following resolutions raised in your letter are provided in attachments to this reply:

Resolution 50 – Taxation – Review of “Backpacker Tax” – Attachment A; and

Resolution 85 – Taxation – Increasing Remote Area Zone Tax Rebate – Attachment B.

I trust this information will be of assistance to you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Scott Morrison'.

The Hon Scott Morrison MP

14/12/2016

Parliament House Canberra ACT 2600 Australia
Telephone: 61 2 6277 7340 | Facsimile: 61 2 6273 3420

ATTACHMENT A

Resolution 50 – Taxation – Review of “Backpacker Tax”

That the Local Government Association of Queensland lobby the Federal Government to further investigate the income tax to be applied to itinerant workers due to the potential adverse impacts on the viability of farming industries, including determining how funds collected from the tax can be distributed back to rural communities.

The Australian Government recognises that working holiday makers are an important part of Australia's tourism industry and a key source of labour, particularly in sectors that rely on seasonal employment.

The Government has listened to stakeholders' concerns in developing its working holiday maker reform package. This package will help sectors that rely on labour from working holiday makers, such as tourism, agriculture and hospitality, and ensure Australia remains an attractive destination for working holiday makers. Legislation giving effect to the package has now passed through Parliament and received Royal Assent.

Under the new law, from 1 January 2017, the tax rate applying to working holiday makers will be set at 15 per cent up to \$37,000, with ordinary marginal tax rates applying after that. The new 15 per cent tax rate is internationally competitive relative to similar destination countries such as the United Kingdom, Canada and New Zealand. After taking cost of living differences into account, this change will mean that after-tax incomes for working holiday makers in Australia are considerably higher than all three jurisdictions.

To help address concerns about the exploitation of working holiday makers, their employers will be required to register with the Australian Taxation Office in order to withhold at the 15 per cent rate. Registration will be simple and easy, and will help provide valuable data on the employment of working holiday makers. We are also providing an additional \$10 million to support the compliance operations of the Fair Work Ombudsman and the Australian Taxation Office to establish the register and support their compliance operations.

The package is not just about tax. From 1 July 2017, the Government will commence a Seasonal Workers Incentives Trial aimed at increasing the number of job seekers who undertake specified horticultural seasonal work. The package also allows working holiday makers to stay with one employer for up to 12 months (as long as the second six months is worked in a different location) and provides Tourism Australia with \$10 million for a global youth-targeted advertising campaign.

As part of ensuring the Budget is not worse off, the package increases the rate of tax to 65 per cent on departing Australian superannuation payments to working holiday makers after they leave Australia and increases the passenger movement charge by \$5 to \$60, both from 1 July 2017.

This package will help sectors that rely on labour from working holiday makers, such as tourism, agriculture and hospitality, and ensure Australia remains an attractive destination for working holiday makers.

ATTACHMENT B

Resolution 85 – Taxation – Increasing Remote Area Zone Tax Rebate

That the Local Government Association of Queensland lobby the Commonwealth Government to significantly increase the remote area tax zone rebate including boundaries to encourage workers and families to live and work in rural and remote parts of Australia.

The Government understands that remote communities can face higher costs of living and applaud the LGAQ's goal to encourage more people to reside in rural and remote Australia. However, it is generally preferable that such support be delivered through direct assistance rather than the tax system, as payments can be better targeted to those most in need. This is because individuals with the lowest incomes generally do not pay tax and therefore do not benefit from tax relief.

The Government is committed to regional Australia and is delivering targeted regional assistance through a number of different programs. This includes for example, the Community Development Grants Programme, which promotes stable, secure and viable local and regional economies.

During the 2016 Federal election, the Government also announced the new Building Better Regions Fund (BBRF), to support infrastructure and community initiatives in areas outside of major cities. Grant funding will be provided under two streams: infrastructure projects; and community investments stream. Eligibility and funding criteria for the BBRF will be outlined in the program guidelines. These are yet to be made public; once this is done they will be available on the Department of Infrastructure and Regional Development website.

The Commonwealth Government has committed \$220 million to deliver its Regional Jobs and Investment Package to grow sustainable, quality employment in regional Australia. Ten pilot regions will be able to access between \$20 million and \$30 million in funding to pursue new economic opportunities and to invest in skills and technology as needed. Local planning committees will be formed in each region to help identify economic opportunities. Eligibility and funding criteria will be outlined in the program guidelines.

The Northern Australia Infrastructure Facility is another example of the Commonwealth Government's commitment to regional development. The Facility is aimed at infrastructure that will increase the productive capacity of Northern Australia. The Facility will provide \$5 billion in concessional loans over five years from 1 July 2016.

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25 - Elections - Investigation of Electronic Voting

Lockyer Valley Regional Council

That the Local Government Association of Queensland lobby the State Government and the Electoral Commission of Queensland to investigate electronic voting as one option for voters at future local government elections.

MOVER: Cr T. Milligan (Lockyer Valley)

SECONDER: Cr J. Cook (Lockyer Valley)

CARRIED

Background

The recent local government elections in Queensland have again highlighted the need for improved participation by voters and improved delivery of elections. Issues included significant informal voting, a lack of voter engagement and participation, complaints from community members about accessibility and delays in declaring results. These suggest that the potential use of E voting should be considered.

In the past concerns about security have been raised as the basis for not utilising the technology. However, secure log-ons seem to be viable for a range of government and commercial services.

It is also recognised that not all voters have access to electronic devices capable of lodging their vote. Accordingly, more traditional means of voting will still be required.

However, there appear to be significant potential benefits in the use of E voting in terms of efficiency, convenience, speed and accuracy. It is considered that voting by electronic means, as an option for voters, is worthy of further investigation by the Electoral Commission of Queensland (ECQ).

What is the desired outcome sought and What are the impacts on local government?

That voters have the option of placing their vote by electronic means.

Uptake by voters of the option to lodge their votes electronically would appear to provide significant benefits to the voter in terms of convenience, to local government in terms of costs and efficiency and to the ECQ in terms of accuracy and speed.

LGAQ Comment

The Local Government Electoral Act 2011 already provides for the prescription of procedures for electronically assisted voting (Section 75A and following), but such voting is currently restricted to "special postal voters" and "distance voters".

A recent step towards electronic voting was made where the Local Government Electoral Amendment Regulation (No.1) 2016 was made to expand the definition of distance voters in by-election where an elector who cannot, for another reason, vote at a polling booth during the voting period of the by-election. This was implemented for a recent by-election at Torres Strait Island Regional Council.

The Queensland Government is currently conducting an independent review of the conduct of the 2016 local government elections which provides an opportunity to propose that the Government investigate expanded electronic voting as one option for future elections.

Formal Response/s

http://www.lgaq.asn.au/group/guest/motions-database/-/journal_content/56/10136/685... 28/02/2017

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23 - Elections - Local Governments' Powers to Conduct Elections

Lockyer Valley Regional Council

That Local Government Association of Queensland lobby the State Government for an amendment to the Local Government Electoral Act 2011 to provide Local Governments with the discretion to conduct Local Government elections.

MOVER: Cr T. Milligan (Lockyer Valley)

SECONDER: Cr J. Cook (Lockyer Valley)

CARRIED

Background

The Local Government Electoral Act 2011 currently provides that the Electoral Commission is responsible for appointing the Returning Officer for local government elections. The act also specifies that a CEO for a local government must not be the returning officer (except in circumstances where no other experienced person is available). The Act further provides that a local government must pay the costs incurred by the electoral commission for conducting the election.

In recent Parliamentary terms these provisions have been amended on a number of occasions following reviews by a Parliamentary Committee and also the Department of Local Government. Historically, Local Government CEOs have successfully conducted elections efficiently, transparently and with integrity. As indicated the current legislation no longer allows this alternative. This raises a concern that local governments are paying significant costs for the conduct of an election over which they have no control.

Rather than prohibiting CEOs from conducting elections as Returning Officers, it is considered sensible to enable such appointments where it is appropriate. It is considered that the Local Government Electoral Act should be amended to provide CEOs with the discretion to conduct local government elections where they consider it appropriate to do so. Such a change would enable local governments to realise a cost saving where it is practical to do so while maintaining the integrity and independence of the electoral process.

What is the desired outcome sought and What are the impacts on local government?

Local Government CEOs have the option to conduct local government elections as Returning Officers.

Local Governments can achieve cost savings by conducting local government elections where it is practical to do so while maintaining the integrity and independence of the electoral process.

LGAQ Comment

The LGAQ has long argued that councils should be provided with the flexibility to conduct elections themselves, contract with the ECQ, or contract with some other qualified provider. This flexibility would ensure that elections are conducted in an appropriate, efficient and effective manner for a local government area. This proposal was part of LGAQ's legislative reform proposals submitted to the Newman government following its election in 2012. In addition, a resolution calling for councils to be given the option to conduct their own local government elections has been successfully carried at several LGAQ Annual Conferences.

The LGAQ welcomed the amendments made by the Newman government that allowed local governments to make decisions in the best interests of their communities by empowering the CEO of a local government to be the returning officer (RO) for a local government election unless the CEO advised the ECQ otherwise.

http://www.lgaq.asn.au/group/guest/motions-database/-/journal_content/56/10136/685... 28/02/2017

The incoming Palaszczuk Government, however, overturned these changes, thus again making the ECQ responsible for running all local government elections. The LGAQ reluctantly accepted this position provided the ECQ worked with councils to achieve practical and cost efficient local outcomes. Notwithstanding the issues faced by councils during the pre-poll and on election day in particular, the LGAQ was pleased with the level of consultation by the ECQ to work with individual councils to realise cost savings through the use of council facilities and the like. This only occurred following significant advocacy by the LGAQ.

It seems unlikely that the Government will change its position even if a further motion is adopted on this matter.

Formal Response/s

http://www.lgaq.asn.au/group/guest/motions-database/-/journal_content/56/10136/685... 28/02/2017



**ORDINARY COUNCIL
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8 MARCH 2017**

14.2 Chief Executive Officer Probationary Performance Review

Date: 01 March 2017
Author: Dan McPherson, Executive Manager Organisational Development & Planning
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

Lockyer Valley Regional Council's Chief Executive Officer (CEO), Mr Ian Church has successfully passed the probationary performance review for the six month period ending on 9 February 2017. This confirms the CEO's tenure with Council in accordance with his Contract of Employment.

This document is for Council's information only.

RESOLUTION

This document is for Council's information only.

Report

1. Introduction

Under the terms of the Contract of Employment between Lockyer Valley Regional Council and its Chief Executive Officer (CEO), Council was required to undertake a review of the CEO's performance during the probationary period. The probationary period was deemed to be a six month period from the date of the CEO's commencement of employment with Council on 9 August 2016.

The purpose of the probationary period was to allow Council to determine whether the CEO is suitable for the role.

2. Background

Council's Chief Executive Officer, Mr Ian Church was employed under the agreement that a three month and six month review be conducted to confirm his employment tenure with Council.

3. Report

Under the terms of the Contract of Employment a review of the CEO's performance in this six month probationary period can be conducted at shorter intervals, as required. Accordingly, it was agreed by Council that probationary period reviews be conducted as follows:

- a) Review of the CEO's performance at his three month employment anniversary, being the three months ending on 9 November 2016. This review was completed by all Councillors in November 2016.

**ORDINARY COUNCIL
MEETING MINUTES
8 MARCH 2017**

- b) Review of the CEO's performance at his six month employment anniversary, being the six months ending on 9 February 2017. This review was also conducted by all Councillors in February 2017.

The process was independently designed and facilitated by Mr Mark Nicol, Managing Director of MDN Pty Ltd.

The CEO's performance was assessed against the key role and position accountabilities included in the Position Description, which forms part of the Contract of Employment.

The CEO was deemed to have successfully completed the probationary period as assessed against the key role and position accountabilities, thus confirming his employment tenure with Council in accordance with the Contract of Employment.

**ORDINARY COUNCIL
MEETING MINUTES
8 MARCH 2017**

14.3 Queensland Urban Utilities Progress Report - February 2017

Date: 01 March 2017
Author: Vickie Wieland, EA to Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

Council has received an update from the Queensland Urban Utilities (QUU) Board which provided highlights from their February Board Meeting.

Officer's Recommendation:

This document is for Council's information only.

RESOLUTION

This document is for Council's information only.

Report

1. Introduction

Lockyer Valley Regional Council maintains an ongoing working relationship with QUU on both operational and strategic aspects of water and sewerage provision. This report is an update on matters of significance with respect to QUU for Council's information.

2. Background

Queensland Urban Utilities is:

- A statutory body, created on 1 July 2010 as a result of Queensland Government changes to the way water is managed in South East Queensland.
- Owned by the Brisbane and Ipswich City Councils, and Lockyer Valley, Scenic Rim and Somerset Regional Councils and governed by an independent Board.
- Tasked to deliver drinking water, recycled water and sewerage services to the cities and townships within the boundaries of these five local government areas.
- Responsible for delivering water to customers, collecting, transporting and treating sewage, as well as charging and billing for water and waste water services for customers in the Brisbane, Ipswich, Lockyer Valley, Scenic Rim and Somerset local authority areas.

3. Report

The Queensland Urban Utilities (QUU) Board held its ordinary meeting on 20 February 2017. At the meeting, the Board considered the following matters:

Operational Excellence

Lowood Sewage Treatment Plant and Transfer Scheme

In late 2015, QUU's master planning process identified that the existing Lowood and Fernvale Sewage Treatment Plants (STPs) required replacement due to population growth, limited design capacity, and aging infrastructure.

In determining an appropriate solution, QUU carefully considered the availability of innovative technologies, the geographical proximity of the two catchments, and opportunities to develop a plant that could deliver value through recycled water and biosolids.

The recommended solution is a centralised treatment plant situated in Lowood, which will have the capacity to treat up to 8,000 EP. QUU will transfer and treat wastewater from the Fernvale catchment area, which will optimise their network and deliver cost efficiencies.

This month, the Board agreed to accelerate the procurement of this important infrastructure project in the Somerset region.

Quarterly forecasts

The Board noted quarterly financial forecasts for operational and capital expenditure.

A favourable quarter earnings before interest, tax, depreciation and amortisation result is driven by increases in developer cash contributions, primarily as a result of increased development activity in the Brisbane service region.

Whilst these results are positive, the Board is cognisant that there are external signals that this increased level of development activity may not continue at current levels.

The Board noted that delivery of QUU's \$205.6M capital infrastructure investment program is ahead of schedule and expected to be delivered by the end of the financial year.

Brisbane Cruise Ship Terminal

In the November update, it was advised that QUU was continuing to negotiate with the Port of Brisbane (PoB) and Queensland Treasury on the proposed cruise ship terminal at Luggage Point – a development that will be critical to South East Queensland's economic prosperity.

This month, management provided an update on a number of risks and issues that require attention to ensure they do not limit the functionality or future growth requirements of most vital asset.

While QUU continues to work in good faith with the PoB and State Government to ensure this terminal is enabled, they are also working to ensure the proposed site is not compromised, given its close proximity to one of QUU's most vital wastewater assets.

Stormwater sewerage infrastructure

The Board received an update from management on a number of strategic environmental initiatives they are working with shareholding councils on to improve the liveability of our communities whilst also managing stormwater runoff to address inundation, water quality and sewerage overflow risks.

Waste to Resource

ORDINARY COUNCIL MEETING MINUTES 8 MARCH 2017

The Board noted updates on a number of initiatives the business is undertaking to advance their Waste to Resource Strategy.

As a business, they are exploring the opportunity of working closely with industry partners, both commercial customers and suppliers, to create value from waste streams such as organic materials and out-of-specification food and beverages.

Concurrently, they are expanding production with co-digestion facilities to increase onsite energy generation, which is reducing the cost of operating a number of their wastewater treatment facilities.

They are also piloting plantations of crops at two of their STPs. The seeds from these crops are expected to yield up to 12,000 litres of biodiesel each year, which is enough to run 24 QUU fleet vehicles. To further reduce their environmental footprint, they are using treated effluent from the STPs to irrigate the crops which, in turn, is minimising their discharge into receiving waterways.

Customer and Community

Strategic customer engagement

QUU has continued to invest in building capability and capacity in strategic customer engagement.

Whilst QUU's current regulatory framework does not stipulate the requirement for this, they have deliberately decided to take a leadership position and undertake strategic customer engagement across a number of areas of our business.

Shareholders and Strategic Stakeholders

Quarterly Report

The Board received a copy of the Quarterly Report that was prepared for the reporting period of 1 October to 31 December 2016. A copy of this report has been issued to each council and made available on the Shareholder Portal.

People

Health and safety assurance

The Board receives regular assurance over the appropriateness and effectiveness of QUU's health and safety frameworks including, but not limited to, annual accredited safety audits, monthly safety Board reporting, safety visits, and regular presentations by management.

This month, the Board had a discussion on the areas of assurance that it will undertake in 2017 to ensure the health and safety of our workforce and the broader community.

Succession planning

QUU's leadership development program includes succession planning for key management positions that are critical to the long-term performance and growth of our business.

This month, the Board received a briefing on the approach that has been adopted and outcomes achieved from a recent process that was undertaken to identify and develop potential talent across our business to fill these key leadership positions.



<p>ORDINARY COUNCIL MEETING MINUTES 8 MARCH 2017</p>

Enterprise Agreements

QUU continues to negotiate in good faith, with support from the Fair Work Commission, on QUU's three enterprise agreements.

Management expects to be in a position to reach in principle agreement on the SAS Laboratory enterprise agreement first, followed by their Administration and Technical agreement and field-based agreement, respectively.



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